Appendix 2-1 NOP/Initial Study

Appendices

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CITY OF WESTMINSTER
NOTICE OF PREPARATION of DRAFT ENVIRONMENTAL IMPACT REPORT for the WESTMINSTER MALL SPECIFIC PLAN and NOTICE OF SCOPING MEETING

Date:	October 24, 2019
Subject:	Notice of Preparation (NOP) and Scoping Meeting for the Westminster Mall Specific Plan Project Draft Environmental Impact Report
To:	State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Other Public Agencies, Interested Organizations
Lead Agency/Sponsor:	City of Westminster, Planning Division
Project Title:	Westminster Mall Specific Plan Project – Project Case No. 2019-201

NOTICE IS HEREBY GIVEN that the City of Westminster will prepare an environmental impact report (EIR) for the Westminster Mall Specific Plan Project. The City is the lead agency for the project. The purpose of this notice is to (1) serve as a Notice of Preparation of an EIR pursuant to the California Environmental Quality Act (CEQA) Guidelines § 15082, (2) advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the project, and (3) notice the public scoping meeting.

NOTICE OF PREPARATION: The City of Westminster, as Lead Agency, requests that responsible and trustee agencies respond in a manner consistent with § 15082(b) of the CEQA Guidelines. Pursuant to CEQA § 21080.4, responsible agencies must submit any comments in response to this notice no later than 30 days after receipt. The public review period will commence on Thursday, October 24, 2019, and will close on Monday, November 25, 2019. All written comments should be addressed to Steven Ratkay, AICP, Planning Manager, City of Westminster Planning Division, at sratkay@westminster-ca.gov, or by mail to the City of Westminster, 8200 Westminster Boulevard, Westminster, CA 92683, before the end of the comment period. A copy of the NOP is available for review at the following locations:

City of Westminster – Planning Division
8200 Westminster Boulevard,
Westminster, CA 92683
Monday – Thursday 7:30 a.m. – 5:30 p.m
Friday 7:30 a.m. – 4:35 p.m.

Westminster Branch Library
8180 13th Street,
Westminster, CA 92683
Monday – Thursday 10:00 a.m. – 7:00 p.m
Friday – Saturday 9:00 a.m. – 5:00 p.m.

The NOP can also be viewed and downloaded from the City's webpage at: https://www.westminster-ca.gov/our_city/depts/cd/planning/planning_division_public_notices/default.asp or https://www.westminster-ca.gov/our_city/depts/cd/planning/westminster_mall_specific_plan.asp

PUBLIC SCOPING MEETING: The City will hold a scoping meeting in conjunction with this NOP in order to present the project and the EIR process, and to provide an opportunity for agency representatives and the public to assist the lead agency in determining the scope and content of the environmental analysis for the EIR. The public scoping meeting will be held at the time and location listed below:

Date: November 18, 2019
Time: 5:00 p.m. – 7:00 p.m.
Location: Mariam Warne Community Building
14491 Beach Blvd (corner of Beach Blvd and hazard Avenue)
Westminster, CA 92683

PROPERTY LOCATION: As shown on Figure 1, *Regional Location*, Figure 2, *Local Vicinity*, and Figure 3, *Aerial Photograph*, of the Initial Study, the Westminster Mall—1025 Westminster Mall, City of Westminster—encompasses approximately 100 acres in northwest Orange County. The Westminster Mall is west of Interstate 405 (I-405) and is generally bounded by I-405 to the north and east, Goldenwest Street to the east, Bolsa Avenue to the south, and Edwards Street to the west.

EXISTING CONDITIONS: With the adoption of the 2016 General Plan, six mixed-use areas were approved around the City, each require a Specific Plan. The Westminster Mall Specific Plan (proposed project) is the first of these plans to be proposed. The Westminster Mall is approximately 100 acres, is owned by five property owners, and houses approximately 1.3 million square feet of retail. The project site consists of central retail with major department stores ("anchors"), including JC Penney to the north, Sears to the east, Target to the south, and Macy's to the west of the central retail portion of the site. The northwestern corner of the project site includes Best Buy, and Babies R Us to the south of it. The mall site can be accessed from four driveways on Bolsa Avenue, one driveway on Goldenwest Street, and two driveways on Edwards Street. Mall parking is provided via a surrounding surface lot. On January 4, 2018, Sears (east side, former anchor) identified that, as part of a plan to close 103 stores nationwide, the Sears department store would be closing. Additionally, in January 2018, Babies R Us (northwest side, anchor) announced it would close all stores nationwide. The project site is designated Mixed Use Westminster Mall in the City of Westminster General Plan, and zoned C-2 General Business.

PROJECT DESCRIPTION: The proposed project would provide guidelines for mixed commercial, professional office, hotel, and residential development (which would vary in housing type and affordability) as shown on Figure 4, *Land Use Concept,* of the Initial Study. The development standards and guidelines will address: permitted uses, building heights (that vary by location on the site), edge treatments, setbacks, aesthetic design features, open space requirements, circulation, and landscaping. The development standards and guidelines would apply to future development and remodeling projects; no property owners have submitted applications for projects at this time. The proposed project would include a general plan amendment and a specific plan.

Primary and secondary circulation within and to the project site would be similar to existing conditions, and would be provided through the I-405 offramp and driveways along Bolsa Avenue, Edwards Street, and Goldenwest Street. A pedestrian and bicycle gateway would be located at the northwestern corner of the site, north of the mall property in the Navy Railway easement, within the project site boundaries. Additionally, future development of the Specific Plan must fit within the capacity of the existing roadway as road widening is not proposed.

The Draft EIR would analyze the maximum square footage and number of units (3,000 dwelling units, 425 hotel rooms, 1.2 million square feet of non-residential uses (retail and office), and a maximum height of 10 stories (including density bonuses). Final numbers in the Specific Plan may change depending on the findings of the environmental review, however, the final numbers will not exceed the amount of development intensity described above.

POTENTIAL SIGNIFICANT EFFECTS: The City has prepared an initial study that concludes an EIR is needed to evaluate several environmental issues. Environmental issues to be analyzed in the EIR include: Aesthetics, Air Quality, Energy, Greenhouse Gas Emissions, Noise, Population and Housing, Public Services, Recreation, Transportation, and Utilities and Service Systems. The project site is not on a hazard material list compiled pursuant to Government Code section 65962.5.

Date: October 24, 2019

Signature:

Steven Ratkay, AICP, Planning Manager

ATTACHMENTS:
Initial Study

October 2019 | Initial Study

WESTMINSTER MALL SPECIFIC PLAN PROJECT

City of Westminster

Prepared for:

City of Westminster
Contact: Steven Ratkay, AICP, Planning Manager
8200 Westminster Boulevard
Westminster, California 92683
714.548.3484

Prepared by:

PlaceWorks
Contact: Mark Teague, AICP, Associate Principal
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Santa Ana, California 92707
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PLACEWORKS

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Abbreviations and Acronyms

AAQS	ambient air quality standards
AB	Assembly Bill
ACM	asbestos-containing materials
ADT	average daily traffic
amsl	above mean sea level
AQMP	air quality management plan
AST	aboveground storage tank
BAU	business as usual
bgs	below ground surface
BMP	best management practices
CAA	Clean Air Act
CAFE	corporate average fuel economy
CalARP	California Accidental Release Prevention Program
CalEMA	California Emergency Management Agency
Cal/EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Cal/OSHA	California Occupational Safety and Health Administration
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
cfs	cubic feet per second
CGS	California Geologic Survey
CMP	congestion management program
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level

Abbreviations and Acronyms

CO	carbon monoxide
CO_2e	carbon dioxide equivalent
Corps	US Army Corps of Engineers
CSO	combined sewer overflows
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	environmental impact report
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gases
GWP	global warming potential
HCM	Highway Capacity Manual
HQTA	high quality transit area
HVAC	heating, ventilating, and air conditioning system
IPCC	Intergovernmental Panel on Climate Change
L_{dn}	day-night noise level
L_{eq}	equivalent continuous noise level
LBP	lead-based paint
LCFS	low-carbon fuel standard
LOS	level of service
LST	localized significance thresholds
M_W	moment magnitude
MCL	maximum contaminant level
MEP	maximum extent practicable
mgd	million gallons per day
MMT	million metric tons

Abbreviations and Acronyms

MPO	metropolitan planning organization
MT	metric ton
MWD	Metropolitan Water District of Southern California
NAHC	Native American Heritage Commission
NO_X	nitrogen oxides
NPDES	National Pollution Discharge Elimination System
O_3	ozone
OES	California Office of Emergency Services
PM	particulate matter
POTW	publicly owned treatment works
ppm	parts per million
PPV	peak particle velocity
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RMP	risk management plan
RMS	root mean square
RPS	renewable portfolio standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SIP	state implementation plan
SLM	sound level meter
SoCAB	South Coast Air Basin
SO_X	sulfur oxides
SQMP	stormwater quality management plan
SRA	source receptor area [or state responsibility area]
SUSMP	standard urban stormwater mitigation plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TNM	transportation noise model

Abbreviations and Acronyms

tpd	tons per day
TRI	toxic release inventory
TTCP	traditional tribal cultural places
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	urban water management plan
V/C	volume-to-capacity ratio
VdB	velocity decibels
VHFHSZ	very high fire hazard severity zone
VMT	vehicle miles traveled
VOC	volatile organic compound
WQMP	water quality management plan
WSA	water supply assessment

1. Introduction

The Westminster Specific Plan Project (proposed project) will provide guidelines for future development on the Westminster Mall site, which currently contains a mall with five different property owners. The 2016 Westminster General Plan approved six mixed-use areas in the City, including Westminster Mall (Westminster 2019a). These six areas are expected to contain the City's most significant opportunities for economic growth, and as outlined in the 2016 General Plan, a Specific Plan must be adopted for each separate area.

The Westminster Specific Plan is a long-term plan used to guide future land use, mobility, and design as the Mall is converted into a mixed-use site. This Plan is the first of the six area plans to be created, and future development may occur in phases over a period of months or years, as different property owners have different perspectives and timelines. Therefore, this Specific Plan will allow for changes over time as property owners initiate future development.

The City of Westminster, as lead agency, is responsible for preparing environmental documentation in accordance with the California Environmental Quality Act (CEQA) to determine if approval of the proposed project would have a significant impact on the environment. As defined by Section 15063 of the CEQA Guidelines, an Initial Study is prepared primarily to provide the lead agency with information to use as the basis for determining whether an environmental impact report (EIR), Negative Declaration, or Mitigated Negative Declaration (MND) would be appropriate for providing the necessary environmental documentation and clearance for the proposed project.

1.1 PROJECT LOCATION

The Westminster Mall—1025 Westminster Mall, City of Westminster—encompasses approximately 100 acres in northwest Orange County. The City of Westminster is bordered by the cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach (see Figure 1, *Regional Location*).

The site is bounded by Interstate 405 (I-405) to the north and east, Edwards Street to the west, Bolsa Avenue to the south, and Goldenwest Street to the east. Figure 1 and Figure 2, *Local Vicinity*, show the location of the site within the regional and local contexts of Orange County. Other nearby freeways include State Route 22 (SR-22) approximately 1.6 miles north of the site and State Route 39 (SR-39) approximately one mile to the east of the site.

1.2 ENVIRONMENTAL SETTING

1.2.1 Existing Land Use

The site is currently occupied by Westminster Mall, as shown in Figure 3, *Aerial Photograph*. The Mall encompasses 1.3 million square feet of retail. The Mall consists of a central retail core with major department

stores ("anchors"), including JC Penney to the north, Sears to the east, Target to the south, and Macy's to the west of the central retail portion of the site. The northwestern corner of the project site includes Best Buy, and Babies R Us to the south of it. The mall site can be accessed from four driveways on Bolsa Avenue, one driveway on Goldenwest Street, and two driveways on Edwards Street. Currently I-405 is undergoing expansion with improvements to bridges and on/off ramps at Bolsa Avenue and Goldenwest Street, providing easier access to the Mall from the I-405 (Westminster 2019b). Mall parking is provided via a surrounding surface lot. On January 4, 2018, Sears (east side, former anchor) identified that, as part of a plan to close 103 stores nationwide, the Sears department store would be closing. Additionally, in January 2018, Babies R Us (northwest side, anchor) announced it would close all stores nationwide. The project site is designated Mixed Use Westminster Mall in the City of Westminster General Plan, and zoned C-2 General Business. The Mall is currently owned by several entities. Table 1, *Westminster Mall Assessor's Parcel Numbers*, identifies the Assessor's Parcel Numbers (APNs) for the site.

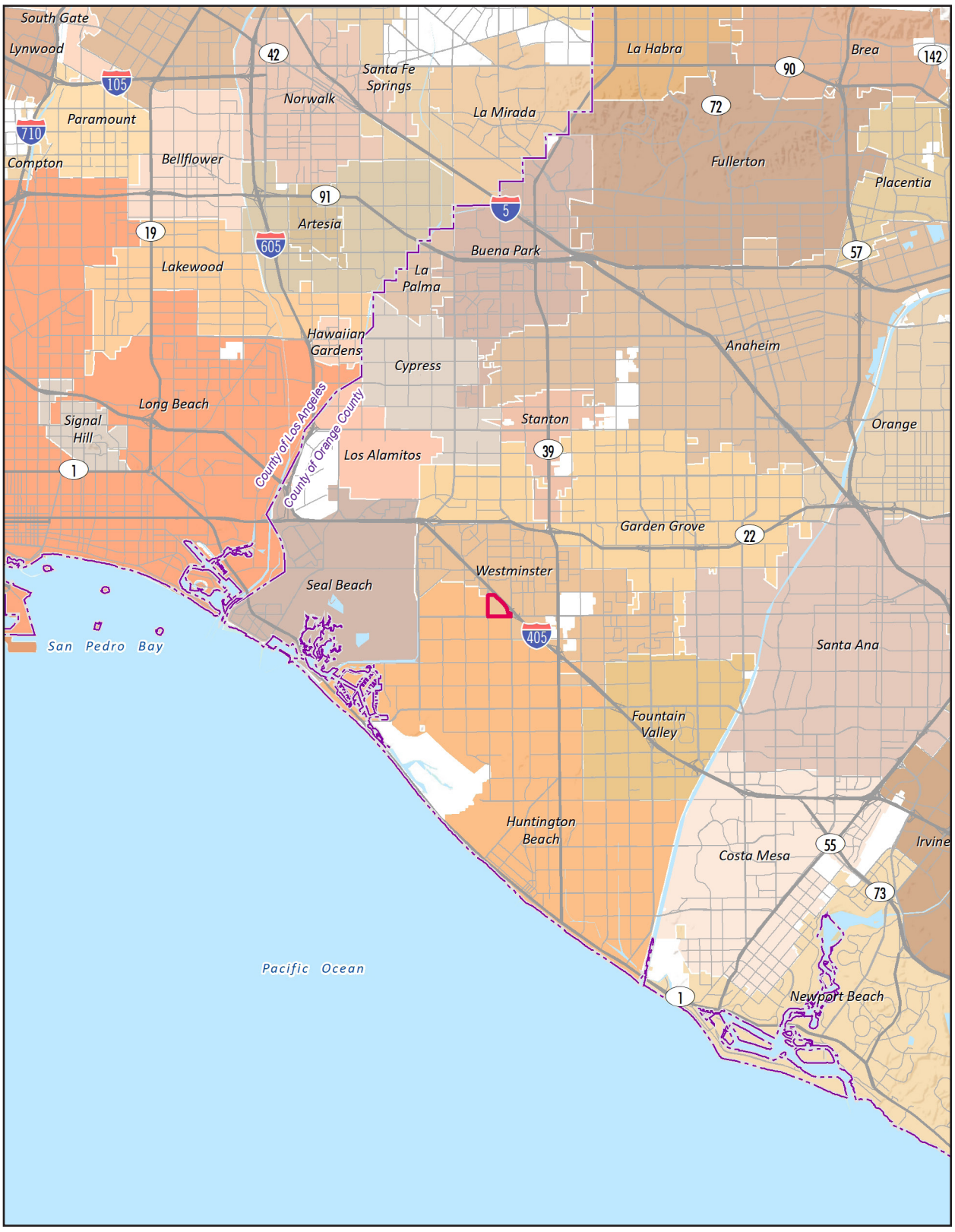
Table 1 Westminster Mall Assessor's Parcel Numbers

APN	Property Owner	Acres
195-373-08	Westminster Mall LLC	0.3 acres
195-373-09	Seritage SRC Finance LLC	14.13 acres
195-373-10	Macy's California Realty	11.61 acres
195-373-11	Westminster Mall LLC	6.16 acres
195-373-15	Connie L Sillen	3.57 acres
195-373-16	Westminster Mall LLC	11.27 acres
195-373-17	Westminster Mall LLC	30.54 acres
195-373-18	Westminster Mall LLC	0.45 acres
195-373-19	Westminster Mall LLC	0.6 acres
195-373-20	Westminster Mall LLC	1.62 acres
195-373-22	Westminster Mall LLC	0.59 acres
195-373-25	Westminster Mall LLC	1.62 acres
195-373-26	OC Flood Control District	1.19 acres
195-373-27	Orange County Transportation Authority	1.23 acres
195-461-02	Krausz Ft One LLP	0.98 acres
195-462-01	Krausz Ft One LLP	8.12 acres
195-462-02	Westminster Mall LLC	0.48 acres
Total Acreage		94.46 acres

1.2.2 Surrounding Land Use

The project site is surrounded by residential, industrial, and school uses, and is bounded by I-405 to the north and east, Edwards Street to the west, Bolsa Avenue to the south, and Goldenwest Street to the east. To the north of the project site is US Storage Centers, and Westminster High School and single-family residences are located north of I-405; to the west of the project site is Clegg Elementary School and single-family residences; to the south of the site are residential uses; and east of the project site are industrial and residential uses.

Figure 1 - Regional Location



Westminster Mall Specific Plan

Note: Unincorporated county areas are shown in white.

Source: ESRI, 2019

0 3
Scale (Miles)

PlaceWorks

1. Introduction

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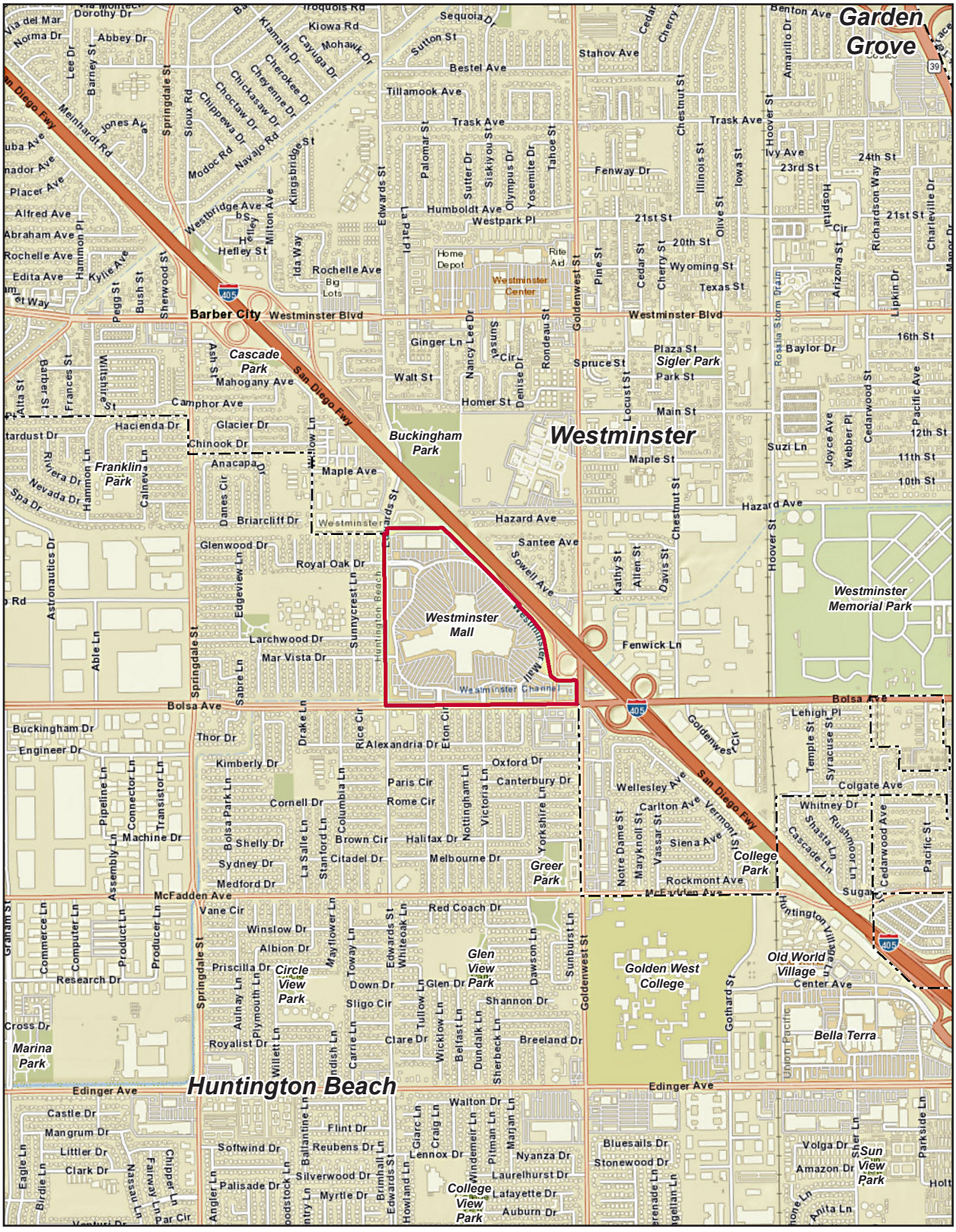
Figure 2 - Local Vicinity



Westminster Mall Specific Plan

City Boundary

Source: ESRI, 2019

0 2,000
Scale (Feet)

1. Introduction

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Figure 3 - Aerial Photograph

Source: ESRI, 2019

1. Introduction

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1.3 PROJECT DESCRIPTION

The proposed project would provide guidelines for mixed commercial, professional office, hotel, and residential development (which would vary in housing type and affordability) as shown on Figure 4, *Land Use Concept*. The development standards and guidelines in the proposed Westminster Mall Specific Plan would address: permitted uses, building heights (that vary by location on the site), edge treatments, setbacks, aesthetic design features, open space requirements, circulation, and landscaping. The development standards and guidelines would apply to future development and remodeling projects; no property owners have submitted applications for projects at this time.

Primary and secondary circulation within and to the project site would be similar to existing conditions and would be provided through the I-405 offramp and driveways along Bolsa Avenue, Edwards Street, and Goldenwest Street. A new pedestrian and bicycle trail and gateway would be located at the northwestern corner of the site, north of the mall property in the Navy Railway easement, within the project site boundaries. Additionally, future development of the Specific Plan must fit within the capacity of the existing roadway as road widening is not proposed.

A maximum of 3,000 dwelling units, 425 hotel rooms, 1.2 million square feet of non-residential uses (retail and office), and a maximum height of 10 stories will be analyzed; final numbers in the Specific Plan may change depending on the findings of the environmental review, however, the final numbers will not exceed the amount of development intensity described above.

1.4 EXISTING ZONING AND GENERAL PLAN

The General Plan land use designation of the site is Mixed Use Westminster Mall, which allows densities up to 40 dwelling units per acre (du/ac) and a maximum floor-to-area ratio (FAR) of 1.0. The Westminster Mall site can accommodate residential projects at densities greater than 40 du/ac, however, a general plan amendment would be required to exceed the maximum allowable density according to the General Plan; the preferred land use mix is 70 percent retail and 30 percent residential (Westminster 2016a). In addition to an amendment, the General Plan requires that a specific plan be prepared for this site. The site is zoned C-2 (General Business) which permits retails and office uses; hotel uses require a Conditional Use Permit and mixed-use residential are permitted under Planned Development and Comprehensive Plan, as stated in Westminster Municipal Code Section 17.220, *Commercial Zoning Districts* (Westminster 2019c). The proposed Specific Plan will replace the existing zoning for the site.

1.5 CITY ACTION REQUESTED

The Initial Study examines the potential environmental impacts of the proposed project. This Initial Study is also being prepared to address various actions by the City to adopt and implement the proposed project. It is the intent of this Initial Study to enable the City to make an informed decision with respect to the proposed project. The City would be required to approve the Initial Study and approve the proposed project.

1. Introduction

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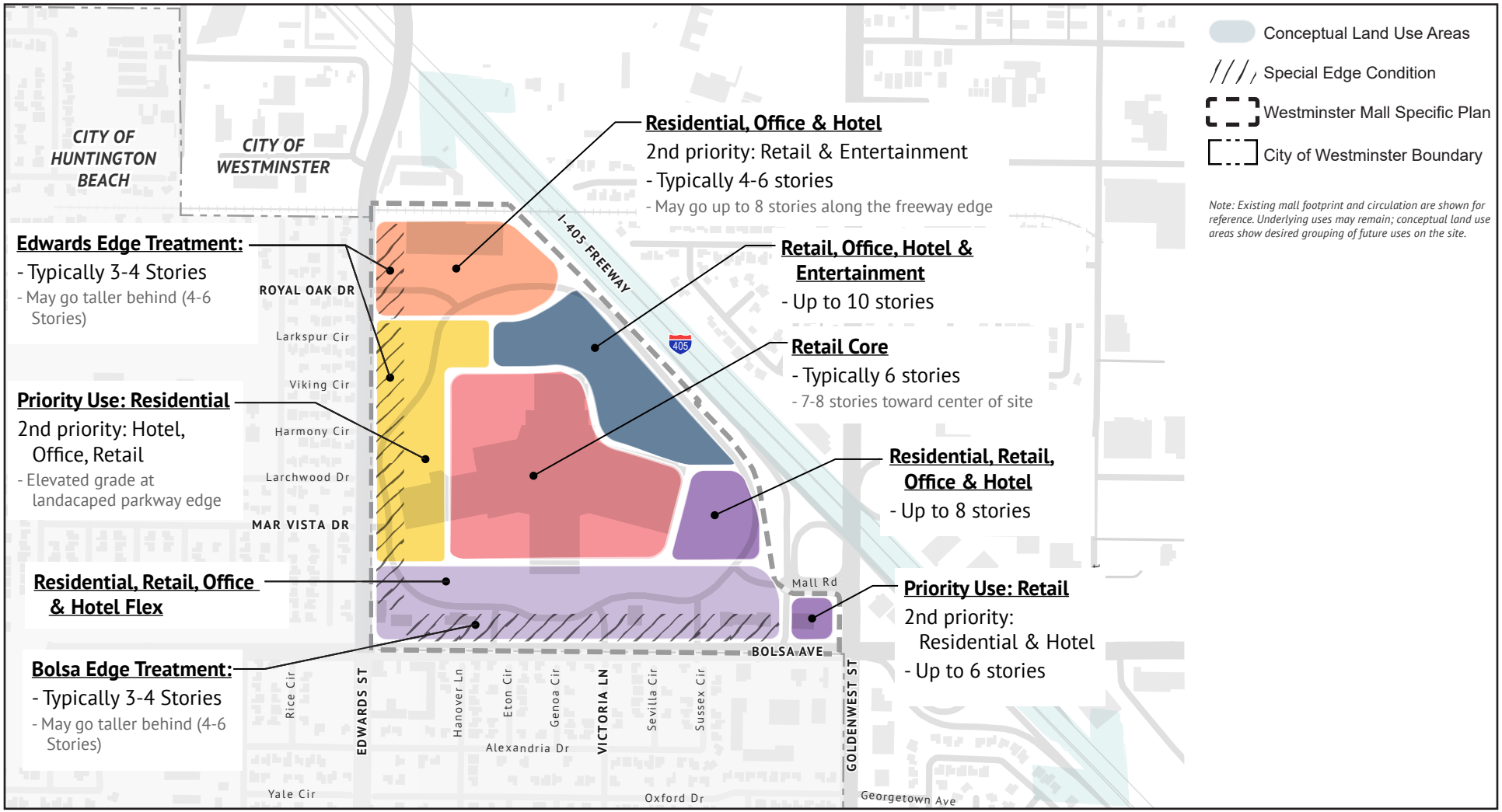
Figure 4 - Land Use Concept



Source: ESRI, 2019

1. Introduction

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2. Environmental Checklist

2.1 PROJECT INFORMATION

1. **Project Title:** Westminster Mall Specific Plan Project

2. **Lead Agency Name and Address:**
City of Westminster
8200 Westminster Boulevard,
Westminster, California 92683

3. **Contact Person and Phone Number:**
Steven Ratkay, AICP, Planning Manager
714.548.3484

4. **Project Location:** The Westminster Mall—1025 Westminster Mall, City of Westminster—encompasses approximately 100 acres in northwest Orange County. The City of Westminster is bordered by the cities of Garden Grove, Santa Ana, Fountain Valley, Huntington Beach, and Seal Beach

5. **Project Sponsor's Name and Address:**
City of Westminster
8200 Westminster Boulevard,
Westminster, California 92683

6. **General Plan Designation:** Mixed Use Westminster Mall

7. **Zoning:** C-2 (General Business)

8. **Description of Project:**

The proposed project would provide guidelines for mixed commercial, professional office, hotel, and residential (which would vary in housing type and affordability) development. The development standards and guidelines in the proposed Westminster Mall Specific Plan would address: permitted uses building heights (that vary by location on the site), edge treatments, setbacks, aesthetic design features, open space requirements, circulation, and landscaping. The development standards and guidelines would apply to future development and remodeling projects; no property owners have submitted applications for projects at this time

Primary and secondary circulation within and to the project site would be similar to existing conditions and would be provided through the I-405 offramp and driveways along Bolsa Avenue, Edwards Street, and Goldenwest Street. A pedestrian and bicycle gateway would be located at the northwestern corner of the site, north of mall property in the Navy Railway easement, within the project site boundaries. Additionally, future

2. Environmental Checklist

development of the Specific Plan must fit within the capacity of the existing roadway as road widening is not proposed.

A maximum of 3,000 dwelling units, 425 hotel rooms, 1.2 million square feet of non-residential uses (retail and office), and a maximum height of 10 stories (including density bonuses) will be analyzed; final numbers in the Specific Plan may change depending on the findings of the environmental review; however, the final numbers will not exceed the amount of development intensity described above.

9. **Surrounding Land Uses and Setting:**
   The project site is surrounded by residential, industrial, and school uses, and is bounded by I-405 to the north and east, Edwards Street to the west, Bolsa Avenue to the south, and Goldenwest Street to the east. To the north of the project site is US Storage Centers, and Westminster High School and single-family residences are located north of I-405; to the west of the project site is Clegg Elementary School and single-family residences; to the south of the site are residential uses; and east of the project site are industrial uses.

10. **Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participating agreement):**
    City of Westminster

    Caltrans

    County of Orange

    Regional Water Control Board

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
    As part of the EIR, the City will contact the Tribes and include their responses in the Tribal Cultural Resources discussion.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture / Forestry Resources	☒ Air Quality
☐ Biological Resources	☐ Cultural Resources	☒ Energy
☐ Geology/Soils	☒ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☒ Noise	☒ Population / Housing	☒ Public Services
☒ Recreation	☒ Transportation	☐ Tribal Cultural Resources
☒ Utilities / Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

2.2 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature — 10.22.19 *Date*

STEVEN RATKAY AICP — PLANNING MANAGER

2.3 EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

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

   a) **Earlier Analyses Used.** Identify and state where they are available for review.

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

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

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

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

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

9. The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

2. Environmental Checklist

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3. Environmental Analysis

Section 2.4 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

3.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	X			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X			

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. Vistas provide visual access or panoramic views to a large geographic area. According to page 5.1-7 in Chapter 5.1 of the City's General Plan Update Draft EIR (DEIR), the City's physical setting in the Santa Ana River Basin region and relatively flat topography provide scenic views of the San Gabriel and Santa Ana Mountains, however, these vistas are often obscured by weather and poor air quality. Bolsa Avenue, which bounds the southern portion of the site, is considered a primary scenic corridor. However, due to the highly urbanized setting of area surrounding the project site, along Bolsa Avenue, views are obscured. Moreover, there are no locally designated scenic corridors or vistas in Westminster (Westminster 2016b). Therefore, impacts to scenic vistas would be less than significant. This topic will not be discussed in the EIR.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. According to page 5.1-7 in Chapter 5 of the General Plan Update DEIR, there are no state-designated highways, nor are the highways in the City considered eligible for that distinction by the California Scenic Highway Program. Therefore, no impacts would occur. This topic will not be discussed in the EIR.

c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Potentially Significant Impact. Future development under the proposed project, which would allow up to 10 stories, would change the visual appearance of the project site. Future development would occur within the central portion and the periphery of the site, thereby changing the configuration of the site. The EIR will evaluate the proposed visual changes and their potential to impact the character and quality of the site, as well as their potential to conflict with regulations governing scenic quality.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Potentially Significant Impact. The two major causes of light pollution are glare and spill light. Spill light is caused by misdirected light that illuminates areas outside the intended area to be lit. Glare occur when a bright object is against a dark background, such as oncoming vehicle headlights or an unshielded light bulb. Future development would occur along the periphery of the site and would generate new sources of light and glare that could affect day or nighttime views on the project site and vicinity. The EIR will evaluate the proposed light and glare impacts and their potential to impact the site and surrounding area.

3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The project site has no agricultural or farm uses onsite, nor is there agricultural or farm uses in its immediate vicinity. The site is zoned C-2 (General Business). Additionally, according to the California Important Farmland Finder, the site is mapped as Urban and Built-Up Land (CDC 2016). Therefore, there would be no impacts to agricultural land. This topic will not be discussed in the EIR.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is zoned C-2 (General Business). The project site would not conflict with agricultural zoning or a Williamson Act Contract because it is not zoned for agricultural use. Additionally, according to the State of California Williamson Act Land map, the property is not within a Williamson Act Agricultural Preserve (CDC 2017). The site is developed and is not used for agricultural uses; as the project site is zoned C-2 (General Business), there is no Williamson Act contract in effect onsite. Therefore, no impact would occur. This topic will not be discussed in the EIR.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact. The proposed project would not conflict with existing zoning for forest land, timberland, or timberland production. Forest land is defined as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits" (California PRC § 12220[g]). Timberland is defined as "land…which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees" (California PRC § 4526). The project site zoned as C-2 (General Business) and is mapped as Urban and Built-Up Land (CDC 2016). Therefore, the plan would not conflict with zoning for, or cause rezoning of, forest land or timberland. This topic will not be discussed in the EIR.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Vegetation onsite is limited to scattered ornamental trees. The project site has no forest uses onsite, nor is there forest uses in its immediate vicinity. The zoning designation of the site is C-2 (General Business). Additionally, the site is mapped as Urban and Built-Up Land (CDC 2016). Therefore, there would be no impacts, and the project would not result in the loss of forest land or conversion of forest land to non-forest use. This topic will not be discussed in the EIR.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As shown in the maps from the California Department of Conservation, there is no important farmland or forest land on the project site or immediate vicinity. As the project site is currently developed with the Westminster Mall, the proposed project and future development would not indirectly cause conversion of such land to nonagricultural or non-forest uses. Therefore, no impact would occur. This topic will not be discussed in the EIR.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	X			
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	X			
c) Expose sensitive receptors to substantial pollutant concentrations?	X			
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	X			

a) Conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. Future development on the site could conflict with the implementation of applicable air quality plans, such as the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP). As stated on page 5.2-19 in Chapter 5.2 of the General Plan Update DEIR, specific plans that do not increase dwelling unit density, vehicle trips, or vehicle miles traveled are deemed to not exceed SCAQMD thresholds. Until project details have been determined, the proposed dwelling unit density, vehicle

trips and miles, and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact to conflicting with an applicable AQMP.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Potentially Significant Impact. The project site is in the South Coast Air Basin (SoCAB). According to page 5.2-11 of Chapter 5.2 of the General Plan Update DEIR, the City of Westminster regularly exceeds the state PM_{10} and federal $PM_{2.5}$. Construction and operation activities of future development on the project site have the potential to generate fugitive dust, area-source emissions, and mobile-source emissions. The EIR will analyze the proposed project's impact to cumulatively increase criteria pollutants in the SoCAB region.

c) Expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. Future development under the proposed project could expose sensitive receptors to substantial pollutant concentrations, during construction and operational phases. The project site is surrounded by residential uses to west and south, and to the north across I-405. The EIR will analyze the proposed project's impact to expose sensitive receptors to substantial pollutant concentrations.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Potentially Significant Impact. Future development under the proposed project could result in other emissions, such as those leading to odors, during the use of construction equipment and/or from operational activities, for example, during the use of landscaping equipment. The EIR will analyze the proposed project's impact to result in other emissions.

3.4 BIOLOGICAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

3. Environmental Analysis

	Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The project site is completely developed with an existing mall. There are ornamental trees and vegetation throughout the site, along the periphery of the project site, and within the parking lot areas. The project site and surroundings are situated in an urban, built-up area. As the project site operates as a mall, there are frequent disturbances on site. Therefore, no native habitat and no suitable habitat for sensitive species is present onsite, and no impact would occur either directly or through habitat modification. This topic will not be discussed in the EIR.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The project site is completely developed with an existing mall and provides no riparian or natural habitat. (USFWS 2019). Therefore, no impact would occur. This topic will not be discussed in the EIR.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The site is fully developed with an existing mall, and there are no wetlands onsite (USFWS 2019). Therefore, the proposed project would not have an adverse effect on wetlands, and no impact would occur. This topic will not be discussed in the EIR.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. Corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Movement corridors may provide favorable locations for wildlife to travel between different habitat areas, such as foraging sites, breeding sites, cover areas, and preferred summer and winter range locations. They may also function as dispersal corridors allowing animals to move between various locations within their range.

Although the project site is frequently disturbed, the trees on-site could be used for nesting by birds protected under the Migratory Bird Treaty Act (MBTA) (US Code Title 16, Sections 703–712), and California Fish and Game Code Sections 3503 et seq.

Compliance with the MBTA requires:

- Avoiding grading activities during the nesting season, February 15 to August 15.
- Or, if grading activities are to be undertaken during the nesting season, a site survey for nesting birds by a qualified biologist before commencement of grading activities. If nesting birds are found, the applicant would consult with the USFWS regarding means to avoid or minimize impacts to nesting birds.

Impacts would be less than significant with compliance with the MBTA. This topic will not be discussed in the EIR.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The City of Westminster Municipal Code Section 12.12.060, *Planting and Removal of Street Trees*, protects street trees in the public right-of-way (Westminster 2019d). Future development on the project site would occur within the project boundary and, if required, would remove trees on the project site. No impact to City trees would occur. The proposed project would not violate applicable local policies or ordinances protecting biological resources. No impact would occur. This topic will not be discussed in the EIR.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The project site is in not within a Natural Community Conservation Plan or Habitat Conservation Plan area. The project site does not contain sensitive biological resources, and there are no local policies protecting biological resources applicable to the site. No impact would occur. This topic will not be discussed in the EIR.

3.5 CULTURAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact. Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered "historically significant" if it meets one of the following criteria:

i) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

ii) Is associated with the lives of persons important in our past;

iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;

iv) Has yielded, or may be likely to yield, information important in prehistory or history.

The entire project site has been graded and paved, and is developed with an existing mall. The project site is not listed as a historic resource on the National Register of Historic Places or on the California Historical Resources Inventory (NPS 2019; OHP 2019). Additionally, according to Table 5.3-1 on page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, there is a total of 107 historic resources in the City, nine of which are commercial buildings built in 1969 or earlier (Westminster 2016b). The mall was built in 1974, and is therefore not one of the commercial buildings listed as a historic resource in the General Plan Update DEIR.As there are no historic resources on the project site, no impact would occur. This topic will not be evaluated in the EIR.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less Than Significant Impact. Archaeological resources are prehistoric or historic evidence of past human activities, including structural ruins and buried resources. According to page 5.3-8 in Chapter 5.3 of the

General Plan Update DEIR, there were five prehistoric sites recorded in the City which have all been destroyed by urban development (Westminster 2016b). Given that there are no longer any archaeological resources within the City, including the project site, the likelihood for discovery of archaeological resources is low. The project site is currently paved and developed as a mall. Previous ground disturbance and construction activities have occurred on site, such as grading, excavation, and trenching for utility connections. Due to these activities, it is unlikely that buried archaeological resources would be discovered or damaged by future development on the project site. Therefore, impacts would be less than significant. This topic will not be discussed in the EIR.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. The site has previously been graded, paved, and excavated, and currently operates as a mall. California Health and Safety Code Section 70520.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Because the site is already developed, any onsite human remains would likely have been found during previous grading and excavation. Therefore, it is unlikely that any human remains would be found in future onsite development. Potential impacts to human remains are less than significant. This topic will not be discussed in the EIR.

3.6 ENERGY

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	X			
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	X			

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Potentially Significant Impact. Future development under the proposed project could result in wasteful, inefficient, or unnecessary consumption of energy resources during construction activities (construction equipment, construction materials, transportation) or during operational activities (building and

transportation energy use). The EIR will evaluate the proposed project's impact to the consumption of energy resources.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially Significant Impact. Future development under the proposed project could increase dwelling unit density, population, and vehicle trips and miles. The operational use of energy for buildings, as well as energy used for transportation could conflict with state or local plans for energy efficiency. Until project details have been determined, the proposed dwelling unit density, vehicle trips and miles, and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impacts to renewable energy and energy efficiency plans.

3.7 GEOLOGY AND SOILS

Would the project:

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

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Based on the Earthquake Zones of Required Investigation Seal Beach Quadrangle Map, the project site is not in an Alquist-Priolo Zone (CGS 1986). There is no potential for ground rupture on the project site caused by a known earthquake fault. Therefore, no impact would occur. This topic will not be discussed in the EIR.

ii) Strong seismic ground shaking?

Less Than Significant Impact. As with the rest of southern California, the project site is expected to experience strong seismic ground shaking. According to the Earthquake Zones of Required Investigation Seal Beach Quadrangle Map, the project site is not within an earthquake fault zone (CGS 1986). The project site is at no greater risk for seismic activity than the surrounding development and infrastructure. All future development would be built to adhere to the most current California Building Code which provides minimum standards to protect property and public welfare by regulating design and construction to mitigate the effects of seismic shaking and adverse soil conditions. Compliance with the standards of the most current California Building Code would reduce impacts from ground shaking to a less than significant level. This topic will not be discussed in the EIR.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction refers to loose, saturated sand or gravel deposits that lose their load supporting capability when subjected to intense shaking. Parts of the City of Westminster are in the liquefaction zone, including the project site (CGS 1999). Future development would be required to mete the California Building Code requirements for structural measures. Therefore, liquefaction impacts as a result of the proposed project would be less than significant. This topic will not be discussed in the EIR.

iv) Landslides?

Less Than Significant Impact. Susceptibility of slopes to landslides and other slope failures depend on several factors that are usually present in combination—steep slopes, condition of rock and soil materials, presence of water, formational contacts, geologic shear zones, seismic activity, etc. The project site is in a very low landslide zone (CGS 1976). The project site is relatively play; therefore, it is unlikely that the site would be susceptible to landslide hazards. This topic will not be discussed in the EIR.

3. Environmental Analysis

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed, or dissolved, and removed from one place and transported to another. The project site is developed with a mall, surface parking lot, and ornamental trees. Future development under the proposed project would implement structural and nonstructural best management practices before and during construction to control surface runoff and erosion to retain sediment on the project site. Once these developments are constructed, soil erosion would be controlled with improvements installed on the project site. Therefore, a less than significant impact would occur. This topic will not be discussed in the EIR.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. As discussed in Section 3.7.a.iv, the project site is in a very low landslide zone; impacts would be less than significant. Lateral spreading is a phenomenon where large blocks of intact, nonliquefied soil move downslope on a large liquefied substratum. The mass moves towards an unconfined area, such as a descending slope or stream-cut bluff, and have been known to move on slope gradients as little as one degree. The project site is relatively flat and impacts would be less than significant. Moreover, subsidence of basins attributed to overdraft groundwater aquifers or over pumping of petroleum reserves has been reported in various parts of southern California. According to the Orange County Water District (OCWD) Groundwater Management Plan 2015 Update, there is little potential for future widespread permanent, irreversible subsidence given OCWD's statutory commitment to sustainable groundwater management and policy of maintain groundwater storage levels within a specified operating range (OCWD 2015). Therefore, impacts would be less than significant. Strong ground shaking can cause settlement of soils underlying a site by allowing sediment particles to become more tightly packed. Artificial fills, if not adequately compacted, may also experience seismically induced settlement. The project site is currently graded, paved, and developed with an existing mall. Therefore, previous artificial fills onsite would have been compacted in order to accommodate the existing development onsite; impacts are less than significant. This topic will not be discussed in the EIR.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils swell when they become wet and shrink when they dry out, result in the potential for cracked building foundations. According to the Expansivity Potential of Soils and Rock Units in Orange County map, the project site is in a low expansivity potential (CGS 1973). Therefore, impacts would be less than significant. This topic will not be discussed in the EIR.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. Future development under the proposed project would not require the installation of septic tanks or alternative wastewater disposal system, but would utilize the local sewer system, similar to existing conditions.

Therefore, no impacts would result from soil conditions related to septic tanks or other onsite waste disposal systems. This topic will not be discussed in the EIR.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. Paleontological resources are fossilized evidence of past life on earth such as bones, shells, leaves, tracks, burrows, and impressions. According to page 5.3-9 of the General Plan Update DEIR, no fossils are known to have been recovered within the City (Westminster 2016b). According to page 5.3-10 in Chapter 5.3 of the General Plan Update DEIR, Holocene and late Pleistocene deposits at depths greater than six feet are considered moderately sensitive for paleontological resources, as are very old alluvial fan deposits at depths greater than four feet; each of the two categories of sediments at depths less than those specified are considered to have low sensitivity for paleontological resources (Westminster 2016b). According to page E2-13 in Appendix E2 of the General Plan Update DEIR, the project site contains young alluvial fan and valley deposits of sand and clay from the Holocene and late Pleistocene (Cogstone 2016). The depth of these deposits on the site is unknown. Because the site is developed, it has previously been graded and excavated, and any existing paleontological resources or unique geologic features would have already been discovered. Nonetheless, the proposed project would implement Mitigation Measure CUL-3, from the General Plan Update EIR (Chapter 5.3, page 5.3-16), which states the following:

Applicants for future development projects that require excavation greater than (1) six feet into Holocene and late Pleistocene deposits, (2) four feet into very old alluvial fan deposits, or (3) five feet below the current ground surface in undisturbed sediments with a moderate or higher fossil yield potential shall provide to the City of Westminster a technical paleontological assessment prepared by a qualified paleontologist assessing the sensitivity of sites for buried paleontological resources prior to issuance of grading permits. If resources are known or reasonably anticipated, the assessment shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified paleontologist. The mitigation plan shall include the following requirements:

a. A paleontologist shall be retained for the project and shall be on call during grading and other significant ground-disturbing activities.

b. Should any potentially significant fossil resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources.

c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University, Fullerton; and provide a comprehensive final report, including catalog with museum numbers.

Therefore, impacts are less than significant. This topic will not be discussed in the EIR.

3.8 GREENHOUSE GAS EMISSIONS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	X			

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas (GHG) emissions on its own to influence global climate change significantly; hence climate change, is, by definition, a cumulative environmental impact. The State of California, through its governor and legislature, has established a comprehensive framework for the substantial reduction of GHG emissions over the next 40-plus years. This will occur primarily through the implementation of Assembly Bill 32 (AB 32), Senate Bill (SB 32), and SB 375, which address GHG emissions on a statewide and cumulative basis. The construction activities of future development on the site, as well as operation, and potential increase in vehicle traffic have the potential to generate GHG emissions that could significantly impact the environment. The EIR will evaluate the potential for the proposed to generate a substantial increase in GHG emissions.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. AB 32, the Global Warming Solution Act of 2006, requires the state to reduce GHG emissions to 1990 levels by 2020. The California Air Resources Board (CARB) adopted the 2008 Scoping Plan to identify state regulations and programs that would be adopted by state agencies to achieve the 1990 target of AB 32. The CARB 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 used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning. On December 14, 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, which includes regulations and programs to achieve the 2030 target established by SB 32. Also, SB 375, the Sustainable Communities and Climate Protection Act of 2008, was adopted by legislature to reduce per capita vehicle miles traveled and associated GHG emissions from passenger vehicles. SB 375 requires the metropolitan planning

organizations to prepare a Sustainable Communities Strategy in their regional transportation plans to achieve the per capita GHG reduction targets. The EIR will evaluate consistency of the proposed project with the overall GHG reduction foals of AB 32 SB 32, and SB 375.

3.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Less Than Significant Impact. Future construction activities for developments under the proposed project would require small amounts of hazardous materials, including fuels, greases and other lubricants, and coatings such as paint. The handling, use, transport, and disposal of hazardous materials by the construction phase of future development would comply with existing regulations of several agencies—the EPA, the Orange County Environmental Health Division, Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (Cal/OSHA), and US Department of Transportation. Future development under the proposed project would operate as commercial, professional office, residential, and hotel uses. Maintenance of these uses may require the use of cleaners, solvents, paints, and other custodial products that are potentially hazardous. These materials would be used in relatively small quantities, clearly labeled, and stored

in compliance with state and federal requirements. With the exercise of normal safety practices, future development under the proposed project would not create substantial hazards to the public or the environment. Therefore, this impact is less than significant and will not be discussed in the EIR.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. Future development on the project site may include demolition of portions of the existing mall. Due to the age of the mall, it is possible that the building may contain lead and asbestos. Lead was used as an ingredient in paint (before 1978) and as a gasoline additive; it is regulated as a hazardous material. Cal/OSHA considers asbestos-containing building material a hazardous substance when a bulk sample contains more than 0.1 percent of asbestos by weight. Activity that involves cutting, grinding, or drilling during building renovation or demolition, or relocation of underground utilities, could release friable asbestos fibers unless proper precautions are taken. Demolition and improvements of existing portions of the mall, under future development, would comply with all applicable regulations and guidelines pertaining to the abatement of and protection from exposure to asbestos and lead. These include Construction Safety Orders 1529 (pertaining to asbestos) and 1532.1 (pertaining to lead-based paint) from Title 8 of the California Code of Regulations and Part 61, Subpart M, of the Code of Federal Regulation (pertaining to asbestos). Compliance with applicable laws and regulations would reduce potentially significant hazards related to lead and asbestos in existing structures and improvements to a less than significant level. This issue will not be further evaluated in the EIR.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. There are no schools within a 0.25-mile radius of the project site; Clegg Elementary School and Westminster High School are approximately 0.30-mile west and north of the project site, respectively. Operations of future uses on the project site would be similar to existing conditions on site and within the project site vicinity—retail, residential, hotel, and professional office uses—and would not result in the release of hazardous emissions. No significant amounts of hazardous materials, substances, or wastes would be transported, used, or disposed of in conjunction with the future uses on the project site. No significant impacts would affect future occupants of the project site. This topic will not be addressed in the EIR.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. Based on a review of environmental records collected for the project site and surrounding area by Environmental Data Resources, the site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (SWRCB 2015, DTSC 2019). The Sears store was listed on GeoTracker as a clean up site for total petroleum hydrocarbons (TPH); the case was completed and closed on March 7, 2018 (SWRCB 2015). The project site contains a permitted underground storage tank (UST) to the east of the existing Babies R Us building, and a LUST cleanup site for gasoline, to the southwest of the existing Best Buy building, was completed and closed on November 4, 2013 (SWRCB 2015). Construction

activities of future development would occur within the boundaries of the project site and would not disturb offsite properties. Therefore, impacts would be less than significant and this topic will not be discussed in the EIR.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. There are no public use airports within two miles of the project site, and the project site is not within the safety zones surrounding any such airport. No impact would occur, and this topic will not be discussed in the EIR.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Future development under 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 future construction activities and postconstruction. The proposed project would not result in inadequate emergency access and impacts to adopted emergency response and evacuation plans are less than significant. This topic will not be addressed in the EIR.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The project site and project area are highly urbanized, and the project site is not within a Very High Fire Hazard Severity Zone (VHFHSZ) (CALFIRE 2007). Therefore, future development and occupants under the proposed project would not be exposed to wildland fire risks. This topic will not be discussed in the EIR.

3.10 HYDROLOGY AND WATER QUALITY

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	

3. Environmental Analysis

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in a substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. The project site is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). Drainage and surface water discharges during construction and operation of future development under the proposed project would not violate water quality standards or waste discharge requirements. However, site preparation and other soil-disturbing activities during construction of future development on the project site could temporarily increase the amount of soil erosion and siltation entering the local stormwater drainage system. Pursuant to Section 402 of the Clean Water Act, the US Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board administers the NPDES permitting program and is responsible for developing permitting requirements. The NPDES program regulates industrial pollutant discharges, including construction activities for sites larger than one acre. If future development projects on the site were to disturb more than one acre, those projects would be subject to the NPDES Construction General Permit requirements (Order No. 2009-0009-DWQ). Future construction and operation activities would implement best management practices (BMPs) to control erosion and prevent any discharge of sediments from the site, to reduce potential impacts to less than significant therefore this topic will not be discussed in the EIR.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. The project site is within the Coastal Plain of Orange County basin (DWR 2017). According to page 5.6-19 in Chapter 5.6 of the General Plan Update DEIR, the City of Westminster relies on local groundwater for approximately 60-65 percent of its water supply. However, the OCWD and

Municipal Water District of Orange County develop a regional urban water management plan every five years that quantifies existing and projected water supplies to ensure there will not be any water supply shortages or significant groundwater depletion; the 2015 Urban Water Management Plan highlighted sufficient surface and underground water supplies through 2040, as noted on page 5.6-20 in Chapter 5.6 of the General Plan Update DEIR. Future development under the proposed project would be required to demonstrate the how the project would not impede groundwater supplies or recharge in the preparation of environmental documents. Therefore, impacts would be less than significant, and this topic will not be discussed in the EIR.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in a substantial erosion or siltation on- or off-site?

Less Than Significant Impact. The project site is currently paved with impervious surfaces. The proposed project includes areas of open spaces throughout the project site, which would increase pervious surfaces onsite and therefore, reduce stormwater runoff into the drainage system. Furthermore, future development onsite, that are larger than one acre, would be required to comply with NPDES program and its requirements which include the development and implementation of a SWPPP. The SWPPP would include measures to minimize pollutant discharge from the project site through BMPs that emphasize erosion prevention through sediment control and minimizing soil disturbances during construction and operation phases. Therefore, impacts would be less than significant; this topic will not be discussed in the EIR.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. Future development under the proposed project would not alter the course of a stream. Future development would increase pervious surfaces throughout the site in the form of open spaces and green edges, compared to existing conditions. Additionally, the implementation of BMPs through preparation of a water quality management plan (WQMP), pertaining to site design and low impact development, would reduce the potential for on- or off-site flooding. Therefore, impacts would be less than significant, and this topic will not be evaluated further in EIR.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. The proposed project would increase pervious surfaces on the project site in the form of open spaces and green edges. According to page 5.6-16 of Chapter 5.6 of the General Plan Update DEIR, the implementation of local MS4 stormwater requirements would result in initial storm flows being infiltrated, reused on site, or biofiltered, and these requirements would reduce peak flow rates and volumes. Since the proposed runoff conditions of the General Plan Update were anticipated to be similar, the existing City and County storm drain systems were not anticipated to change due to buildout of the General Plan Update, according to page 5.6-16 of Chapter 5.6 of the General Plan Update DEIR.

Therefore, impacts of the proposed project would be less than significant. This topic will not be discussed in the EIR.

iv) Impede or redirect flood flows?

Less Than Significant Impact. The project site is within a 0.2 Percent Annual Chance Flood Hazard, Areas of 1 percent Annual Chance of Flood with Average Depth Less Than One Foot or with Drainage Areas of Less Than One Square Mile (Zone X), and the southern boundary of the site is within Zone A, a special flood hazard area (Flood Insurance Rate Map ID #06059C0232J) (FEMA 2009). According to page 5.6-20 in Chapter 5.6 of the General Plan Update DEIR, future development in Zone A in accordance with the General Plan Update, are required to purchase flood insurance per the National Flood Insurance Program, and they are subject to special standards and regulations that apply to new construction, and in some cases, existing buildings. Additionally, the General Plan Update DEIR states, on page 5.6-20 in Chapter 5.6, that a key component to reducing flood impacts in the City is to ensure the adequate functioning of the stormwater system, which is achieved with General Plan Update DEIR Policy INR-1.10. Therefore, with the incorporation of the General Plan Update DEIR policies, and regulations and standards pertaining to flooding, impacts would be less than significant. This topic will not be discussed in the EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam or other artificial body of water. Although there are no large water tanks in the area that could impact the proposed project site, there are dams in the region that could create flooding impacts. Thirteen dams in the greater Los Angeles area moved or cracked during the 1994 Northridge earthquake. However, none were severely damaged. This low damage level was due in part to completion of the retrofitting of dams and reservoirs pursuant to the 1972 State Dam Safety Act.

There are no water bodies on the project site. There is a 1.1-acre artificial lake in Greer Park, approximately 0.5-mile south of the project site. Due to the distance and the urban development separating the lake and the project site, impacts would be less than significant, and this topic will not be discussed in the EIR.

A tsunami is earthquake-induced flooding that is created from a large displacement of the ocean floor. The project site is approximately 3.9 miles northeast of the Pacific Ocean. The project site is not within a tsunami inundation zone (CGS 2009). Therefore, impacts would be less than significant, and this topic will not be discussed in the EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. Future development under the proposed project would be required to comply with applicable water quality control and sustainable groundwater management plans. Future development of

the proposed project would comply with the water quality and use requirements of these plans through the implementation of BMPs. Therefore, impacts would be less than significant. This topic will not be evaluated in the EIR.

3.11 LAND USE AND PLANNING

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

a) Physically divide an established community?

No Impact. Future development of the proposed project would occur on the project site boundaries, and would not divide an established community. Therefore, no impact would occur and this topic will not be discussed in the EIR.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The project site is zoned C-2 (General Business) and the General Plan Land Use designation of the site is Mixed Use Westminster Mall. Future development under the proposed project would be allowed under the current zoning and land use designations. The proposed Specific Plan is consistent with these designations. Therefore, the proposed project would not conflict with any land use plan and no impacts would occur. This topic will not be discussed in the EIR.

3.12 MINERAL RESOURCES

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

No Impact. There are four mineral resource zones (MRZ):

- **MRZ-1.** Adequate information indicates that no significant mineral deposits are present or likely to be present.
- **MRZ-2.** Adequate information indicates that significant mineral deposits are present or there is a high likelihood for their presence, and development should be controlled.
- **MRZ-3.** The significance of mineral deposits cannot be determined from the available data.
- **MRZ-4.** There is insufficient data to assign any other MRZ designation.

This mineral resource designation is intended to prevent incompatible land use development on areas determined to have significant mineral resource deposits. The project site is in MRZ-1, where significant mineral deposits are unlikely or not present (CDC 1994). The project site and its surrounding areas are not developed for mineral extractions. The areas surrounding the project site are developed with buildings, and therefore, no loss of known resources would result from project implementation. No impact would occur. This map will not be discussed in the EIR.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no mines mapped on or near the City on the Mines Online map (DMR 2016). Future development on the project site would not cause a loss of availability of a mining site, and no impact would occur. This topic will not be discussed in the EIR.

3.13 NOISE

Would the project result in:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Generation of excessive groundborne vibration or groundborne noise levels?	X			
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

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

Potentially Significant Impact. Future demolition, construction, and operation activities associated with the proposed project may have the potential to substantially increase ambient noise levels in the project vicinity. The EIR will evaluate the existing noise conditions onsite and predict the noise conditions in the future with and without the future development on the project site. Applicable noise standards will be provided in the EIR.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. Future development under the proposed project could involve excavation, grading, and construction activities that would use various heavy construction equipment that could generate excessive groundborne vibration. Therefore, short-term construction groundborne vibration impacts and applicable regulatory and environmental settings will be discussed in the EIR. However, the continued operation of the site as a mall, as well as residential, professional office, and hotel uses, would not involve long-term groundborne vibration impacts, and operational vibration impacts will not be addressed in the EIR.

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

Less Than Significant Impact. The project site is approximately 0.45-mile west of a private heliport (Airnav 2019). As stated in Section 3.9.e, above, there are no public use airports within two miles of the project site, and the project site is not within the safety zones surrounding any such airport. No impact would occur, and this topic will not be discussed in the EIR.

3.14 POPULATION AND HOUSING

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	X			
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Potentially Significant Impact. Future development on the project site could substantially increase population growth as a result of new jobs and up to 3,000 residential units. Until project details have been determined, the proposed dwelling unit density and population size will be analyzed in the EIR and compared to existing baselines. Impacts to population growth will be analyzed in the EIR.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project currently operates as a mall; there are no residential uses onsite. Future development under the proposed project would occur with the boundaries of the project site and would not displace existing people or housing. Therefore, no impacts would occur. This topic will not be discussed in the EIR.

3.15 PUBLIC SERVICES

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

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	X			
Police protection?	X			
Schools?	X			
Parks?	X			
Other public facilities?	X			

a) Fire protection?

Potentially Significant Impact. The Orange County Fire Authority (OCFA) provides fire protection and emergency medical services to the City of Westminster. The nearest fire station to the project site is Station 65

at 6061 Hefley Street, in the City of Westminster, approximately 0.9-mile northwest of the project site. Until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to fire protection services will be analyzed in the EIR.

b) Police protection?

Potentially Significant Impact. The Westminster Police Department provides police services to the City of Westminster. The Westminster Police Department located at 8200 Westminster Boulevard, in the City of Westminster, is approximately 1.5 miles northeast of the project site. Until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to police protection services will be analyzed in the EIR.

c) Schools?

Potentially Significant Impact. The project site is within the Westminster School District (K-8) and Huntington Beach Union High School District (9-12) boundaries. The potential for new students and impacts to school services will be analyzed in the EIR.

d) Parks?

Potentially Significant Impact. The City of Westminster Public Works Department maintains city parks. Future development under the proposed project would include open space and green edge areas throughout the site. However, until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to park facilities will be analyzed in the EIR.

e) Other public facilities?

Potentially Significant Impact. The Orange County Public Library (OCPL) provides library services to the project site through the Westminster Branch Library at 8180 13th Street in the City of Westminster. Until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to library services will be analyzed in the EIR.

3.16 RECREATION

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

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?

Potentially Significant Impact. The proposed project would include open space areas throughout the project site, which could reduce impacts to existing parks and recreational facilities in the City. However, until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to existing parks and recreational facilities will be analyzed in the EIR.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Potentially Significant Impact. The proposed project would include open space areas throughout the project site. Additionally, future development on the project could propose recreational facilities. Until project details have been determined, the proposed population size will be analyzed in the EIR and compared to existing baselines. Impacts to the construction or expansion of recreational facilities will be analyzed in the EIR.

3.17 TRANSPORTATION

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	X			
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	X			
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Potentially Significant Impact. Future development under the proposed project could generate new vehicle trips from future residents and visitors. Short-term future construction activities would also temporarily increase vehicle trips on nearby roadways for the duration of future construction activities. The proposed dwelling unit density, vehicle trips and miles, and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact to conflicting with programs, plans, ordinances, or policies addressing the circulation system.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

Potentially Significant Impact. Future development under the proposed project could generate new vehicle trips and miles traveled. The proposed dwelling unit density, vehicle trips and miles, and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact to conflicting or being inconsistent with CEQA Guidelines § 15064.3 subdivision (b).

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. Site access would be similar to existing conditions. The overall layout of the proposed project would not result in any unsafe vehicle-pedestrian conflict points, and the alignment and spacing of project driveways is adequate. Buildings surroundings provide sight distance along the drive aisles. Therefore, impacts would be less than significant, and this topic will not be discussed in the EIR.

d) Result in inadequate emergency access?

Less Than Significant Impact. Future development under the proposed project would not result in inadequate emergency access. The surrounding roadways would continue to provide emergency access to the project site and surrounding properties during future construction activities and postconstruction. The proposed project would not result in inadequate emergency access, and impacts would be less than significant. This topic will not be addressed in the EIR.

3.18 TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X

3. Environmental Analysis

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

No Impact. The project site has been graded, paved, and is developed with a mall. The project site is not listed as a historic resource on the national or state historic resources inventories (NPS 2019; OHP 2019). According to Table 5.3-1 on page 5.3-8 in Chapter 5.3 of the General Plan Update DEIR, nine commercial buildings built in 1969 or earlier are listed as historic resources (Westminster 2016b). The mall was built after 1969, in 1974, and is therefore not one of the commercial buildings listed as a historic resource in the General Plan Update DEIR. As there are no historic resources on the project site, no impact would occur. This topic will not be evaluated in the EIR.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact. There is no substantial evidence that tribal cultural resources are present on the project site. The site has been graded and is paved and developed. Future development under the proposed project would contact the Native American Heritage Commission if tribal cultural resources are found during future construction activities. No significant impacts to tribal cultural resources are expected to occur as a result of the proposed project. Nonetheless, the proposed project would implement Mitigation Measure CUL-2 of the General Plan Update (Chapter 5.3, page 5.3-15), which states:

Applicants for future development projects that require grading of undisturbed soil in areas of known or inferred archaeological resources, prehistoric or historic, shall provide a technical cultural resources assessment to the City of Westminster prior to the issuance of grading permits. The cultural resources assessment shall be prepared by a qualified archaeologist to assess the cultural and historical significance of any known archaeological resources on or next to each respective development site, and to assess the sensitivity of sites for buried archaeological resources. On properties where resources are identified, or that are determined to be moderately to highly sensitive for buried archaeological resources, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the

recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:

a. An archaeologist shall be retained for the development project and shall be on call during grading and other significant ground-disturbing activities.

b. Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Community Development Director concurs in writing that adequate provisions are in place to protect these resources. The project applicant shall direct the construction contractor to flag a stop-work area in a radius of 50 feet from the discovery. Work may resume immediately outside of the stop-work area.

c. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist. If the discovery consists of prehistoric resources, local Native Americans shall be consulted. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the California State University, Fullerton, or the Natural History Museum of Los Angeles County; and provide a comprehensive final report, including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).

Impacts would be less than significant, and this topic will not be discussed in the EIR.

3.19 UTILITIES AND SERVICE SYSTEMS

Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	X			
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	X			
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X			
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	X			
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Potentially Significant Impact. According to page 5.13-2 in Chapter 5.13 of the General Plan Update DEIR, wastewater from the City of Westminster is treated by OCSD at plants in Fountain Valley and Huntington Beach; the plant in Fountain Valley has a capacity of 204 million gallons per day (mgd) for primary treatment, 182 mgd for secondary treatment, and treats an average of 123 mgd; the plant in Huntington Beach has a maximum capacity of 168 mgd for primary treated wastewater, 150 mgd for secondary treated wastewater, and has an average treatment flow of 65 mgd.

According to page 5.13-19 in Chapter 5.13 of the General Plan Update DEIR, the City relies on a combination of imported water and local groundwater to meet its water needs; the City works with Metropolitan Water District (MWD), the Municipal Water District of Orange County (MWDOC), and Orange County Water District (OCWD).

Moreover, electricity and gas would be provided by Southern California Edison and the SoCal Gas Company, respectively. Until project details have been determined, the proposed dwelling unit density and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact to the construction of new utility facilities.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Potentially Significant Impact. According to page 5.13-20 in Chapter 5.13 of the General Plan Update DEIR, the normal dry year supply would increase from 12,427 acre-feet per year (afy) in 2020 to 12,527 in 2040, the single dry year supply would increase from 12,272 afy to 13,279 afy in 2040, and the multiple dry years supply would increase from 12,272 afy in 2020 to 13,279 afy in 2040 (throughout the first through third years) (see Tables 5.13-8 through 5.12-10 in the General Plan Update DEIR). Until project details have been determined, the proposed dwelling unit density and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact on water supplies.

c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Potentially Significant Impact. See response to Section 3.19.a. According to page 5.13-2 in Chapter 5.13 of the General Plan Update DEIR, the plant in Fountain Valley has a capacity of 386 mgd for primary and secondary treatment and treats an average of 123 mgd; the plant in Huntington Beach has a maximum capacity of 318 mgd for primary and secondary treated wastewater, and has an average treatment flow of 65 mgd. Until project details have been determined, the proposed dwelling unit density and population size will be analyzed

in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact on the capacity of wastewater facilities.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Potentially Significant Impact. The project site would be served by the Bowerman Landfill in the City of Irvine. The Landfill has a maximum throughput of 11,500 tons per day, a maximum capacity of 266,000,000 cubic yards, and a remaining capacity of 205,000,000 cubic yards with an estimated cease date of December 31, 2053 (CalRecycle 2019). Until project details have been determined, the proposed dwelling unit density and population size will be analyzed in the EIR and compared to existing baselines. The EIR will evaluate the proposed project's impact on the capacity of the landfill.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste would be generated during future construction and operation of the proposed project. The proposed project would comply with all regulations pertaining to solid waste, such as the California Integrated Waste Management Act and the City's recycling and waste programs. The City and its future construction contractor would comply with all applicable laws and regulations and make every effort to reuse and/or recycle the construction debris that would otherwise be taken to a landfill. Hazardous waste, such as paint used during construction, would be disposed of only at facilities permitted to receive them in accordance with local, state, and federal regulations. The proposed project would comply with all applicable federal, state, and local statues and regulations related to solid waste disposal. Therefore, impacts to federal, state, and local statutes concerning solid waste would be less than significant. This topic will not be analyzed in the EIR.

3.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	

3. Environmental Analysis

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Future development under 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 future construction activities and postconstruction. The proposed project would not result in inadequate emergency access and impacts to adopted emergency response and evacuation plans are less than significant. This topic will not be addressed in the EIR.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact. There are three primary factors used in assessing wildfire hazards—topography, weather, and fuel. The project site is relatively flat and is in an urbanized environment. The proposed project would not impact weather or topography. The project site is paved and developed with a mall. Future development on the project site would propose residential, retail, hotel, and professional office uses; open space and green edge areas would be scattered throughout the site. The project site is not within a VHFHSZ (CALFIRE 2007). Therefore, future development and occupants under the proposed project would not expose occupants to pollutant concentrations from exacerbating a wildfire. Impacts would be less than significant; this topic will not be discussed in the EIR.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less Than Significant Impact. The proposed project would require new infrastructure for electricity, natural gas, telecommunications, and cable service, in addition to the existing utilities onsite, which would be installed to meet service requirements. The project site is not within a very high fire hazard severity zone (VHFHSZ), and is located in a highly urbanized portion of the City. The proposed project would not add infrastructure such as roads or overhead power lines in areas with wildland vegetation. Therefore, this impact is less than significant, and will not be discussed in the EIR.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. The project site is relatively flat. The project site is in a very low landslide zone (CGS 1976). The project site is within a 0.2 Percent Annual Chance Flood Hazard (Zone X), and the southern boundary of the site is within Zone A, a special flood hazard area (Flood Insurance Rate Map ID #06059C0232J) (FEMA 2009). 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. The project site is not within a VHFHSZ and impacts would be less than significant. This topic will not be discussed in the EIR.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact. The project site has been excavated, graded, and paved. The project site is developed as a mall. There are ornamental trees and vegetation onsite. Due to the frequent disturbances onsite, it is unlikely that the project site would serve as wildlife habitat or migratory corridors. Additionally, the project site has not been identified as a historic resource. Therefore, the proposed project would not substantially impact biological or cultural resources.

3. Environmental Analysis

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Potentially Significant Impact. The EIR will further consider the proposed project's contribution to cumulative impacts in connection with known projects near the site and in the region.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. All of the potentially significant impacts identified in this Initial Study could have direct or indirect substantial adverse impacts on human beings. These impacts will be addressed in the EIR, and mitigation measures will be provided if required.

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