Foster Bridge and Bluff Residential Project

Draft Initial Study and Mitigated Negative Declaration

Lead Agency:

City of Downey
Community Development Department
11111 Brookshire Avenue
Downey, California 92041
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Applicant:

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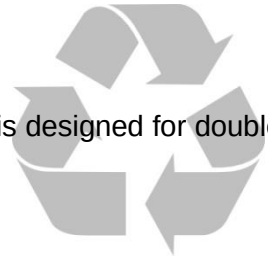
Public Review Draft
November 21, 2023



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1 Introduction

The City of Downey ("Lead Agency" or "City") received an application from The Olson Company ("project proponent") to construct a 33-unit townhouse development (the "project" or "proposed project") on a 1.29-acre site located at 7360 Foster Bridge Boulevard (Assessor's Parcel Number: 6358-015-058) in the northwestern portion of the City of Downey, California. The application for the Foster Bridge and Bluff Community Residential Project includes Vesting Tentative Tract Map No. 84168, a General Plan Amendment, a Zone Change, and a Site Plan Review analyzing the architecture, landscaping, circulation of the new proposed design, and demolition of the existing onsite church and parking lot. The project requires review under the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Sections 15000, et seq.).

This Initial Study was prepared to assess the short-term, long-term, and cumulative environmental impacts that could result from approval of the proposed project. This report was prepared to comply with CEQA Guidelines Section 15063(d) which requires an Initial Study to include the following:

- A description of the project, including the location of the project (see Section 2)
- Identification of the environmental setting (see Section 2.10)
- Identification of environmental effects by use of a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (see Section 4)
- Discussion of ways to mitigate significant effects identified, if any (see Section 4)
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls (see Section 4.11)
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (see Section 6)

1.1 – Purpose of CEQA

CEQA is intended to implement the following:

"The Legislature finds and declares as follows:

a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.

g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

The Legislature further finds and declares that it is the policy of the State to:

a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.
e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment."

A concise statement of legislative policy, with respect to public agency consideration of projects for some form of approval, is found in CEQA Section 21002 significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make such project alternatives or such mitigation measures infeasible, individual projects may be approved in spite of one or more significant effects thereof.

1.2 – Public Comments

Written comments from all public agencies and individuals are invited regarding the information contained in this IS/MND. Such comments should explain any perceived deficiencies in the assessment of impacts, identify the information that is purportedly lacking in the Initial Study or indicate where the information may be found. All comments on the IS/MND must be provided before the close of the 30-day public review period and are to be submitted to:

Alfonso Hernandez, Principal Planner
Community Development Department
City of Downey
11111 Brookshire Avenue
Downey, California 90241
Phone: (562) 904-7154
Email: asherhandez@downeyca.org

Following a 30-day period of circulation and public review of the IS/MND, all written comments will be considered by the City of Downey prior to taking action on the project adopting the IS/MND.

1.3 – Availability of Materials

All materials related to the preparation of this Initial Study are available for public review at the City Hall, The Columbia Space Center, the City Library, and the Barbara J. Riley Center or available on the City's website homepage:

https://www.downeyca.org/our-city/departments/community-development/housing-division/public-document-review

To request an appointment to review these materials at City Hall, please contact Alfonso Hernandez, Principal Planner, via telephone at (562) 904-7154 or via email at asherhandez@downeyca.org

City Hall – 11111 Brookshire Avenue, Downey, Ca. 90241
Columbia Space Center – 12400 Columbia Way, Downey, CA 90242
City Library – 11121 Brookshire Ave #586, Downey, CA 90241
Barbara J. Riley Center – 7810 Quill Dr, Downey, CA 90242

1.4 – History of the Site

The project site was undeveloped or in agricultural use between 1896 and 1902. From the 1920s to the mid-1950s, it was developed with agricultural orchards and a rural farmhouse. The existing church was developed in stages, beginning in the late-1950s and expanded to its current configuration with a paved asphalt parking lot around it by 1989. The construction of the church coincides with the time when the Rio Hondo River was realigned and channelized to the southeast of the site, rerouting it from its original course northeast of the site. Today, the church parking lot sits approximately 4-6 feet higher in elevation than the adjoining residence to the north. It is likely that fill material originating from the river channelization process was placed on the site at that time, raising its elevation.

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2 Project Description

2.1 – Project Title

Foster Bridge and Bluff Community Residential Project (VTTM 84168)

2.2 – Lead Agency Name and Address

City of Downey
Community Development Department
11111 Brookshire Avenue
Downey, California 92041

2.3 – Contact Person and Phone Number

Alfonso Hernandez, Principal Planner
ashernandez@downeyca.org
Phone: (562) 904-7154

2.4 – Project Sponsor's Name and Address

The Olson Company
3020 Old Ranch Parkway, Suite 100
Seal Beach, California 90740
Contact: Steven Armanino
sarmanino@theolsonco.com
(562) 596-4770

2.5 – Project Location

The project site is located on 1.29 acres at the northwest corner of Foster Bridge Boulevard and Suva Street in the northwestern portion of the City of Downey (See Exhibit 1, Regional Context Map). South Bluff Road also runs along the southeast point of the property forming a five-legged intersection (See Exhibit 2, Project Vicinity Map). The site is adjacent to the Rio Hondo River and Trail (across South Bluff Road) to the south. The City of Bell Gardens is located northwest of the site and the self-storage facility northwest of the site is divided between the two cities. The site is located 0.9 mile west of the I-5 Freeway and 1.8 miles east of the I-710 Freeway. Various views of the project site and surrounding area are provided in Exhibit 3, Site Photographs.

Address: 7360 Foster Bridge Boulevard

Latitude/Longitude: 33° 57' 57" North / 118° 08' 11" West

Assessor Parcel Number: 6358-015-058

TRS Listing: Township 2 South Range 12 West Section 00 (Lot 40)(SBBM)

USGS 7.5" Topographic Map: Southgate

Thomas Bros. Map: LA County, Page 706 (Downey)

2.6 – General Plan Land Use Designation

The Land Use Element of the City's General Plan designates the project site as Low Density Residential (LDR) which allows up to 8.9 dwelling units/acre. The project is requesting a General Plan Amendment to change the site's land use designation to Medium Density Residential (MDR) which allows up to 24 units/acre. The density of the proposed project is 20.6 units per gross acre (See Exhibit 4, General Plan Designations).

2.7 – Zoning District

The City of Downey Municipal Code (CDMC) zoning regulations designate the project site as R-1 6,000 which is a single-family detached residential designation. The project proposes to change the site's zoning designation to Multi-Family Residential Ownership Zone (R-3-0). The project also includes a density Bonus for three moderate income level townhouse units in addition to 30 market rate townhouse units.

The density of the project as proposed is 20.6 units per gross acre while the R-3-O zone allows up to approximately 22 units/acre. According to the City Zoning Code, the R-3-O zone is intended to provide "for the development of multiple-family ownership type housing in selected areas compatible with the neighborhood environment. Such areas are envisioned as being located and designed to be complementary to adjacent uses and providing sufficient opportunities for ownership in multiple-family housing" (See **Exhibit 5, Zoning Designations**).

2.8 – Existing and Surrounding Land Uses

The project site currently supports an operating church ("TLG **I** House") with a parking lot but no school or pre-school uses. Adjacent land uses include single family homes to the north and across Foster Bridge Boulevard to the east, the Rio Hondo Channel to the southeast, apartments to the southwest across Suva Street, and a self-storage facility to the northwest. Surrounding uses are summarized in Table 2.8-1 (Existing Land Uses). The locations of surrounding land uses are shown in Exhibit 2, Project Area Map, and views of the site and surrounding area are shown in Exhibit 3, Site Photographs. The self-storage facility to the northwest is split between Downey and the City of Bell Gardens to the west.

Table 2.8-1
Existing Land Uses

Direction	General Plan Designation	Zoning District	Existing Land Use
Project Site Existing Proposed	 Low Density Residential (LDR) Medium Density Residential (MDR)	 R-1-6,000 R-3-0	 Church Townhomes
North	Low Density Residential (LDR)	R-1-6,000	SFR homes
South	Low Density Residential (LDR) Open Space (OS)	R-1-6,000 R-1-6,000	Apartments Rio Hondo River
East	Low Density Residential (LDR)	R-1-6,000	SFR homes
West	Low Density Residential (LDR)	R-1-6,000	Self Storage

Sources: Google Earth, City General Plan and Zoning maps SFR = single family residential

2.9 – Environmental Setting

The City of Downey occupies approximately 12.8 square miles and is located in the southeastern part of Los Angeles County. The City is surrounded by the cities of Pico Rivera to the north, Santa Fe Springs to the northeast, Norwalk to the east, Bellflower and Paramount to the south, South Gate to the southwest and west, and Commerce to the northwest. The City of Downey is located approximately 13 miles northeast of the Ports of Los Angeles and Long Beach. There are four freeways that provide direct access to Downey: Interstate I-605 (San Gabriel River Freeway), which crosses the eastern portion of the City; I-5 (Santa Ana Freeway), which crosses the northern portion of the City; the I-105 intersection, which crosses the southern part of the City; and I-710 (Long Beach Freeway), which does not cross the City but is located west of the City and accessible via three major streets: Florence Avenue, Firestone Boulevard, and Imperial Highway (City of Downey 2005).

The City is generally bounded by the Rio Hondo River channel to the west, Telegraph Road to the north, the San Gabriel River channel to the east, and Gardendale Street and Foster Road to the south. Most of the City was developed during the housing boom in the 1950s and 1960s. The City is a fully developed community with older buildings and very few vacant properties. Since residential uses occupy more than half of the City's land area, Downey is known mainly as a bedroom community. However, the City also provides a mix of other land uses such as open space, commercial, and manufacturing. Residential uses are located throughout the City but predominantly located to the north, east, and west. Commercial uses are scattered throughout the north, east, south, and west portions of the City, while manufacturing uses are primarily concentrated in the southeastern portion of the City.

The City and the project site are within the South Coast Air Basin which has experienced poor air quality over the years due to climate and weather conditions and decades of growth (i.e., urban development and increased vehicle use). Air quality in the Basin is monitored by the South Coast Air Quality Management District.

The City is situated on a broad alluvial valley largely built up by sedimentation from runoff out of the San Gabriel Mountains, including from the nearby Rio Hondo River just southeast of the site. The City is fully urbanized, and does not support native plants or animals although some animals may travel along the Rio Hondo River channel just southeast of the project site, especially at night. The area only has wildlife that is very tolerant of human activity such as small to medium-sized mammals, reptiles, and song birds.

The project area is urbanized and has a low risk from wildfires although smaller localized urban fires may still occur. The surrounding area does contain some commercial and industrial uses which result in some risks from hazardous materials, transportation accidents, etc. Noise levels in the City are generally moderate depending on distance from nearby freeways and rail lines.

Public services and utilities in the City are provided by a number of agencies, mainly the City and County (e.g., police, fire, wastewater treatment, flood control), as well as some private companies (water, solid waste collection).

2.10 – Project Description

The Foster Bridge and Bluff Community Project in the City of Downey proposes 33 multi-family townhouses on 1.29 acres at the northwest corner of Foster Bridge Boulevard and Suva Street. South Bluff Road also runs along the southeast point of the property forming a five-legged intersection. The proposed gated townhouse development is adjacent to the Rio Hondo River and Trail (across South

Bluff Road) to the south. The project site slopes gently down to the east with elevations ranging from 140 feet above mean sea level (amsl) along the western boundary down to 133 feet amsl along the eastern boundary. At present 83% of the site is covered by impervious surfaces. Land use approvals/entitlements for the project include:

- Vesting Tentative Tract Map 84168 to establish 33 condominium units and a Site Plan review to consider the project's architecture and improvements;
- General Plan Amendment from Low Density Residential (LDR, up to 8.9 units/acre) to Medium Density Residential (MDR, up to 24 units/acre);
- Zone Change from R-1 6,000 to Multi-Family Residential Ownership Zone (R-3-0); and
- Density Bonus for three moderate income level units in addition to the 30 market rate units.
- Site Plan Review for review of the architecture, landscaping, and circulation of the site.

The density of the proposed project is 20.6 units per gross acre while the R-3-O zone allows up to approximately 22 units/acre. According to the City Zoning Code, the R-3-O zone is intended to provide "for the development of multiple-family ownership type housing in selected areas compatible with the neighborhood environment. Such areas are envisioned as being located and designed to be complementary to adjacent uses and providing sufficient opportunities for ownership in multiple-family housing". The layout of the project site is shown in Exhibit 6, Site Plan. It should be noted that 30 of the proposed townhomes will be market rate units while 3 of the units will qualify for the City's density bonus under its inclusionary zoning program for affordable housing.

Architecture

Construction of the proposed project includes the demolition of the existing onsite church and parking lot. The proposed multi-family townhouse development includes five different unit designs. Plan 1 is a 1188 square foot (sq. ft.), 3-bedroom, 3-bathroom, tandem townhouse. Three of the new units will use this plan type, all of which will be located in Building 4 of the proposed project. Plan 2 is a 1477 sq. ft. 3-bedroom, 3-bathroom tandem townhouse. Twelve of the proposed units will utilize this plan type, all of which will be located in Buildings 1 and 2, facing Foster Bridge Boulevard and Suva Street respectively. Two of those 12 units will utilize an alternate design (Plan 2alt) where the units do not "interlock" with the neighboring Plan 4 townhouses. This is visualized in Exhibit 6, Site Plan. The other 10 units do, however, interlock with their surrounding units. All five of the units located in Building 3 in the center of the development will utilize Plan 3; a 1600 sq. ft. 3-bedroom, 2.5-bathroom townhouse. Plan 4 is a 1657 sq. ft. 3-bedroom, 3.5-bathroom townhouse. These 10 units feature an "interlock" layout and will interlock with Plan 2 units in Buildings 1 and 2. Plan 5 is a 1792 sq. ft. 3 bedroom, 3.5 bathroom townhouse. All three of the units utilizing this design will be located in Building 4 and will interlock with Plan 1 units also a part of the structure. The layout and building locations of the project are shown in Exhibit 6, Site Plan. The maximum building height for the proposed project is 36 feet, or 3 stories. The height and appearance of design features of the proposed townhouses are shown in Exhibit 7, Building Elevations.

Circulation and Parking

Vehicle access to the project will be provided via two gated entrances developed during project construction. The gated entrance located at the northeastern corner of the project site off of Foster Bridge Boulevard will be 26 feet wide and is accessible by vehicles and pedestrians. The entrance provides access to a roadway within the development that splits in and weaves throughout the project site. The roadway will border the north side of Building 4 and will run along the western side of building one, splitting again. One branch will narrow to 25 feet and run west, providing vehicle access to

Buildings 2 and 3. The original roadway meets the south gated entrance facing Suva Street. This gate is only accessible to emergency vehicles and is typically closed. There will be 71 total parking spaces provided (2.5 spaces/unit), 66 of those spaces are garage spaces, and the remaining 5 being guest spaces. Vehicle access in and around the project site is shown in Exhibit 6, Site Plan.

Open Space and Landscaping

Total open space area within the project site will be 6,958 square feet with 4,389 square feet of that will consisting of private open spaces. These include uncovered patios and yards, covered front porches, and uncovered and covered decks. The remaining 2,569 square feet of open space will constitute common space, which will be divided into two areas; Open Space A and B. Open Space A will be located at the northwestern corner of the project site and will be 192 square feet in size. Open Space B will take up the central walkways intersecting Buildings 3 and 4 and will be 2,377 square feet in size. Approximately 7,772 square feet of the project site will be landscaped. Landscaping of the project area will include trees, shrubbery, and groundcover. The open space layout is shown in Exhibit 8, Open Space Plan. The proposed landscaping and layout is shown in Exhibit 9, Landscape Plan.

Walls and Fences

Walls and fencing in and around the project would consist of two types, as well as pilasters connecting the structures.

- Along the eastern perimeter of the project site, a six-foot tall block wall as measured from the highest adjacent grade. Block walls will also feature adjacent to both gated entrances to the development at the planned south and the northeastern gated vehicle entrances. The gated entrance located at the northeastern corner of the project site off of Foster Bridge Boulevard is a community gate accessible by vehicles and pedestrians. The gate located at the south of the proposed project off of Suva Street is only accessible to emergency vehicles and is typically closed. Both gates will be connected to the block walls by pilasters.
- Four-foot. tall stucco block walls are included for private patios. These walls are featured at all private patios at Buildings 1, 2, 4, and one additional private patio at the easternmost unit of Building 3.

The project will also include a three-foot high community entry sign monument with night lights and medium sized boulders will feature at the southern corner of the proposed project, at the intersection of Bluff Road, Foster Bridge Boulevard, and Suva Street.

The location of the various walls and fencing are shown on Exhibit 10, Wall and Fence Plan.

Utilities

Water and sewer services are provided by the City of Downey. Electrical services would be provided by Southern California Edison. All utility connections will be located underground.

Grading and Construction

Project construction will involve site preparation, grading, building construction, paving, and architectural coating construction activities. Project construction is assumed to begin in early-2024 and last approximately 12 months. Construction will first involve demolition of the existing onsite church and parking lot. Development will then involve grading, building construction, paving, and application of architectural coatings. Table 2.10-1 (Project Construction Activities*)* shows the length of time to complete the various phases of construction along with a list of typical equipment to be used during each phase. The project engineer and the grading plan indicate earthwork on the site will be generally

balanced with little onsite cut and fill anticipated. The grading plan indicates there will be 7,000 cubic yards (cy) of over-excavation due to the presence of unconsolidated fill. Other earthwork will involve 2,500 cy of cut/fill and approximately 4,500 cy will need to be imported after removal and compaction of the unconsolidated fill materials.

Table 2.10-1
Project Construction Activities

Construction Phase	Duration (Days)[(A)]	Typical Equipment Used[(B)]
Demolition	20	Dozer, Tractor/Loader/Backhoe, Concrete/Industrial Saw
Site Preparation	2	Grader, Dozer, Tractor/Loader/Backhoe
Grading	4	Grader, Dozer, Backhoe
Building Construction	200	Crane, Forklift, Backhoe, Generator, Welder
Paving	10	Paver, Roller, Paving Equipment
Architectural Coating	10	Air Compressor

Source: MIG 2023a

(A) Days refers to total active workdays in the construction phase, not calendar days.

(B) The typical equipment list does not reflect all equipment that would be used during the construction phase. Not all equipment would operate eight hours per day each workday.

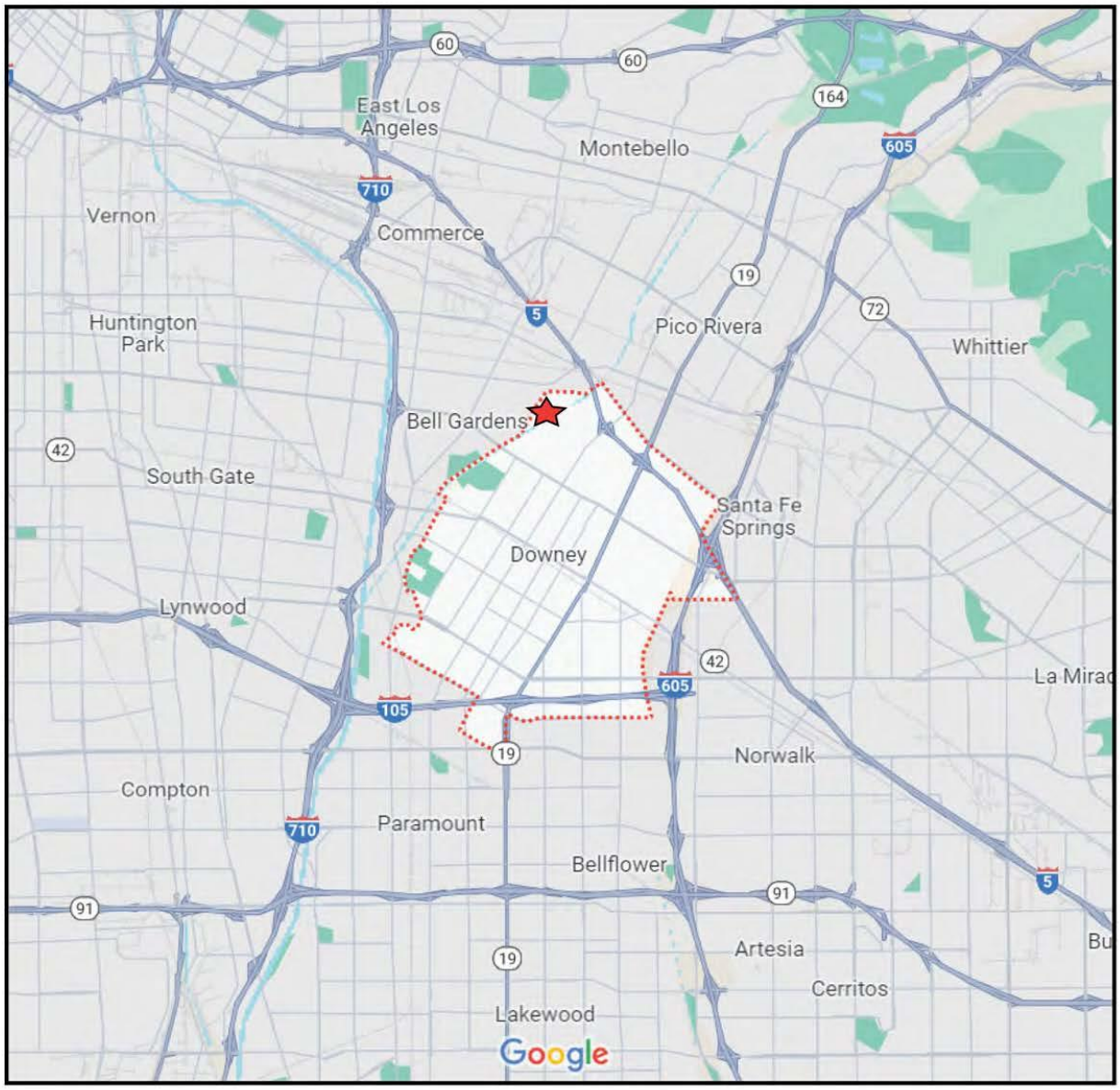
2.11 – Required Approvals

The City of Downey is the only land use authority for this project requiring the following approvals:

- Vesting Tentative Tract Map 84168
- General Plan Amendment
- Zone Change
- Density Bonus
- Site Plan Review
- Mitigated Negative Declaration

2.12 – Other Public Agencies Whose Approval is Required

None.



Project Location ★

Exhibit 1 Regional Context Map

Foster Bridge and Bluff Residential Project
Downey, California

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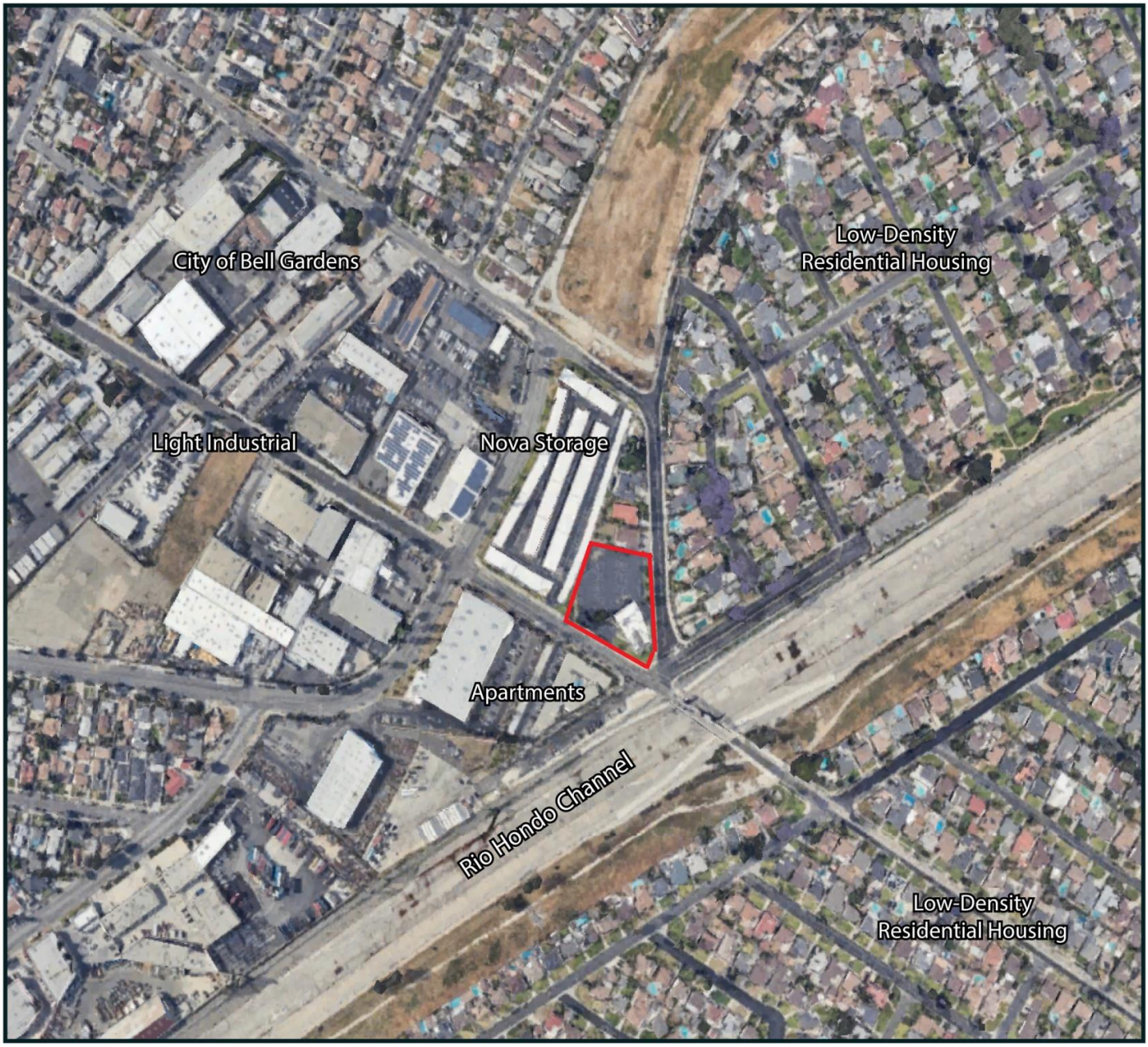

Project Site

Exhibit 2 Project Location Map

Foster Bridge and Bluff Residential Project
Downey, California

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Project Site

Photo Locations

Exhibit 3 Site Photographs

Foster Bridge and Bluff Residential Project
Downey, California

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1. Looking north from the corner of Suva Street and Bluff Road

2. Looking west from northeastern boundary of site (storage facility in background)

Exhibit 3a Site Photographs

3. Looking north along Foster Bridge Blvd. from northeast corner of site

4. Looking south along Foster Bridge Blvd. from northeastern boundary of site

Exhibit 3b Site Photographs

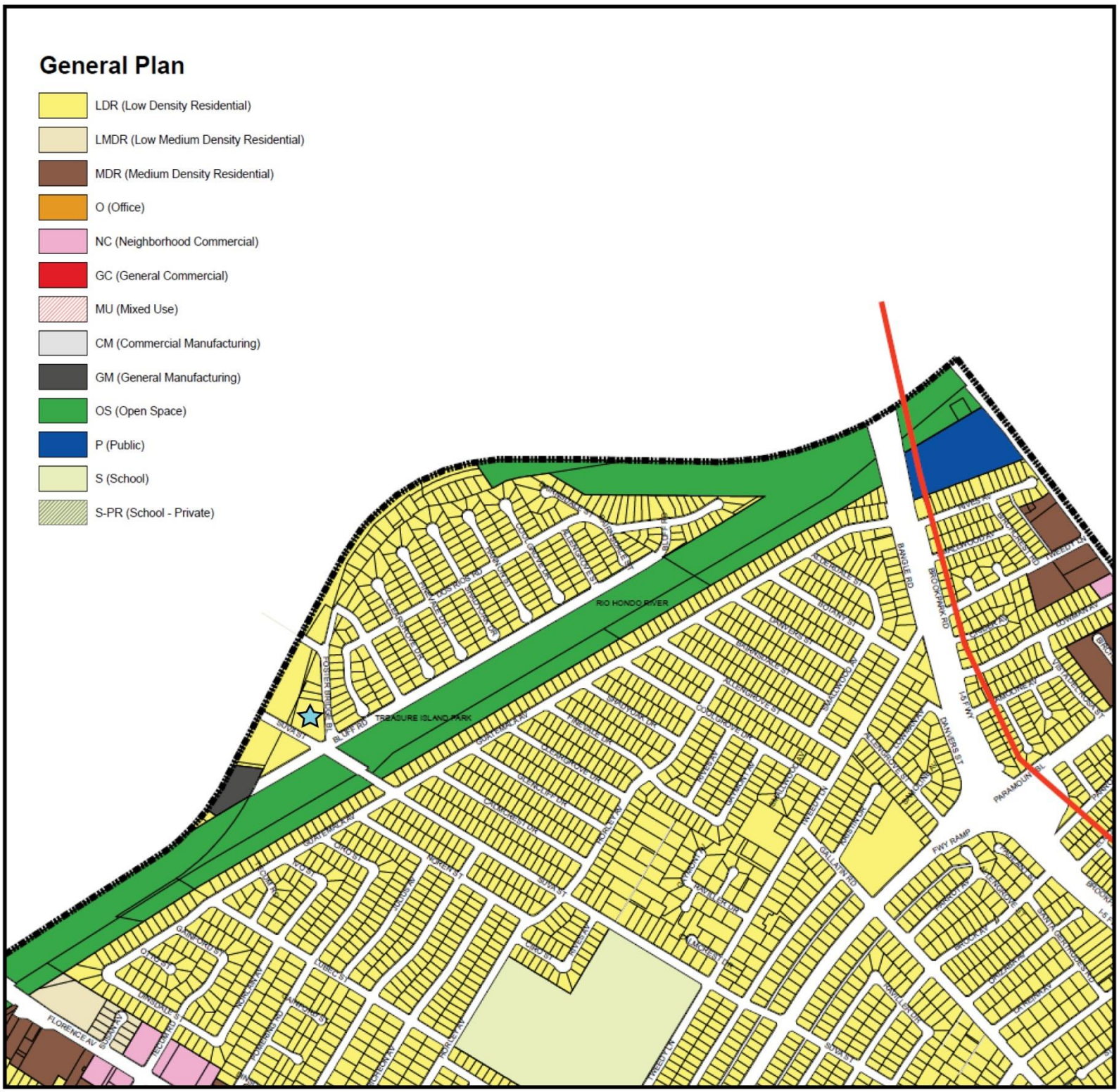
Foster Bridge and Bluff Residential Project
Downey, California

MIG

5. Looking west along Suva Street from southern corner of site (apartments at left, storage facility at far right)

6. Looking east along Suva Street

Exhibit 3c Site Photographs



Project Location ☆

Exhibit 4 General Plan Land Use Designations

Foster Bridge and Bluff Residential Project
Downey, California

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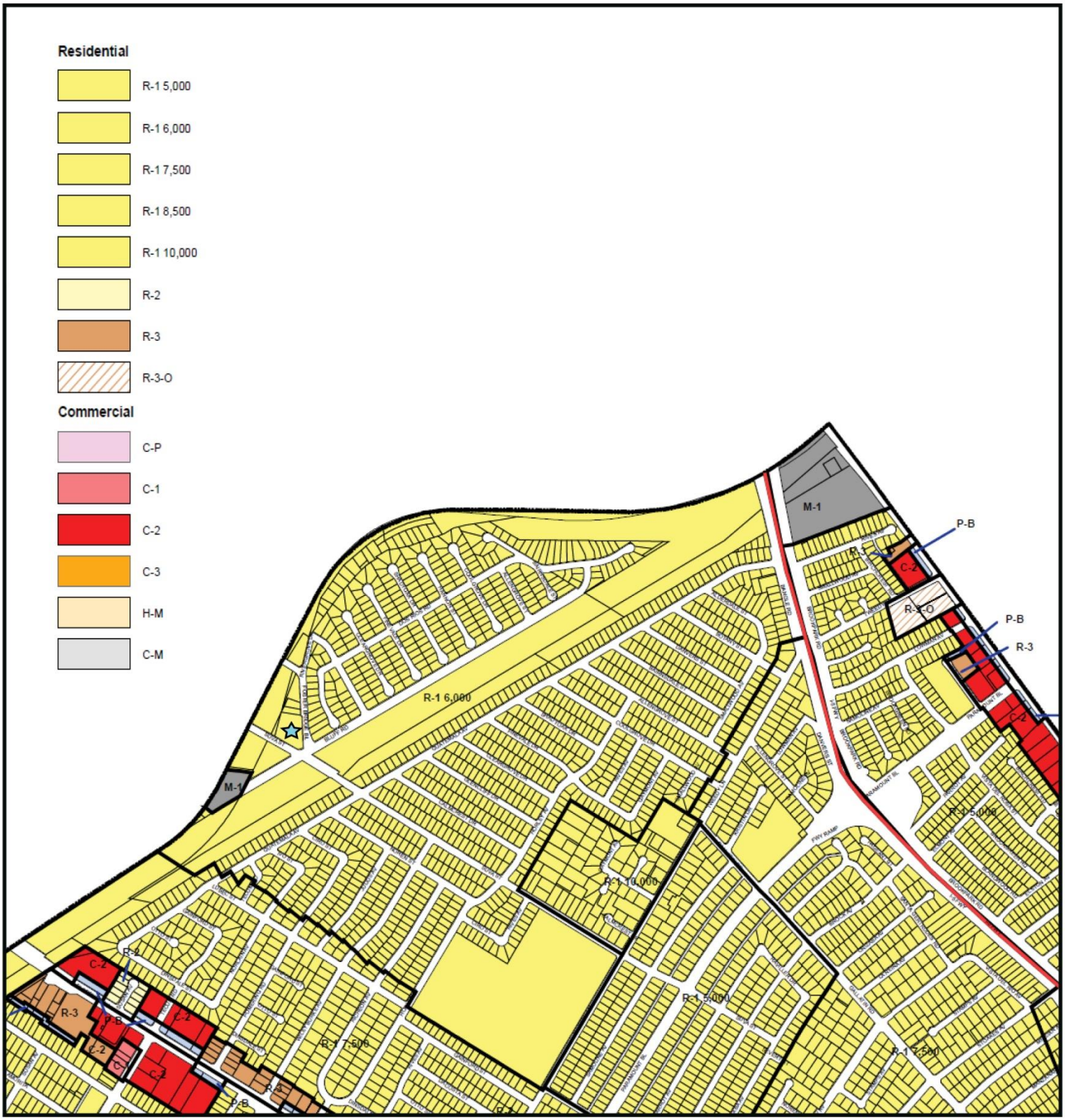

Project Location ☆

Exhibit 5 Zoning Designations

Foster Bridge and Bluff Residential Project
Downey, California

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SITE SUMMARY

Site Area: ±1.3 ac (±55,961sf)

Units:
- 3 units - Plan 1 – 1188sf - 3bd/3ba, tandem (new narrow interlock)
- 2 units - Plan 2alt – 1477sf - 3bed/3ba, tandem (stand alone 16' plan type)
- 10 units - Plan 2 – 1477sf - 3bed/3ba, tandem (typ. interlock)
- 5 units - Plan 3 – 1600sf - 3bed/2.5ba+flex, sxs (35' deep)
- 10 units - Plan 4 – 1657sf - 3bed+flex/3.5ba, sxs (typ. interlock)
- 3 units - Plan 5 – 1792sf - 3bed+flex/3.5ba, sxs (new narrow interlock)

33 units - Total

Density: ±25.4 du/ac

Parking Provided:
66 spaces - Garages
5 spaces - Guest
71 spaces - Total

Exhibit 6 Site Plan

Foster Bridge and Bluff Residential Project
Downey, California

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MATERIALS LEGEND

1. Stucco
2. Stucco Scalloped Sill Trim
3. Spanish 'S' Roof Tile
4. Stucco Wall Guardrail
5. Recessed Simulated Wood Beam
6. Stucco Recess /Reveal at Windows/Doors
7. Stucco Decorative Foam Eave
8. Stucco Battered Recess
9. Metal Juliet Railing
10. Stucco Finial /Faux Chimney
11. Decoractive Fiberglass Entry Door
12. Vinyl Windows
13. Sloped Stucco Sill
14. Fiber Cement Board Trim & Panel at Bay Window (W.O.)
15. Simulated Wood Corbels
16. Exposed Decorative Truss Tails
17. Stucco Arch
18. Stucco Decorative Foam Corbel
19. Stucco Furring
20. Sectional Metal Garage Door
21. Decorative Exterior Lights & Raised Number Address
22. Metal Utility Door
23. Decorative Stucco/Metal Scupper at Decks

Exhibit 7 Building Elevations

Foster Bridge and Bluff Residential Project

Downey, California

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OPEN SPACE LEGEND:

SYMBOL	DESCRIPTION
	PUBLIC OPEN SPACE AREAS
	UNCOVERED PRIVATE PATIO / YARD SPACES
	COVERED PRIVATE FRONT PORCH SPACE PER ARCHITECTURE
	UNCOVERED PRIVATE DECKS (5)
	COVERED PRIVATE DECKS (5)

Exhibit 8 Open Space Plan

Foster Bridge and Bluff Residential Project
Downey, California

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Olson – Downey
Plant Palette

		PROPOSED PLANT SIZING:	
Trees			
Cupressus sempervirens	Italian Cypress	MIN.	15 GAL.
Geijera parviflora	Australian Willow	MOST	24" BOX
Koelreuteria spp.	Chinese lantern tree	MAX.	36" BOX
Lagerstroemia x 'Natchez'	Crape Myrtle		
Magnolia grandiflora	Southern Magnolia		
Melaleuca quinquenervia	Paperbark Melaleuca		
Olea europaea	European Olive		
Platanus racemose	California Sycamore		
Prunus cerasifera 'Krauter Vesuvius'	Purple Leaf Plum		
Rhus lancea	African Sumac		
Tristania conferta	Brisbane Box		
Shrubs			
Agave desmettiana ' Variegata'	Variegated Smooth Agave	70%	1 GAL.
Agave x 'Blue Glow'	Blue Glow Agave	30%	5 GAL.
Bougainvillea x 'Barbara Karst'	Barbara Karst Bougainvillea		
Dianella revoluta 'DR5000'	Little Rev Flax Lily		
Dianella revoluta ' DTN03' TM	Baby Bliss Flax Lily		
Lantana montevidensis	Trailing Lantana		
Lavandula stoechas	Spanish Lavender		
Rosa x 'Iceberg'	Iceburg White Rose		
Rosa x 'Noare'	Red Carpet Rose		
Salvia x 'Bee's Bliss'	Bee's Bliss Sage		
Tecoma stans 'Esperanza'	Bells of Fire Yellow Bells		
Westringa fruticose 'Blue Gen'	Coast Rosemary		
Xylosma congestum ' Compacta'	Compact Xylosma		
Yucca filamentosa ' Color Guard'	Color Guard Adam's Needle		
Groundcover			
Festuca idahoensis 'Siskiyou Blue'	Siskiyou Blue Fescue	FLATS	
Turf Marathon III	Marathon III	4" FLAT	
		1 GAL.	

Exhibit 9 Landscape Plan

Foster Bridge and Bluff Residential Project
Downey, California

MIG

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WALL & FENCE LEGEND

NUMBER	SYMBOL	DESCRIPTION
①		6' HIGH PERIMETER BLOCK WALL AS MEASURED FROM HIGHEST ADJACENT GRADE WITH STUCCO TREATMENT ON INSIDE. PILASTERS WHERE INDICATED ON PLAN. RETAINING AS REQUIRED PER CIVIL. REFER TO PLANS FOR NOTES FOR HEIGHT ALONG EACH PERIMETER PROPERTY LINE WHEN INDICATED.
②		42" HIGH STUCCO BLOCK WALL WITH DECORATIVE CAP. GATES AS SHOWN PER PLAN FOR PRIVATE PATIOS.
③	CALLOUT ON PLAN	COMMUNITY ENTRY VEHICLE & PEDESTRIAN GATE.
④	CALLOUT ON PLAN	EMERGENCY ONLY ENTRY GATE, NORMALLY CLOSED.
⑤		90" HIGH MAX. COMMUNITY ENTRY SIGN MONUMENT WITH NIGHT LIGHT, MEDIUM SIZE BOULDERS AS SHOWN PER PLAN.

Exhibit 10 Wall and Fence Plan

Foster Bridge and Bluff Residential Project
Downey, California

MIG

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3 Environmental Determination

3.1 – 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' or 'Less than Significant with Mitigation Incorporated' as indicated by the checklist analysis on the following pages.

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

3.2 – Determination

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
☑	I find that although the proposed project could have a significant effect on the environment, there would 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 would 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.

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4.1 – Aesthetics

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☑
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within view from a state scenic highway?	☐	☐	☐	☑
c) In non-urbanized 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 a 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?	☐	☑	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐

a) No Impact. Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e., development on a scenic hillside). There are no scenic vistas identified in the City of Downey General Plan (Downey Vision 2025).[1] The proposed project is located on a developed site within a fully developed area visually dominated by residential land uses and surface streets. The project site is not considered to be within or to comprise a portion of a scenic vista.

The project site is comprised of one parcel that is developed with a church and parking lot that will be demolished as part of project construction with 33 townhouse units organized in four buildings with a maximum height of 36 feet (3 stories). See Exhibit 3, Site Photographs, Exhibit 6, Site Plan, and Exhibit 7, Building Elevations.

The project will be a gated community with an automated gated entry at the northeast corner of the site off of Foster Bridge Boulevard. The site is bounded by single family residential uses adjacent to the north and across Foster Bridge Boulevard to the east. There is also an apartment complex southwest of the site across Suva Street. The general area has views of the San Gabriel Mountains approximately 15 miles to the north when the air is clear. The Rio Hondo Channel is southeast of the site across Bluff Road but is a concrete channel at this location so it provides limited views. However, there is a multi-use trail along the west side of the channel for bicyclists and pedestrians. The site currently contains a one-story church building and surface parking lot so the new project townhouse buildings will incrementally reduce public views to the north from Suva Street and private views from the apartment complex southwest of the project site. However, the evaluation of impacts to scenic vistas under CEQA only addresses views from public locations such as roads, sidewalks, and public facilities such as parks. Due to the lack of scenic public views and vistas in the surrounding area, the proposed project would result in no significant impacts with respect to views of a scenic vista.

b) No Impact. The Project is not adjacent to a designated state scenic highway or eligible state scenic highway as identified on the California Scenic Highway Mapping System[2]. The streets in the project vicinity are not listed in the City of Downey General Plan for consideration as scenic highways. The closest State scenic highway is the Angeles Crest Highway (State Route 2), located approximately 20 miles north of the project site.[2] The project site is located in a fully developed, urbanized area, and contains no scenic resources. Therefore, no impact to scenic resources visible from a state scenic highway would occur.

c) Less than Significant with Mitigation Incorporated. The project site is in an urban area. The Land Use Element of the City's General Plan indicates the project site currently has a General Plan land use designation of Low Density Residential (LDR) which allows up to 8.9 units/acre. Under this designation, up to 11 units could currently be built on the project site. The project is requesting a General Plan Amendment to change the site's land use designation to Medium Density Residential (MDR) which allows up to 24 units/acre while the density of the proposed project is 20.6 units/acre.

The zoning designation of the site is R-1 6,000 which is a single-family detached residential designation. The project proposes to change the site's zoning designation to Multi-Family Residential Ownership Zone (R-3-0). According to the City Zoning Code, the R-3-O zone is intended to provide "for the development of multiple-family ownership type housing in selected areas compatible with the neighborhood environment. Such areas are envisioned as being located and designed to be complementary to adjacent uses and providing sufficient opportunities for ownership in multiple-family housing". This owner-occupied townhouse project is also proposed as a buffer between the owner-occupied single family uses to the north and east to the rental apartments to the southwest and the non-residential light industrial uses to the west.

The site is bounded by low density single family residential uses adjacent to the north and across Foster Bridge Boulevard to the east. There is also an apartment complex southwest of the site across Suva Street. The single-family homes are mainly one-story structures while the apartment buildings are two-story structures. The project would be consistent with local General Plan and zoning designations with approval of the General Plan Amendment and Zone Change.

The only potential area of visual conflict would be with the single-family residence to the north due to its close proximity to the project site (45 feet from the residence to the northern-most building). The Project Landscape Plan (Exhibit 9) shows shrubs to be planted along the northern perimeter wall, however, these may not be tall enough to block views of the new 3-story buildings from the adjacent residence. Therefore, Mitigation Measure AES-1 is recommended to help minimize any visual impacts from the project on the adjacent residences.

With the proposed entitlements, the proposed project would not conflict with the applicable General Plan or zoning requirements regulating the height, setbacks, open space, and other aesthetic aspects of development. The proposed project site is located in an urbanized area and there are no regulations governing scenic quality in the City of Downey. With implementation of Mitigation Measure AES-1, visual impacts of the project would be reduced to less than significant levels.

d) Less Than Significant Impact. Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused by unshielded or misdirected lighting sources. Reflective surfaces (e.g., polished metal) can also cause glare. Impacts associated with glare range from simple nuisance to potentially dangerous situations (e.g., if glare is directed into the eyes of motorists). There are lighting sources adjacent to the project site, including free-standing streetlights, light fixtures on buildings, and pole-mounted lights. The proposed project includes exterior security lighting and interior building lighting throughout the site. The following City of Downey Municipal Code (CDMC) sections deal with various forms of lighting: Section 9520, *Outdoor Lighting*; Section 9933.5, *Street Lighting*; and Section 9624, *Lighting and Design Standards*.

These CDMC sections require outdoor lighting to be arranged so as to reflect light away from any other property. The proposed project would be required to comply with these requirements. Complying with these regulations would make the project's lighting impacts less than significant. In addition, implementation of Mitigation Measure AES-1 will further reduce potential lighting conflicts due to the proximity of the northern-most building of the Project to the existing residence just north of the project site.

Sources of daytime glare are typically concentrated in commercial areas and are often associated with retail uses with extensive glass surfaces. Glare results from development that contains reflective materials such as hi-efficiency window glass, highly polished surfaces, and expanses of pavement. The proposed project site is located in an area that developed mainly with residential uses. The proposed townhomes include design features that would result in minimal use of glare-inducing materials. With regulatory compliance (i.e., CDMC), potential reflective glare impacts of the project would be less than significant and no mitigation is required.

Mitigation Measures

AES-1 **Enhanced Landscaping.** Prior to issuance of the first occupancy permit, the developer shall install enhanced landscaping along the northern boundary of the site. Its purpose is to substantially block views and lighting from the project site onto the residence at 7336 Foster Bridge Boulevard just north of the site. The design and location of this enhanced landscaping, primarily trees, shall be the responsibility of the City Planning Department.

4.2 – Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) 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))?	☐	☐	☐	☑
d) Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑
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?	☐	☐	☐	☑

a) No Impact. The proposed project is located in a fully developed, largely residential, suburbanized area that does not contain any agricultural or forest uses. The map of Important Farmland in California (2023) prepared by the Department of Conservation does not identify the project site as containing Prime

Farmland, Unique Farmland, or Farmland of Statewide Importance.[3] The City of Downey is located in an area that is mapped as "Urban and Built-Up Land" with no land considered as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City. In addition, the General Plan does not identify any areas for agriculture use within the City. Therefore, there would be no conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to a non-agricultural use as a result of this project. No impact would occur.

b) No Impact. No Williamson Act (agricultural preserve) contracts through Los Angeles County are active for the project site.[4] In addition, the project site is zoned for residential uses which does not permit agricultural uses. Therefore, there would be no conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

c) No Impact. CEQA Section 12220(g) identifies forest land 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.* The project site and surrounding properties are not currently being managed or used for forest land as identified in CEQA Section 12220(g). The project site has already been graded and developed with a church and parking lot with no substantial native vegetation onsite. Therefore, developing this project would have no impact on any timberland zoning.

d) No Impact. The project site is land that has been previously developed with a church with limited ornamental landscaping; thus, there would be no loss of forest land or conversion of forest land to non-forest use as a result of this project. No impact would occur.

e) No Impact. The site has been previously developed for a church within an urban/suburban environment. The project site is surrounded by residential uses and a self-storage facility. None of the surrounding uses contain existing forest resources. Therefore, development of this project would not change the existing environment in a manner that would result in the conversion of forest land to a non-forest use. No impact would occur.

4.3 – Air Quality

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐
b) 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?	☐	☐	☑	☐
c) 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?	☐	☐	☑	☐

An *Air Quality Impact Report*[5] was prepared for the proposed project by MIG, dated September 20, 2023 (Appendix A). The report estimates the potential air quality emissions for the proposed project and evaluates project emissions against applicable South Coast Air Quality Management District (SCAQMD)-recommended California Environmental Quality Act (CEQA) significance thresholds for construction and operation. A *Vehicle Miles Traveled Screening Assessment*[6] was prepared for the proposed project by Ganddini Group, dated November 15, 2023 (Appendix H) that provided trip generation data for the Air Quality Study.

a) Less than Significant Impact. The proposed project is located within the South Coast Air Basin (Basin), where efforts to attain state and federal air quality standards are governed by the South Coast Air Quality Management District (SCAQMD). Both the State of California and the federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants (known as criteria pollutants). These pollutants include ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), inhalable particulate matter with a diameter of 10 microns or less (PM_{10}), fine particulate matter with a diameter of 2.5 microns or less ($PM_{2.5}$), and lead (Pb). The state has also established AAQS for additional pollutants. The AAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. Where the state and federal standards differ, California AAQS (CAAQS) are more stringent than the national AAQS (NAAQS).

The U.S. Environmental Protection Agency (U.S. EPA), California Air Resources Board (CARB), and the SCAQMD assess the air quality of an area by measuring and monitoring the amount of pollutants

in the ambient air and comparing pollutant levels against NAAQS and CAAQS. Based on these comparisons, regions are classified into one of the following categories:

- **Attainment.** A region is "in attainment" if monitoring shows ambient concentrations of a specific pollutant are less than or equal to NAAQS or CAAQS. In addition, an area that has been re-designated from nonattainment to attainment is classified as a "maintenance area" for 10 years to ensure that the air quality improvements are sustained.
- **Nonattainment.** If the NAAQS or CAAQS are exceeded for a pollutant, the region is designated as nonattainment for that pollutant. It is important to note that some NAAQS and CAAQS require multiple exceedances of the standard in order for a region to be classified as nonattainment. Federal and state laws require nonattainment areas to develop strategies, plans, and control measures to reduce pollutant concentrations to levels that meet, or attain, standards.
- **Unclassified.** An area is unclassified if the ambient air monitoring data is incomplete and does not support a designation of attainment or nonattainment.

Table 4.3-1 (South Coast Air Basin - Non-Desert - Attainment Status*)*, summarizes the Basin's attainment status for criteria air pollutants. The Basin is currently in nonattainment for state and federal ozone, state PM_{10}, and state and federal $PM_{2.5}$ standards.

Table 4.3-1
South Coast Air Basin (Non-Desert) Attainment Status

Pollutant	State Designation	Federal Designation
O_3 (1-hr)	Nonattainment	Nonattainment
O_3 (8-hr)	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment (Maintenance)
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment (Maintenance)
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment
Pb	--	Nonattainment (Partial)
Hydrogen Sulfide	Attainment	--
Sulfates	Attainment	--
Vinyl Chloride	Attainment	--
Sources: Table 2, MIG 2023a, SCAQMD, 2018		

A project that conflicts with or obstructs the implementation of the SCAQMD South Coast Air Basin 2022 Air Quality Management Plan (AQMP) could hinder implementation of the AQMP, delay efforts to meet attainment deadlines, and/or interfere with SCAQMD efforts to maintain compliance with, and attainment of, applicable air quality standards. Pursuant to the methodology provided in Chapter 12 of the SCAQMD *CEQA Air Quality Handbook*[7], consistency with the AQMP is affirmed if the project:

1) Is consistent with the growth assumptions in the AQMP; and
2) Does not increase the frequency or severity of an air quality standard, violation, or cause a new one.

Consistency Criterion 1 refers to the growth forecasts and associated assumptions included in the 2022 AQMP. The 2022 AQMP was designed to achieve attainment for all criteria air pollutants within the Basin while still accommodating growth in the region. Projects that are consistent with the AQMP growth

assumptions would not interfere with attainment of air quality standards, because this growth is included in the projections used to formulate the AQMP. The proposed project would generate approximately 33 new residential units. The existing General Plan would allow 12 units on the 1.29-acre site (8.9 units/acre max.). The project proposes 33 units which is 22 more units than would be allowed under the existing General Plan and zoning. The SCAG 2020 RTP/SCS growth projections for the City of Downey are +1,500 new households and +5,900 residents between 2016 and 2045 (SCAG, 2020). The incremental growth that would result from the project represents 1.5% of City growth anticipated by SCAG over the next 20 years. Therefore, the growth represented by he proposed project would not exceed the growth assumptions contained in the AQMP.

Consistency Criterion 2 refers to the CAAQS. In developing its CEQA significance thresholds, the SCAQMD considered the emission levels at which a project's individual emissions would be cumulatively considerable (SCAQMD, 2003; page D-3). As shown in Table 4.3-2 (Regional Construction Emissions), in Section 4.3(b) below, the proposed project would not generate construction or operational emissions in excess of SCAQMD criteria air pollutant thresholds. For the reasons described above, the proposed project would not conflict with the SCAQMD 2022 AQMP.

b) Less than Significant Impact. A project may have a significant impact if project-related emissions exceed federal, state, or regional standards or thresholds, or if project-related emissions would substantially contribute to existing or projected air quality violations. The proposed project would generate both short-term construction emissions and long-term operational emissions. As described in more detail below, the proposed project would not generate emissions levels that exceed SCAQMD-recommended pollutant thresholds.

Construction Emissions

Construction of the proposed project would generate equipment exhaust and dust emissions from demolition activities, ground disturbing activities such as site preparation and grading, and the use of gasoline- and diesel-fuel combustion in on- and off-site heavy duty construction equipment, worker vehicle trips, vendor vehicle trips, and haul truck trips, ground disturbing activities. The proposed project's potential construction emissions were modeled using CalEEMod, Version 2022.1.1. The project grading plan indicates there will be 7,000 cubic yards (cy) of over-excavation due to the presence of unconsolidated fill on the site. Other earthwork will involve 2,500 cy of cut/fill and approximately 4,500 cy will need to be imported after removal and compaction of the unconsolidated fill materials. The construction phases, duration, and the type and amount of equipment used during construction was generated using CalEEMod default assumptions, and modified to reflect the following project-specific characteristics:

- The demolition of approximately 8,480 square-foot of existing building square footage (i.e., existing onsite church) was added to the model run;
- Fugitive dust control measures were incorporated into the model consistent with requirements contained in SCAQMD Rule 403, Fugitive Dust.

The proposed project's maximum daily unmitigated construction emissions are shown in Table 4.3-2, *Regional Construction Emissions*. As shown in Table 4.3-2, the proposed project's maximum daily unmitigated construction emissions would be well below the SCAQMD's regional pollutant thresholds for all pollutants. Therefore, the construction of the proposed project would not generate construction-related emissions that exceed SCAQMD CEQA thresholds. Construction impacts would be less than significant and no mitigation is required. However, it should be noted the project is still required to comply with a variety of SCAQMD rules and regulations on construction emissions (e.g., Rule 403 regarding fugitive dust).

Table 4.3-2
Regional Construction Emissions

Season and Year	Maximum Daily Emissions (lbs./day)					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer 2024	1.2	9.7	12.0	<0.1	0.7	0.4
Winter 2024	33.0	16.1	17.0	<0.1	3.6	2.1
SCAQMD CEQA Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No
Source: MIG, 2023 (see Appendix A) and SCAQMD 2020.						

Operational Emissions

Once operational, the proposed project would generate emissions from the following sources:

- **"Area" Sources.** The proposed project would generate emissions from small area sources, including landscaping equipment, the use of consumer products (e.g., paints, cleaners, and fertilizers) that result in the evaporation of chemicals into the atmosphere during product use.
- **Mobile Sources.** The proposed project would generate emissions from vehicles traveling to and from the project site.

The proposed project's operational emissions were also estimated using CalEEMod, V. 2022.1.1. The modeling is based on the project's first full year of operations (assumed to be 2025), using default data assumptions generated by CalEEMod, modified as necessary to reflect the following project-specific context, information, and details:

- Project-specific land use information (i.e., lot acreage, building square footage, etc.) was applied to the model;
- Project-specific weekday trip generation rates were applied to the model (Ganddini Group, 2023).
- Area Sources: Hearths were updated to be electric to reflect the project's all electric building design.
- Energy Use and Consumption: Natural gas consumption was removed and electricity annual consumption was increased using the U.S. Energy Information Administration (US EIA) energy conversion calculator to reflect the project's all electric building design. Natural gas water and space heating sources were removed since the project would be all-electric (US EIA 2023).

The proposed project's maximum daily unmitigated operational emissions are shown in Table 4.3-3 (Regional Operational Emissions*)*. As shown in Table 4.3-3, the proposed project's maximum daily, unmitigated operational criteria air pollutant emissions would be well below the SCAQMD's-recommended regional criteria air pollutant thresholds. Therefore, project operation would not generate criteria air pollutant emissions levels that exceed SCAQMD regional CEQA thresholds. This impact would be less than significant and no mitigation is required.

Table 4.3-3
Regional Operational Emissions

Emission Source	Maximum Daily Pollutant Emissions (Pounds Per Day)[A]					
	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources	1.4	<0.1	1.9	<0.1	<0.1	<0.1
Energy Demand[B]	0	0	0	0	0	0
Mobile Sources	0.8	0.6	6.2	<0.1	1.3	0.3
Total Daily Emissions[C]	2.1	0.6	8.0	<0.1	1.3	0.3
SCAQMD CEQA Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Table 4, MIG, 2023a (see Appendix A)
(A) Emissions presented are worst-case emissions and may reflect summer or winter emissions levels. Maximum daily ROG, CO, SO_X emissions occur during the summer. Maximum daily NO_X emissions occur during the winter. In general, due to rounding, there is no difference between summer and winter PM_{10} and $PM_{2.5}$ emissions levels for the purposes of this table
(B) Energy demand related air quality emissions estimated to be 0 due to the project being all-electric.
(C) Totals may not equal due to rounding.

Cumulative Impacts

The Basin is currently designated non-attainment for State and/or federal standards for ozone, $PM_{10,}$ and $PM_{2.5}$. As discussed in the preceding subsections, the proposed project would not result in construction or operational emissions of criteria air pollutants that exceed SCAQMD thresholds of significance. In developing its CEQA significance thresholds, the SCAQMD considered the emission levels at which a project's individual emissions would be cumulatively considerable. The SCAQMD considers projects that result in emissions that exceed its CEQA significance thresholds to result in individual impacts that are cumulatively considerable and significant. Since the proposed project would not individually exceed any SCAQMD CEQA significance thresholds, it would also not result in a cumulatively considerable increase in regulated, nonattainment pollutants.

c) Less than Significant Impact. The proposed project would generate both short-term construction emissions and long-term operational emissions that could impact sensitive residential receptors located near the project; however, as described in more detail below, the proposed project would not generate short-term or long-term emissions that exceed SCAQMD-recommended localized significance thresholds or result in other substantial pollutant concentrations.

In addition to regional CEQA thresholds, the SCAQMD has also developed Local Significance Thresholds (LSTs) that represent the maximum emissions from a project that are expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, which would result in significant adverse localized air quality impacts.

Construction Emissions

The project's maximum daily construction emissions are compared against the SCAQMD's-recommended LSTs thresholds in Table 4.3-4 (LST Construction Emissions*)*. Consistent with the SCAQMD's LST methodology, the emissions included in the construction LST analysis are on-site emissions only. The LST thresholds are for source receptor area (SRA) 5, the SRA in which the proposed project is located, and are conservatively based on a receptor distance of 25 meters (82 feet), the closest LST receptor distance thresholds recommended for use by the SCAQMD, and a project size of 1.0 acre. These thresholds are considered conservative because the proposed project size is approximately 1.3 acres.

As shown in Table 4.3-4 (LST Construction Emissions), the proposed project's construction emissions would not exceed the SCAQMD's recommended construction LSTs. Project construction, therefore, would not generate criteria air pollutant emissions levels that exceed SCAQMD local CEQA thresholds. Impacts would be less than significant and no mitigation is required. However, it should be noted the project is still required to comply with a variety of SCAQMD rules and regulations on construction emissions (e.g., Rule 403 regarding fugitive dust).

Table 4.3-4
LST Construction Emissions

Construction Phase[(A)]	Maximum Daily Emissions (Pounds per Day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition	16.1	17.0	1.2	0.7
Site Preparation	13.7	13.4	3.2	1.8
Grading	15.9	16.1	3.6	2.0
Building Construction	9.7	12.0	0.7	0.4
Paving	5.0	7.3	0.4	0.3
Architectural Coating	0.9	1.5	0.1	<0.1
SCAQMD LST Threshold[(B)]	83	673	5	4
Threshold Exceeded?	No	No	No	No

Source: Table 5, MIG 2023a (see Appendix A) and SCAQMD 2009

(A) Emissions presented are worst-case emissions and may reflect summer or winter emission levels. In general, due to rounding, there is no difference between summer and winter emission levels for the purposes of this table.

(B) The LST thresholds are conservatively based on 1.0-acre project size and 25-meter receptor distance for SRA 5.

Operational Emissions

Typically, operations related to LSTs become a concern when there are substantial on-site stationary or on-site mobile sources (e.g., heavy duty or idling trucks) that could impact surrounding receptors, which is not the case for the proposed project. Nonetheless, the proposed project's maximum daily operational emissions are compared against the SCAQMD's-recommended LSTs in Table 4.3-4 and 4.3-5.

The project's maximum daily operational emissions are compared against the SCAQMD's-recommended LSTs in Table 4.3-5 (LST Operational Emissions*)*. Consistent with the SCAQMD's LST methodology, the emissions included in the operational LST analysis are onsite emissions only, and the LST thresholds against which these onsite emissions are compared are based on the project size, in acres. The LST thresholds are for SRA 11 (South San Gabriel Valley), the SRA in which the project is located and are based on a receptor distance of 82 feet (approximately 25 meters), the closest LST receptor distance threshold recommended for use by the SCAQMD. As shown in Table 4.3-5, proposed project's on-site operational emissions would not exceed the SCAQMD's recommended operational LSTs. Project operation, therefore, would not generate criteria air pollutant emissions levels that exceed SCAQMD local CEQA thresholds. Impacts will be less than significant and no mitigation is required.

Table 4.3-5
LST Operational Emissions

Emissions	Maximum Daily Emissions (Pounds per Day)[A]			
	NO_X	CO	PM_{10}[B]	$PM_{2.5}$[B]
Area Sources	1.0	6.1	0.1	0.1
Energy Sources	0.0	0.0	0.0	0.0
Mobile Sources[A]	2.3	24.7	<0.1	<0.1
Total Emissions[B]	**3.3**	**30.8**	**0.1**	**0.1**
SCAQMD LST Threshold[C]	**121**	**1,031**	**2**	**2**
Threshold Exceeded?	**No**	**No**	**No**	**No**

Source: MIG 2023 (see Appendix A).

(A) Mobile source emissions estimates reflect potential onsite vehicle emissions only and were derived by assuming 2% of operational mobile source emissions in Table 4 will occur onsite.

(B) Emissions presented are worst-case emissions and may reflect summer or winter emissions levels. In general, due to rounding, there is no difference between summer and winter emissions levels for the purposes of this table.

(C) LST threshold is based on a 2.0-acre project size and 25-meter (82-foot) receptor distance.

Sensitive Air Quality Receptors/Health Risks

The SCAQMD identifies sensitive receptors as populations more susceptible to the effects of air pollution than the general population. Some people are more affected by air pollution than others. Sensitive air quality receptors include specific subsets of the general population that are susceptible to poor air quality and the potential adverse health effects associated with poor air quality. Both CARB and the SCAQMD consider residences, schools, parks and playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes to be sensitive air quality land uses and receptors (SCAQMD 2017a; CARB 2005). The potential sensitive air quality receptors adjacent or in close proximity to the perimeter of the project area (i.e., within 1,250 feet) include:

- The single-family residential land uses on Foster Bridge Boulevard that border or are in close proximity to the project site (the closest of which is adjacent to the northern property line);
- Other single-family residences southeast of the project along Guatemala Avenue;
- The Rio Hondo Bike Path, which is approximately 120 feet south of the project site, that runs adjacent to Bluff Road;
- Suva Elementary School, approximately 1,250 feet northwest of the project site.

In addition to criteria air pollutants, the U.S. EPA and CARB have classified certain pollutants as Hazardous Air Pollutants (HAPs) (by U.S. EPA) or Toxic Air Contaminants (TACs) (by CARB), respectively. These pollutants can cause severe health effects at very low concentrations (non-cancer effects), and many are suspected or confirmed carcinogens (i.e., can cause cancer). People exposed to HAPs/TACs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and/or other health problems.

A portion of the PM_{10} and $PM_{2.5}$ emissions generated during construction of the project would be diesel particulate matter, or DPM, a known TAC. The proposed project's construction activities would not expose adjacent residential receptors to substantial levels of DPM that would pose a substantial adverse health risk for several reasons. First, the proposed project does not involve substantial earthmoving or grading activities that would require large amounts of heavy-duty equipment associated with the highest DPM emissions. This is because the proposed project site is already developed and only approximately 1.3 acres in size. Second, potential long-term adverse health risks from DPM are evaluated assuming a constant exposure to emissions over a 70-year lifetime, 24 hours a day, seven days a week, with increased risks generally associated with increased proximity to emissions sources. Since construction activities would only generate DPM emissions on an intermittent, short-term basis (lasting approximately 12 months), DPM emissions from construction activities would be unlikely to result in adverse health effects to existing sensitive receptors that exceed the SCAQMD's significance criteria. In 2019, the SCAQMD established the following thresholds of significance for projects that generate TAC emissions: Maximum Incremental Cancer Risk ≥ 10 in 1 million; Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million); Chronic & Acute Hazard Index ≥ 1.0 (project increment).

There is no current evidence to suggest the presence of asbestos-containing materials (ACMs) in the existing church building. However, if ACMs were present, then demolition, removal, and transport of building materials containing ACMs could result in airborne emissions of asbestos resulting in exposure of workers or the environment to a hazardous material. In accordance with Section 112 of the Federal Clean Air Act, the U.S. EPA establishes National Emission Standards for Hazardous Air Pollutants (NESHAP). If necessary, the project would comply with SCAQMD Rule 1403, which is the enforcing rule of the Asbestos NESHAP, and sets forth requirements for asbestos surveying, notification, removal procedures, and storage, disposal, and land filling requirements for asbestos containing waste materials. Regulatory compliance with SCAQMD Rule 1403 would ensure the proposed project does not expose sensitive receptors to asbestos containing materials. For additional information on ACMs and other impacts related to hazardous materials, see Section 4.9, *Hazards and Hazardous Materials*.

CO Hotspot Analysis

A CO hotspot is an area of localized CO pollution that is caused by severe vehicle congestion on major roadways, typically near high volume intersections. Several screening procedures have been developed by air districts throughout the state to assess whether a project may result in a CO impact. For example, the Bay Area Air Quality Management District (BAAQMD) developed a screening threshold in 2010 which states that any project involving an intersection experiencing 44,000 vehicles per hour would require detailed analysis. Additionally, the SCAQMD's 2003 AQMP and *1992 Federal Attainment Plan for Carbon Monoxide* demonstrated that CO levels were below the CAAQS at an intersection with a daily traffic volume of up to approximately 100,000 vehicles per day. The proposed project would add approximately 331 new vehicle trips to the roadway system per day (see Appendix G). The worst-case hourly intersection volume in the project vicinity would be relatively unaffected by the project, which is projected to add a total of 20 trips during the AM peak hour and 25 trips during the PM peak hour. This is well below the BAAQMD screening threshold, and surrounding roadway segments would not have traffic volumes exceeding 100,000 vehicles per day. The proposed project would not cause intersection volumes to exceed any daily (100,000) or hourly (44,000) screening vehicle volumes maintained by the SCAQMD and other regional air districts and, therefore, would not result in significant CO concentrations. Impacts would be less than significant and mitigation is not required.

d) Less than Significant Impact. According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). The proposed project does not include such sources but would result in the construction of a new townhome

facility that could generate odors related to vehicle parking and refuse collection (e.g., oils, lubricants, fuel vapors, short-term waste odors). These activities would not generate sustained odors that would affect substantial numbers of people. Potential impact with respect to odors would be less than significant.

4.4 – Biological Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☑	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☑
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☑
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☑	☐	☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☑	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☑

a) Less Than Significant Impact. The project site is a developed property occupied by a church and parking lot in the far northwest corner of the City. The project site and surrounding area are fully developed and not identified as critical habitat for any threatened or endangered species of plant or animal. The California Natural Diversity Database (CNDDB)[8] shows no record of any occurrence of any sensitive plant, animal, terrestrial natural community, or aquatic community on the project site[9] or in the immediate surrounding area, including the Rio Hondo Channel. The most current CNDDB data for the Southgate USGS 7.5-minute quadrangle indicates there are four listed or otherwise sensitive plant species present in the surrounding region, including several species typical of vernal pool habitat. The CNDDB list also shows ten listed or protected animal species in the region, including burrowing owl and several bird species found in riparian habitat (Appendix B). The site contains no vegetation, habitat, or resources that would support any of these listed, sensitive, or protected species of plants or animals. Landscaping currently exists onsite, including a number of mature landscaped *Ficus* and palm trees. However, ornamental vegetation is not typically native habitat for any species identified as a candidate, sensitive, or special status species.

The only plants onsite are landscaped or non-native weedy species. The site is completely covered with man-made structures/surfaces and there are no drainage features, wetlands, or water features present. The only wildlife on site would be those native species tolerant of regular human activity including small mammals, reptiles, and songbirds.

Considering the highly developed nature of the project site and lack of native habitat, it is reasonable to conclude the proposed project would not result in any significant impacts to sensitive species or their habitats. The highly disturbed nature of the site and surrounding habitat would not provide substantial habitat for any of the sensitive species known to occur within one mile of the project site. Therefore, the proposed project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species in local or regional plans by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). Impacts would be less than significant and no mitigation is required.

b) No Impact. As outlined in Threshold 4.4.a above, no natural or man-made water features occur within the project site and no riparian vegetation is present on or adjacent to the site, including the nearby concrete-lined Rio Hondo Channel, that could provide habitat for wildlife.[10] Therefore, the project would not 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 CDFW or USFWS. No impact would occur.

c) No Impact. As outlined in Threshold 4.4.a above, no wetlands occur on the project site.[11] Therefore, the project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. No impact would occur.

d) Less than Significant with Mitigation Incorporated. According to the General Plan, the City does not maintain any designated wildlife corridors and the project site is surrounded by developed residential and industrial properties.

The Federal Migratory Bird Treaty Act (MBTA; 16 USC Sections 703–711) and California Fish and Game Code (CFGC) Sections 3503, 3503.5, and 3513 extend protection to a number of avian species that may occur on or in the vicinity of the project site. The project site contains a number of landscaped trees (mainly *Ficus* and palms) that may possibly provide habitat for nesting birds. The project plan calls for all trees and vegetation to be removed from the site. If the onsite vegetation contained nests for avian species protected by these regulations, there is a potential for a significant impact in this regard. Therefore, Mitigation Measure BIO-1 (nesting bird survey) has been recommended to determine if any onsite vegetation contains nesting birds and if present, restricts construction activities until young birds have fledged from the next. This measure will ensure impacts to nesting/migratory birds are less than significant. With mitigation incorporated, impacts to wildlife corridors or migrating animals would be less than significant.

e) Less than Significant Impact. The only biological resource on the site is the existing trees and landscaping, and the City has no local regulation regarding removal of these materials. Construction of the proposed project would result in the removal of non-native landscaping shrubs and tree species from the site. Development of the proposed project will install new landscaping and trees on the site. Therefore, the project will not conflict with any local regulations related to trees or other biological resources. Impacts would be less than significant.

f) No Impact. No Habitat Conservation Plan, Natural Community Conservation Plan or other biological plan are associated with the project site or the immediate surrounding urbanized area.[12] Therefore, the project would not 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 would occur.

Mitigation Measures

BIO-1 **Nesting Bird Survey.** To the extent feasible, construction activities shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place during the nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code must be avoided. The nesting season for most birds in Los Angeles County extends from February 1 through September 1.

If it is not possible to schedule construction activities between September 1 and January 31, then a pre-construction survey for nesting birds will be conducted by a qualified biologist to ensure that no nests would be disturbed during project implementation. This survey will be conducted no more than 5 days prior to the initiation of any site disturbance activities and equipment mobilization, including tree, shrub, or vegetation removal, fence installation, grading, etc. If project activities are delayed by more than 5 days, an additional nesting bird survey will be performed. During this survey, the biologist will inspect all trees and other potential nesting habitats (e.g., trees and shrubs) in and immediately adjacent to the impact area for nests. Active nesting is present if a bird is building a nest, sitting in a nest, a nest

has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the survey(s) will be documented.

If an active nest is found sufficiently close to work areas to be disturbed by these activities, the qualified biologist will determine the extent of a construction-free buffer zone to be established around the nest (typically up to 300 feet for raptors and up to 100 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code will be disturbed during project implementation. Within the buffer zone, no site disturbance and mobilization of heavy equipment, including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading will be permitted until the chicks have fledged.

A qualified biologist is an individual who has a degree in biological sciences or related resource management with a minimum of two seasonal years post-degree experience conducting surveys for nesting birds. During or following academic training, the qualified biologist will have achieved a high level of professional experience and knowledge in biological sciences and special-status species identification, ecology, and habitat requirements.

4.5 – Cultural Resources

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☑	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☑	☐	☐
c) Disturb any human remains, including those interred outsides of formal cemeteries?	☐	☑	☐	☐

a) Less than Significant Impact. In the 1800's, Downey was one of many towns to spring up in the Los Angeles Basin. The city derived its name from John Gately Downey, an Irish immigrant who had come to California during the 1849 Gold Rush. He helped build the economic foundation of Southern California which transitioned from open cattle range to an agricultural district of small farms. In November 1859, Downey and his former drugstore partner, James McFarland, bought the 17,602-acre Rancho Santa Gertrudes. In 1873, a 96-acre parcel of the plot became the central district of a community called "Downey City" as a result of the favorable climate, fertile soil, and abundant water sources. In April of 1874, the Southern Pacific Railroad was extended through Downey which brought new residents from back East and delivered agricultural and other goods throughout the country. By

the early 1900's, the downtown Downey area contained a Sunkist packing plant, a department store, banks, restaurants and mercantile shops. Downey remained largely agrarian until the development of the local aircraft industry during the post-World War II years, with light industry and tract homes replacing orange groves. The city was one of the first suburban "planned communities" with quality homes, schools and retail centers. By the beginning of the 21st century, Downey provided a balance of housing, commerce, and jobs for local residents and employees.

A Cultural Resources Assessment (*CRA*) was prepared for the project site[13] by CRM TECH dated October 13, 2023 that included historic and archaeological resources According to the General Plan[1] and the CRA[13], the project area has no facilities that satisfy any of the criteria for historic resources defined in CEQA Guidelines Section 15064.5. The CRA noted that components of the onsite church building were constructed from the late 1950's to 1989, so it was at least possible that the structure may have historical value. To answer that question, CRM TECH undertook a preliminary evaluation of the church building and determined it did not meet the criteria for a historical resource under CEQACRM TECH concluded the site did not have any structures eligible for listing in the National or California Registers under any of the significance criteria. Therefore, the project would not result in an adverse change in the significance of a historical resource as defined in CEQA Section 15064.5. During its historical assessment, CRM TECH documented the architectural features of the church building using the required California Department of Parks and Recreation (DPR) Form 523 to help determine if a property meets the defined criteria of historical, architectural, archeological, or cultural significance. The DPR 523 Form is designed to collect enough information to make a preliminary determination of eligibility. The form collects basic information such as location, classification, function, a brief physical description and evaluation of the property's integrity and associations. With this documentation, potential impacts to historical resources will be less than significant and no mitigation is required.

b) Less than Significant with Mitigation Incorporated. A Cultural Resources Assessment (*CRA*) was prepared for the project site by CRM TECH that included the evaluation of archaeological resources. The draft CRA indicated that no cultural resource surveys have been conducted in the project area, but Native American tribes have occupied the Los Angeles Basin for thousands of years. Given the developed, urbanized nature of the project site and vicinity, previously undiscovered archaeological resources are not anticipated to be uncovered during project grading. However, it should be noted that local Native American tribes, most notably the Gabrieleño Band of Mission Indians-Kizh Nation, have expressed concern regarding the likelihood of finding tribal artifacts or resources during grading generally anywhere within their traditional tribal boundaries which includes the City of Downey (see also Section 4.18, *Tribal Cultural Resources*).

In the event that archaeological resources, most likely related to the Gabrieleño Band of Mission Indians-Kizh Nation, are discovered during ground-disturbing activities, Mitigation Measure CUL-1 has been recommended to ensure that buried archaeological and/or tribal resources are properly treated if found during project grading. With implementation of the recommended mitigation, potential impacts to archaeological resources would be less than significant.

c) Less than Significant with Mitigation Incorporated. No known human remains are anticipated to be located on or beneath the project site. However, in the unlikely event that human remains are uncovered during ground disturbing activities, the contractor is required to halt work in the immediate area of the find and to notify the County Coroner, in accordance with Health and Safety Code Section 7050.5, who must then determine whether the remains are of forensic interest. If the Coroner, with the aid of a supervising archaeologist, determines that the remains are or appear to be of a Native American, they must contact the Native American Heritage Commission for further investigations and proper recovery of such remains, if necessary. Mitigation Measure CUL-1 will help ensure that human

remains are properly treated in accordance with existing regulations. With incorporation of mitigation, impacts related to the discovery of buried human remains would be less than significant.

Mitigation Measures

CUL-1 **Unanticipated Resources.** In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities of the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the California Environmental Quality Act (CEQA: 14 CCR 15064.5(f): PRC Section 21083.2), the archaeologist may simply record the find and allow work to continue. However, if the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.

4.6 – Energy

Would the Project:

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

An Air Quality, *Greenhouse Gas, and Energy Impact Analysis* was prepared for the proposed project by MIG, dated September 20, 2023 (see Appendix A). The report estimates the potential energy usage and greenhouse gas emissions for the proposed project and evaluates project emissions against applicable South Coast Air Quality Management District (SCAQMD)-recommended California Environmental Quality Act (CEQA) significance thresholds for construction and operation.

a) Less Than Significant Impact. The proposed project consists of the demolition of an existing church and parking lot and construction of a 33-unit townhouse project. Construction activities associated with the proposed project would require the use of heavy-duty, off-road equipment and construction-related vehicle trips that would combust fuel, primarily diesel and gasoline. Heavy-duty construction equipment would be required to comply with CARB's airborne toxic control measures, which restrict heavy-duty diesel vehicle idling to five minutes. It is estimated that construction activities would consume approximately 19,871 gallons of diesel fuel to power on-site, off-road heavy-duty construction equipment. Worker, vendor, and haul truck trips during construction activities are anticipated to consume 3,802 gallons of gasoline, 1.137 gallons of diesel, and 894 kilo-Watt hours (kWh) of electricity.

Once operational, the proposed project would consume energy for vehicle trips, electricity, and water and wastewater conveyance. As estimated using CalEEMod, the proposed buildings would consume approximately 396 megawatt-hours (mWh) of electricity per year. Operational vehicle trips are anticipated to consume approximately 3,804 gallons of diesel and 23,191 gallons of gasoline from operational mobile sources on an annual basis.

The proposed project would not consume natural gas as the project is planned to be all electric. Electricity and gasoline fuel consumption are energy sources necessary to operate and maintain the proposed project in a safe manner. Lighting is essential for safety and security and, due to the all-electric design of the buildings, electricity is also needed for heating, cooking, and other temperature-controlled activities. Due to energy efficiency standards being improved over time, the new structures would be more efficient in its energy consumption than the existing structures. In addition, the proposed project includes the use of solar photovoltaic (PV) panels to be provided on all townhomes.

Electricity, and gasoline fuel consumption are energy sources necessary to operate and maintain the proposed residential project in a safe manner. Lighting is essential for safety and security as well as heating and other temperature-controlled activities since it will be an all-electric project. Due to energy efficiency standards being improved over time, the new structures would be more efficient in its energy consumption than the existing structures. In addition, the proposed project includes elements that support modes of transportation that would result in less gasoline consumption than transportation by single-occupancy gasoline-powered cars. For example, the CalGreen Code requires new residential units to be wired so that electric vehicle charging equipment be installed by new homeowners if so desired.

The proposed project would be built to the latest CalGreen Code and State Title 24 energy conservation standards and would be more energy efficient than the existing structures at the site and would not conflict with or obstruct a state or local plan for renewable energy. For example, the development will have photovoltaic solar panels on the roofs of the units to replace electricity from other sources. In addition, the project will be all electric so there will be no consumption of natural gas, and each unit will be wired to support electric vehicle charging equipment.

In these ways, the proposed project would not conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency because no such plan is in place in the project area. In these ways energy consumption impacts of the project will be reduced to the level equal or greater than that required by the CalGreen Code.

For these reasons, the proposed project would not result in the wasteful, inefficient, or unnecessary use of energy resources. This impact would thus be less than significant and no mitigation is required.

b) Less Than Significant Impact. As previously discussed, the project would be constructed and operated consistent with the energy conservation requirements of the CalGreen Code and State Title 24 energy conservation standards. In addition, the City of Downey does not have its own Climate Action Plan (CAP) or other plan that directly addresses energy conservation. Therefore, the proposed project would not conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency because no such plan is in place in the project area. This impact would be less than significant and no mitigation is required.

4.7 – Geology, Soils, and Paleontological Resources

Would the Project:

	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.	☐	☐	☑	☐
ii) Strong seismic ground shaking?	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☑	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial direct or indirect risks to life or property?	☐	☐	☑	☐

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☑
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐

A *Geotechnical Investigation*[14] was prepared by Albus & Associates, dated February 6, 2023 (*Geotechnical Report*, Appendix D) and a Paleontological Resources Assessment Report[13] was prepared by CRM TECH dated October 13, 2023 (Appendix C). The information in this section is largely taken from those reports unless otherwise noted.

a.i) Less Than Significant Impact. No active faults have been identified at the ground surface within the City of Downey as identified in the General Plan Safety Element, nor have any Alquist-Priolo Earthquake Fault zones been designated.[15] The project Geotechichnical Report indicates "no active faults are known to project through or immediately adjacent the subject site and the site does not lie within an "Earthquake Fault Zone" as defined by the State of California in Earthquake Fault Zoning Act (page 6, Albus 2023). Table 3.1 in the Geotechnical Report indicates the following faults are the closest to the project site: Puente Hills (0.1 mile); Elsinore (5.4 miles); Elysian Park (6.6 miles); and Newport Inglewood (9 miles). Although there are several faults in the immediate surrounding region, the Geotechnical Report found the risk from onsite fault rupture to be negligible. Therefore, impacts related to earthquake faults and ground rupture would be less than significant.

a.ii) Less Than Significant Impact. Potential impacts from strong seismic ground shaking include injury or loss of life and property damage. The Geotechnical Report found the peak ground acceleration[i] at the site is 0.834g[ii] which is considered strong. The City lies within the Los Angeles Basin and underlying geologic formations consist largely of ancient marine and river deposits which are typically sandy and silty-sandy soils. The proposed project lies in the far northwest corner of the City on relatively flat terrain next to the Rio Hondo Channel.

The Geotechnical Report indicates there is two to six feet of unconsolidated artificial fill beneath the project site from deposition of excavated soils when the Rio Hondo Channel was realigned. In its current condition, the site may be susceptible to ground failure during strong seismic events. However, The Geotechnical Report also indicates that standard excavation and compaction of the soil to applicable engineering standards in the CBC will eliminate this potential for ground failure on the site. Compliance with these regulatory standards is not considered unique mitigation.

The project site is subject to strong seismic ground shaking, as are virtually all properties in Southern California. The 2022 California Building Code (California Building Code [CBC], California Code of Regulations, Title 24, Volume 2, as adopted by the City of Downey Municipal Code (CDMC), Chapter 16.05, contains seismic safety provisions with the aim of preventing building collapse during a design earthquake, so that occupants would be able to evacuate after the earthquake. The proposed townhomes would be subject to the seismic design criteria of the 2022 CBC. Adherence to these regulatory requirements would reduce the potential for building collapse during an earthquake, thereby

[i] The mapped Maximum Considered Earthquake Geometric Mean (MCEG)

[ii] The term "g" means onsite groundshaking could reach about 83% of the force of gravity exerted horizontally on project buildings.

minimizing injury and loss of life. Although structures may be damaged during earthquakes, adherence to seismic design requirements would minimize damage to property within the structure because the structure is designed not to collapse. The CBC is intended to provide minimum requirements to prevent major structural failure and loss of life. Adherence to existing regulations would reduce the risk of loss, injury, and death. Therefore, impacts due to strong ground shaking would be less than significant and no mitigation is required.

a.iii) Less Than Significant Impact. The Geotechnical Report indicates there is two to six feet of unconsolidated fill beneath the project site from deposition of excavated soils when the Rio Hondo Channel was realigned. The grading plan indicates there will be 7,000 cubic yards (cy) of over-excavation due to the presence of unconsolidated fill. Other earthwork will involve 2,500 cy of cut/fill and approximately 4,500 cy will need to be imported after removal and compaction of the unconsolidated fill materials.

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly the medium sand to silt range) are located over a high groundwater table (less than 50 feet in depth), and in an area subject to strong groundshaking. Affected soils lose their strength during liquefaction and foundation failure can occur.

The City's General Plan Safety Element indicates the project area is considered to be in a liquefaction zone. The Geotechnical Report found no groundwater beneath the project area to the subsurface exploration depth of 51.5 feet. However, CDMG[16] Special Report 034 suggests that historic high groundwater in the immediate area could be as shallow as 9 feet below the ground surface. After additional research by Arbus using online groundwater well data from the Los Angeles County Public Works Department, two wells were found in proximity to the project site. Data from these wells was from 1950 to 2011 and the recorded depths to groundwater in both wells indicate that groundwater has remained below a depth of 50 feet in this area since 1950 (i.e., 70-80 feet). Therefore, the Geotechnical Report concluded that groundwater beneath the site was expected to be at least 50 feet or more in depth.

The Geotechnical Report indicates the site and surrounding area have not been subject to historic occurrence of liquefaction, or local geological, geotechnical, and groundwater conditions. Therefore, there is no potential for permanent ground displacement that would trigger the need for mitigation as defined in Public Resources Code Section 2693(c). The site exhibits a very low seismic settlement potential and liquefaction would not be significant to the proposed development. Therefore, impacts due to seismically induced ground failure or liquefaction would be less than significant.

a.iv) No Impact. The Geotechnical Report indicates the project site is located in a suburbanized area that is relatively flat and there is no potential for landslides. Therefore, there will be no impacts to the proposed project site and no mitigation is required.

b) Less Than Significant Impact. The project site currently supports a church and parking lot and underlying soils are completely covered by development. However, the project has the potential to expose surficial soils to wind and water erosion during construction activities. Wind erosion would be minimized through soil stabilization measures required by South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust), such as daily watering which will minimize the potential for wind erosion. For more information on dust control, see Threshold 4.3, *Air Quality*. With regulatory compliance, project construction will not have significant impacts relative to wind erosion.

Water erosion would be prevented through the City's standard erosion control practices required pursuant to the California Building Code and the National Pollution Discharge Elimination System (NPDES), such as silt fencing or sandbags. Following project construction, the site would be covered completely by paving, structures, and landscaping. Therefore, impacts related to soil erosion would be less than significant with implementation of existing regulations once construction is complete.

c) Less Than Significant with Mitigation Incorporated. Impacts related to liquefaction and landslides are discussed in Sections 4.7.a and 4.7.b. above and both were determined to be less than significant.

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to gravity and earthquake shaking combined. Such movement can occur on slope gradients of as little as one degree. Lateral spreading typically damages pipelines, utilities, bridges, and structures. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (e.g., retaining wall, slope, or channel) and to lesser extent on ground surfaces with a very gentle slope. Due to the absence of any channel within or near the project site, and the subsurface soil conditions that are not conducive to liquefaction, the potential for lateral spread occurring on the project site is considered to be less than significant (page 7, Geotechnical Report).

The project engineer indicates earthwork on the site will be generally balanced with little onsite cut and fill anticipated. However, there may be a small amount of import or export of soil because the exact amount is not yet known. This is because the site is underlain by an unknown amount of unconsolidated fill.

The City requires a comprehensive geotechnical investigation of a development site prior to issuing grading permits. In addition, the project is required to be constructed in accordance with the requirements of the 2022 CBC. The CBC includes a requirement that any City-approved recommendations contained in the soils report be made conditions of the building permit.

The project Geotechnical Report indicated it was prepared for only feasibility purposes and recommended a supplemental Geotechnical report be prepared to determine site specific project grading, design, permitting, and construction parameters. Preparation of that supplemental report is addressed in Mitigation Measure GEO-1. Compliance with site specific geotechnical recommendations of the original and supplemental Geotechnical Reports (see Mitigation Measure GEO-1) and current CBC regulations would limit hazard impacts arising from potentially unstable soils to less than significant levels.

d) Less than Significant Impact. According to the project Geotechnical Report, near surface soils have a "very low" medium expansion potential. The project would comply with all recommendations provided in the project *Geotechnical Report* upon application for grading and building permits. Less than significant impacts would occur.

e) No Impact. The project proposes to connect the existing municipal wastewater system to an eight-inch sewer main line in Suva Street along the southern boundary of the site. The project would connect to this system and would not require use of septic tanks; therefore, no impact would occur.

f) Less than Significant with Mitigation Incorporated. Given the urbanized nature of the project site and vicinity, previously recorded paleontological resources are not anticipated to be uncovered during project construction activities. However, in the event that previously undiscovered paleontological resources are discovered during ground-disturbing activities, Mitigation Measures GEO-2 through GEO-

5 have been recommended to ensure that paleontological resources are properly treated. With implementation of the recommended mitigation, impacts to paleontological resources would be reduced to be less than significant levels.

Mitigation Measures

GEO-1 **Supplemental Geotechnical Report.** Prior to issuance of a grading permit, the project proponent shall retain a qualified geotechnical consultant to prepare a supplemental geotechnical investigation as recommended by the "Geotechnical Due-Diligence Investigation" prepared by Albus & Associates, Inc. dated February 6, 2023. The supplemental report shall be certified by the City Engineer as adequate for the purposes of design, permitting, and construction.

GEO-2 **Conduct Paleontological Sensitivity Training for Construction Personnel.** If excavation below 6' is required, the project proponent must retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to conduct a Paleontological Sensitivity Training for construction personnel before commencement of excavation activities. The training would include a handout and would focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources, and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary.

GEO-3 **Conduct Periodic Paleontological Spot Checks During Grading and Earth-Moving Activities.** If excavation below 6' is required, the project proponent must retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to conduct periodic Paleontological Spot Checks beginning at depths below six feet from the surface to determine if construction excavations extend into older Quaternary deposits. After the initial Paleontological Spot Check, further periodic checks would be conducted at the discretion of the qualified paleontologist. If the qualified paleontologist determines that construction excavations have extended into the older Quaternary deposits, construction monitoring for Paleontological Resources are required. The project proponent must retain a qualified paleontological monitor, who would work under the guidance and direction of a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor must be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into the older Pleistocene alluvial deposits. Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring is based on the rate of excavation and grading activities, proximity to known paleontological resources and/or unique geological features, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of paleontological resources and/or unique geological features encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional paleontologist. Monitoring shall terminate when grading and trenching activities on the site have been completed.

GEO-4 **Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered.** In the event that paleontological resources and or unique geological features are unearthed during ground-disturbing activities, the paleontological monitor may halt or divert work away from the vicinity of the find so that the find can be

evaluated. A buffer area of at least 50 feet must be established around the find where construction activities are not allowed to continue until an appropriate paleontological treatment plan is approved by the project proponent and the City. Work is allowed to continue outside of the buffer area. The project proponent and City would coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor would assist in removing rock samples for initial processing.

GEO-5 **Prepare Report Upon Completion of Monitoring Services.** If paleontological resources are found, upon completion of the activities identified under Mitigation Measure GEO-4, the professional paleontologist would prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, and a description of the fossils collected and their significance. The report would be submitted to the project proponent, the City, the Natural History Museums of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

4.8 – Greenhouse Gas Emissions

Would the project:

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

An Air Quality, *Greenhouse Gas, and Energy Impact Analysis* was prepared for the proposed project by MIG, dated September 20, 2023 (Appendix A). The report estimates the potential energy usage and greenhouse gas emissions for the proposed project and evaluates project emissions against applicable South Coast Air Quality Management District (SCAQMD)-recommended California Environmental Quality Act (CEQA) significance thresholds for construction and operation.

a) Less than Significant Impact.

Background Information

Gases that trap heat in the atmosphere and affect regulation of the Earth's temperature are known as GHGs. GHG that contribute to climate change are a different type of pollutant than criteria or hazardous

air pollutants because climate change is global in scale, both in terms of causes and effects.[17] Some GHG are emitted to the atmosphere naturally by biological and geological processes such as evaporation (water vapor), aerobic respiration (carbon dioxide), and off-gassing from low oxygen environments such as swamps or exposed permafrost (methane); however, GHG emissions from human activities such as fuel combustion (e.g., carbon dioxide) and refrigerants use (e.g., hydrofluorocarbons) significantly contribute to overall GHG concentrations in the atmosphere, climate regulation, and global climate change. The 1997 United Nations' Kyoto Protocol international treaty set targets for reductions in emissions of four specific GHGs – carbon dioxide, methane, nitrous oxide, and sulfur hexafluoride – and two groups of gases – hydrofluorocarbons and perfluorocarbons. These GHG are the primary GHG emitted into the atmosphere by human activities. The six most common GHG's are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

GHG emissions from human activities contribute to overall GHG concentrations in the atmosphere and the corresponding effects of global climate change (e.g., rising temperatures, increased severe weather events such as drought and flooding). GHGs can remain in the atmosphere long after they are emitted. The potential for a GHG to absorb and trap heat in the atmosphere is considered its global warming potential (GWP). The reference gas for measuring GWP is CO_2, which has a GWP of one. By comparison, CH_4 has a GWP of 25, which means that one molecule of CH_4 has 25 times the effect on global warming as one molecule of CO_2. Multiplying the estimated emissions for non-CO_2 GHGs by their GWP determines their carbon dioxide equivalent (CO_2e), which enables a project's combined global warming potential to be expressed in terms of mass CO_2 emissions (referred to as CO_2 equivalents, or CO_2e).

GHG Significance Thresholds

The proposed project is located within the South Coast Air Basin, under the jurisdiction of the SCAQMD. In order to provide guidance to local lead agencies on determining the significance of GHG emissions in their CEQA documents, the SCAQMD convened the first GHG Significance Threshold Working Group (Working Group) meeting on April 30, 2008. To date, the Working Group has convened a total of 15 times, with the last meeting taking place on September 28, 2010. Based on the last Working Group meeting, the SCAQMD identified an interim, tiered approach for evaluating GHG emissions intent on capturing 90 percent of development projects where the SCAQMD is not the lead agency. The following describes the basic structure of the SCAQMD's tiered, interim GHG significance thresholds:

- Tier 1 consists of evaluating whether or not the project qualifies for applicable CEQA exemptions.
- Tier 2 consists of determining whether or not a project is consistent with a greenhouse gas reduction plan. If a project is consistent with a greenhouse gas reduction plan, it would not have a significant impact.
- Tier 3 consists of using screening values at the discretion of the Lead Agency; however, the Lead Agency should be consistent for all projects within its jurisdiction. The following thresholds were proposed for consideration:
    - 3,000 $MTCO_2e$ per year for all land use types; or
    - 3,500 $MTCO_2e$ per year for residential; 1,400 $MTCO_2e$ per year for commercial; 3,000 $MTCO_2e$ per year for mixed use projects.
- Tier 4 has three options for projects that exceed the screening values identified in Tier 3:
    - Option 1: Reduce emissions from business-as-usual by a certain percentage (currently undefined); or
    - Option 2: Early implementation of applicable AB 32 Scoping Measures; or
    - Option 3: For plan-level analyses, analyze a project's emissions against an efficiency value of 6.6 $MTCO_2e$/year/service population by 2020 and 4.1 $MTCO_2e$/year/service

population by 2035. For project-level analyses, analyze a project's emissions against an efficiency value of 4.8 and 3.0 $MTCO_2e$/year/service population for the 2020 and 2035 calendar years, respectively.

This analysis uses the SCAQMD's interim Tier 3 GHG threshold to evaluate the proposed project's GHG emissions levels. The proposed project would generate GHG emissions from both short-term construction and long-term operational activities.

Construction Emissions

Construction activities would generate GHG emissions primarily from equipment fuel combustion as well as worker, vendor, and haul trips to and from the project site during demolition, site preparation, grading, building construction, paving, and architectural coating activities. Construction activities would cease to emit GHG upon completion, unlike operational emissions that would be continuous year after year over the life of the project. The SCAQMD recommends amortizing construction GHG emissions over a 30-year period and including them with operational emissions estimates. This normalizes construction emissions so that they can be grouped with operational emissions and compared to appropriate thresholds, plans, etc.

Operational Emissions

Once operational, the proposed project would generate GHG emissions from area, stationary, mobile, water/wastewater, and solid waste sources. The proposed project's potential GHG emissions were estimated using CalEEMod, V.2022.1.1 using project information if available or CalEEMod default assumptions when project-specific data was not available. The proposed project's unmitigated GHG emissions for construction and operation are shown in Table 4.8-1 (Project Greenhouse Gas Emissions*)*.

Table 4.8-1
Project Greenhouse Gas Emissions

GHG Emissions Source	GHG Emissions ($MTCO_2e$ Per Year)
Operations	
Area	3
Energy	93
Mobile	232
Refrigerants	<1
Solid Waste	8
Water/Wastewater	4
Subtotal[(A)]	
Construction	
Total Construction Emissions	240
Average Annual Emissions (30-Year Lifetime)[(B)]	8
Total Project Emissions[(A)]	348
SCAQMD Tier 3 Screening Threshold	3,000
SCAQMD Tier 3 Threshold Exceeded?	No
Project-Specific GHG Threshold[(C)]	1,800
Project-Specific Threshold Exceeded?	No
Source: MIG 2023a (Appendix B) and SCAQMD, 2010.	

(A) Construction emissions value has been averaged over a 30-year assumed project lifetime
(B) Totals may not equal due to rounding.
(C) Calculated based on State post-2020 GHG emission targets since it is now 2023

As shown in Table 4.8-1, the proposed project's potential increase in GHG emissions would be well below the SCAQMD's recommended GHG emissions threshold. Furthermore, the proposed project's GHG emissions would also be below an adjusted project-specific GHG emissions goal of 1,800 $MTCO_2e$ per year, which takes into account post 2020 GHG emissions targets towards which the state is currently working. The 1,800 $MTCO_2e$ per year goal was developed by taking the SCAQMD's Tier 3 threshold of 3,000 $MTCO_2e$ per year, which was the threshold to reduce emissions back to 1990 levels and reducing it by 40 percent (3,000 $MTCO_2e$/yr. * (1 - 0.6) = 1,800 $MTCO_2e$/yr.). This reduction is consistent with the GHG reductions required by the year 2025 to meet GHG reductions required under Senate Bill 32 (to reduce GHG emissions to levels 40% below 1990 levels by 2030). This linear reduction approach oversimplifies the threshold development process. The City of Downey is not adopting nor proposing to use 1,800 $MTCO_2e$ as a CEQA GHG threshold for general use; rather, it is only intended to provide additional context and information on the magnitude of the proposed project's GHG emissions.
Finally, the proposed project's estimated emissions are presented as gross emissions with no credit applied rather than the net change. For these reasons, the proposed project would therefore not generate GHG emissions that exceed SCAQMD CEQA thresholds. Impacts would be less than significant and no mitigation is required.

b) No Impact. The proposed project would not conflict with or otherwise obstruct implementation of a plan, policy, or regulation adopted for the purposes of reducing GHG emissions, including the California Air Resources Board (CARB) 2022 Climate Change Scoping Plan (2022 Scoping Plan), the Southern California Association of Governments (SCAG) 2020 Regional Transportation Plan/Sustainable Communities Strategy (2020 RTP/SCS). Appendix D to CARB's 2022 Scoping Plan Update identifies potential actions that could be undertaken at a local level to support the State's climate goals. In addition to providing guidance to local lead agencies on long-term climate planning (e.g., developing a qualified climate action plan), this appendix also provides a list of key GHG reducing attributes for residential and mixed-use developments - projects that exhibit these attributes represent growth that is consistent with State's GHG reduction goals. Table 4.8-2 (Project Consistency with Key GHG Reducing Attributes - 2022 Scoping Plan*)*, evaluates project consistency with these attributes.

Table 4.8-2
Project Consistency with Key GHG Reducing Attributes (2022 Scoping Plan)

Priority Area	Key Project Attribute	Project Consistency
Transportation Electrification	Provides electric vehicle (EV) charging infrastructure that, at a minimum, meets the most ambitious voluntary standard in the California Green Building Standards Code (CalGreen Code) at the time of project approval.	*Consistent*. The proposed project would meet the minimum code compliance specified in the 2022 CalGreen Code.
VMT Reduction	Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).	*Consistent*. The proposed project would add approximately 33 units on an infill site that is served by existing utilities.

Priority Area	Key Project Attribute	Project Consistency
	Does not result in the loss or conversion of natural and working lands.	*Consistent.* The proposed project site is already developed; it would not result in the loss or conversion of natural or working lands.
	Consists of transit-supportive densities (minimum of 20 residential dwelling units per acre), or Is in proximity to existing transit stops (within a half mile), or Satisfies more detailed and stringent criteria specified in the region's SCS.	*Consistent*. The proposed project would result in a development intensity of approximately 25.4 dwelling units per acre, which meets the criteria.
	Reduces parking requirements by: • Eliminating parking requirements or including maximum allowable parking ratios (i.e., the ratio of parking spaces to residential units or square feet), or • Providing residential parking supply at a ratio of less than one parking space per dwelling unit, or • For multifamily residential development, requiring parking costs to be unbundled from costs to rent or own a residential unit.	*Inconsistent*. The proposed project would not incorporate parking reduction.
	At least 20 percent of units included are affordable to lower-income residents.	*Inconsistent*. The proposed project would only designate up to 3 units as affordable to lower-income residents.
	Results in no net loss of existing affordable units.	*Consistent*. The proposed project would not result in the net loss of existing affordable units.
Building Decarbonization	Uses all-electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking.	*Consistent*. The proposed project would be an all-electric design. The project would not include natural gas plumbing nor use fossil fuels for space heating, water heating, or indoor cooking.
Source: Table 8, MIG 2023a, CARB 2022, Appendix D, Table 3; and TAG 2023		

As shown in Table 4.8-2, the proposed project would be consistent with most of the Key GHG Reducing Attributes identified in the *2022 Scoping Plan*, except for electric vehicle infrastructure, parking reductions, and low-income housing provisions. This inconsistency does not necessarily imply that the project would result in a potentially significant impact, because consistency with the project attributes is simply a qualitative means by which to assess whether or not a project would *clearly* be consistent with the State's climate goals (CARB 2022, pg. 23). In fact, Appendix D to the *2022 Scoping Plan* provides that, "Lead agencies may determine, with adequate additional supporting evidence, that projects that incorporate some, but not all, of the key project attributes are consistent with the State's climate goals" (CARB 2022, pgs. 23 and 24). The proposed project would provide some VMT reductions because it would be located on an infill site, not result in the loss of natural or working lands, and have transit-supportive densities (i.e., greater than 20 dwelling units per acre), and would not install, nor use, natural gas or fossil fuels for space heating, water heating, or indoor cooking. Therefore, based on these

qualitative criteria and the magnitude of the project's overall GHG emissions levels (less than 350 metric tons of CO2e per year) the growth proposed by the project would be consistent with the State's long-term GHG emission reduction goals.

As described above, the proposed project would not result in significant GHG emissions nor conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing GHG emissions. There will be no impact and no mitigation required.

4.9 – Hazards and Hazardous Materials

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☑	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	☐	☐	☐	☑

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☑

A *Phase I Environmental Site Assessment* (ESA)[18] was performed by SCS Engineers, dated January 31, 2023 (Appendix E). The information on hazardous materials in this section is largely taken from the *ESA*.

a) Less than Significant Impact. The project could result in a significant hazard to the public if it includes the routine transport, use, or disposal of hazardous materials or places housing near a facility, which routinely transports, uses, or disposes of hazardous materials. The project is located within an area dominated by residential uses and surface streets. The project would not place housing near any hazardous materials facilities. The routine use, transport, or disposal of hazardous materials is primarily associated with industrial uses, which require such materials for manufacturing operations or produce hazardous wastes as by-products of production applications. The project, which is a residential use, does not propose or facilitate any activity involving significant use, routine transport, or disposal of hazardous substances.

Construction of the project would require the use and transport of hazardous materials such as asphalt, paints, and other solvents. Construction activities could also produce hazardous wastes associated with the use of such products. Construction would require ordinary construction activities and would not require a substantial or uncommonly high amount of hazardous materials to complete. All hazardous materials are required to be utilized and transported in accordance with their labeling pursuant to federal and state law. Routine construction practices include good housekeeping measures to prevent/contain/clean-up spills and contamination from fuels, solvents, concrete wastes, and other waste materials. Impacts related to construction would be less than significant.

With regard to project operation, widely used hazardous materials common at residential uses include paints and other solvents, cleaners, and pesticides. Operation of the proposed project would also involve the use of cleaning solutions for daily operation and paints for routine maintenance and re-coating of structures. The remnants of these and other products are disposed of as household hazardous waste (HHW) that includes used dead batteries, electronic wastes, and other wastes that are prohibited or discouraged from being disposed of at local landfills. Through compliance with existing regulations, use of common household hazardous materials and their disposal does not present a substantial health risk to the community. Therefore, impacts associated with the routine transport, use, or disposal of hazardous materials or wastes would be less than significant.

b) Less than Significant with Mitigation Incorporated. The project is a residential development proposed within an existing residential-zoned area of the City of Downey. The proposed project would

have limited use of hazardous materials, mainly HHW as part of the operations of the proposed residential use. The Phase I Environmental Site Assessment (ESA) completed by SCS Engineers (SCS) in 2023 concluded that no known hazards were present on the project site. Regarding the history of the site, the ESA indicated excess soil from realignment of the nearby Rio Hondo Channel was deposited on the site which raised its elevation by several feet. as described below:

> *The property was undeveloped or agricultural land between 1896 and 1902. Between the 1920s and the mid-1950s, it was developed with agricultural orchards and a rural farmhouse. The church was developed in stages, beginning in the late-1950s, expanded to its current configuration with a paved asphalt parking lot around it by 1989. The construction of the church coincides with the time when the Rio Hondo was channelized to the southeast, rerouting it from its original course to the west of the Property. Today, the church parking lot sits approximately 4-6 feet higher in elevation than the adjoining residence to the north. It is likely that virgin fill material originating from the river channelization process was placed on the Property at that time, raising its elevation. In SCS' opinion, given the likely origin of this fill material, it does not represent an environmental concern. It is also SCS' opinion that, without specific evidence of pesticide storage or mismanagement on the Property, past use for agricultural purposes does not represent a significant environmental concern and collection and analysis of soil samples for pesticides is unwarranted. Our opinion is further supported by the fact that fill material, likely placed on the Property during the river channelization, and former agricultural orchard soil is now 4-6 feet below current grade.*

The ESA found no indications of aboveground or underground storage tanks or other potential contamination on the site. However, due to past activities on the site and in the surrounding area, it is possible that unanticipated hazardous materials may be found during demolition or grading of the site. Therefore, Mitigation Measure HAZ-1 is recommended to monitor grading by qualified personnel to assure there will be no release of or health risks from the unanticipated release of subsurface hazardous materials during grading.

According to the SCAQMD, demolition of older buildings and structures may pose a hazard regarding asbestos containing materials and lead-based paint. It should be noted that Asbestos Containing Materials and lead based paint do not represent a significant public health hazard when they are left undisturbed, however, site development requires demolition of the existing church building prior to grading.

Asbestos-Containing Materials (ACMs). ACMs were used on a widespread basis in building construction prior to and into the 1980s. The ESA indicated that construction on the existing church building began in the late 1950's and continued through 1989. Typical sources of ACMs include transite (water) pipes, roofing materials and roof penetrating mastic, and vinyl floor tiles. If ACMs are present, site demolition could result in airborne emissions of asbestos resulting in exposure of workers or the environment to a hazardous material. In accordance with Section 112 of the Federal Clean Air Act, the U.S. EPA establishes National Emission Standards for Hazardous Air Pollutants (NESHAP). If necessary, the project would comply with SCAQMD Rule 1403, which is the enforcing rule of the Asbestos NESHAP, and sets forth requirements for asbestos surveying, notification, removal procedures, and storage, and disposal requirements for ACMs. Regulatory compliance with SCAQMD Rule 1403 would ensure the proposed project does not expose sensitive receptors to ACMs. If present, ACMs would need to be removed by a licensed contractor prior to general onsite demolition and the start of grading.

Lead Based Paint (LBP). According to the California Department of Toxic Substances, exposure of construction workers to LBP during demolition of older structures is of concern, similar to that of exposure to asbestos. Exposure of surrounding land uses to lead from demolition activities is

generally not a concern because such activities do not result in appreciable emissions of lead. The primary emitters of lead are industrial processes. Improper disposal of lead-based paint could contaminate soil and subsurface groundwater in and under landfills not properly equipped to handle hazardous levels of this material.

Due to the age of the existing onsite building, a survey needs to be conducted prior to any demolition on the site to determine whether or not the church building contains ACMs and/or LBP. In this regard, Mitigation Measure HAZ-2 is recommended to be implemented prior to any demolition activities.

Mitigation Measures

HAZ-1 **Inadvertent Hazmat Discovery.** Prior to issuance of a grading permit, the project proponent shall retain a qualified environmental professional (QEP) experienced with remediating hazardous materials from infill urban construction sites. The QEP must be on-call and summoned to the site immediately if any potentially hazardous materials are found during grading. Grading must be halted within 100 feet of an area that appears to contain hazardous materials. The QEP will halt grading as necessary to effectively identify the potential contaminated materials, including directing any sampling and laboratory testing that may be required.

If soils are found to be contaminated at levels that are only slightly in excess of applicable residential standards, the QEP shall exercise professional discretion and have the option to coordinate with the grading contractor and developer to either remove contaminated soil and/or mix the contaminated soil with clean soil from either onsite or offsite to dilute any contaminants to below applicable exposure standards for residential development.

Remediated areas must be retested to assure potential contaminant levels are below applicable residential standards. The results of any testing shall be provided to the City or other agencies as appropriate. Any contaminated soil that must be removed from the site shall be done by a licensed contractor and hauled to a landfill approved for such materials. This measure shall be implemented to the satisfaction of the City Community Development Department.

HAZ-2 **ACMs and LBP Survey.** Prior to demolition of any structures on the project site, the developer shall retain qualified licensed environmental contractor(s) to survey the existing onsite church building and any related structures for asbestos-containing materials (ACMs) and Lead-Based Paints (LBPs). If the survey finds the presence of any ACMs or LBPs on the site, the contractor(s) shall follow all relevant guidance from affected regulatory agencies (e.g., CalEPA, SCAQMD, DTSC, County Health Department, etc.) in terms of safe removal and disposal of the contaminated materials as appropriate. The contractor(s) shall prepare and submit a final report to the City Community Development Department within 30 days after completion of demolition/removal for ACMs and LBPs on the project site.

With implementation of Mitigation Measures HAZ-1 and HAZ-2, the proposed project would not 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. With mitigation, project impacts would be reduced to less than significant levels.

c) Less than Significant Impact. One school, Suva Elementary School, is located approximately 1,000 feet west of the project site. The project is residential in nature and would not emit hazardous

emissions or handle hazardous or acutely hazardous materials, substances, or waste. Therefore, impacts are considered to be less than significant and no mitigation is required.

d) No Impact. The project is not located on a site listed on the state *Cortese List*, a compilation of various sites throughout the state that have been compromised due to soil or groundwater contamination from past uses.[19] Based upon review of the *Cortese List*, the project site is not:

- listed as a hazardous waste and substance site by the Department of Toxic Substances Control (DTSC),[20]
- listed as a leaking underground storage tank (LUFT) site by the State Water Resources Control Board (SWRCB),[21]
- listed as a hazardous solid waste disposal site by the SWRCB,[22]
- currently subject to a Cease and Desist Order (CDO) or a Cleanup and Abatement Order (CAO) as issued by the SWRCB,[23] or
- developed with a hazardous waste facility subject to corrective action by the DTSC.[24]

Based on available evidence, no impacts would occur in relation to hazardous material sites.

e) No Impact. The proposed project is not located within two miles of any public or private airport.[25] The closest public or private airport facility to the project is the San Gabriel Valley Airport located approximately 10 miles to the northeast of the site in the City of El Monte. No impact would occur with regard to safety hazards or excessive airport noise.

f) Less Than Significant Impact. The City of Downey provides an emergency response plan and emergency preplacement plan for residents and businesses in the City. The project site has direct access to two local streets, Foster Bridge Road and Suva Street, although Suva Street provides east-west connection through the northern part of the City and Bell Gardens to the west. The I-5 Freeway (0.8-mile to the east) and the I-710 Freeway (1.8 miles to the west) provide regional access for the project area. The proposed project does not propose or result in any permanent lane closures or reconfiguration of existing streets. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. As such, a less than significant impact would occur.

g) No Impact. The proposed project is located in a completely urbanized area. The project site is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE).[26] In addition, the project is located in a Local Responsibility Area (LRA) and would be served by the City of Downey Fire Department, and further supported by the Los Angeles County Fire Department should wildfires occur. Therefore, the proposed project would not result in an increased fire threat to the community. The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, no impact would occur.

4.10 Hydrology and Water Quality

Would the Project:

	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?	☐	☐	☑	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☑	☐
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 substantial erosion or siltation on- or off-site;	☐	☐	☑	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☑	☐
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	☐	☐	☑	☐
iv) impede or redirect flood flows?	☐	☐	☐	☑
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☑	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☑	☐

A *Preliminary Low Impact Development (LID) Plan*[27] was prepared by Advanced Civil Group, Inc. dated June 6, 2023 (Appendix F). The information in this section is largely taken from the *LID Plan*.

a) Less than Significant Impact. A project normally would have an impact on surface water quality if discharges associated with the project would create pollution, contamination, or nuisance as defined in Water Code Section 13050, or that cause regulatory standards to be violated as defined in the applicable National Pollutant Discharge Elimination System (NPDES) stormwater permit or Water Quality Control Plan for the receiving water body. A significant impact could occur if the proposed project would discharge water that does not meet the quality standards of the agencies that regulate surface water quality and water discharge into stormwater drainage systems. Significant impacts could also occur if the project does not comply with all applicable regulations with regard to surface water quality as governed by the State Water Resources Control Board (SWRCB). These regulations include preparation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce potential water quality impacts during construction activity (Downey Municipal Code Section 6.30.050) and the implementation of post-construction best management practices (BMPs) such as detention basins, infiltration ponds, porous pavement, sand and organic filters, etc. Long-term impacts are addressed by preparation of a Low Impact Development (LID) Plan per the requirements of the County of Los Angeles National Pollution Discharge Elimination Permit (Order No. R4-2012-0175-A01) issued by the Los Angeles Regional Water Quality Control Board (LARWQCB) under the NPDES.

Construction Impacts

Three general sources of potential short-term, construction-related stormwater pollution associated with the project include: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth-moving activities which, when not controlled, may generate soil erosion via storm runoff or mechanical equipment. All new development projects equal to one acre or more are subject to Los Angeles County NPDES Permit No. CAS004001. The proposed project would disturb approximately 1.3 gross acres of land and therefore would be subject to NPDES permit requirements during construction activities. In addition, pursuant to Municipal Code Section 6.30.050, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared and submitted for the proposed project. All construction projects must apply Best Management Practices (BMPs) that include drainage controls such as detention ponds, dikes, filter berms, and down drains to prevent offsite runoff, and utilizing plastic covering to prevent erosion. Compliance with City discharge requirements would ensure that construction of the project would not violate any water quality standards or discharge requirements, or otherwise substantially degrade water quality. The SWPPP and implementation of BMPs is considered regulatory compliance and not mitigation under CEQA. With regulatory compliance, construction-related water quality impacts of the project would be less than significant.

Operational Impacts

In addition, the proposed project would not generate hazardous wastewater that would require any special waste discharge permits. All wastewater associated with the proposed interior plumbing systems of the proposed townhomes would be discharged into the local sewer system for treatment at the regional wastewater treatment plant.[28] Impacts associated with operation of the proposed project would be less than significant with implementation of existing regulations.

The LARWQCB has jurisdiction over this project site which is located in the Los Angeles River watershed and the Rio Hondo sub-watershed (Rio Hondo Reaches 2 and 1) which flow into Los Angeles River Reaches 2 and 1 before draining into the Pacific Ocean. Rio Hondo Reach 2 and Reach 1 are not susceptible to hydromodification or any sediment related issues per latest State 303d list. Therefore,

the project is exempt from hydromodification requirements for any sediment related issues per latest State 303d list.

A LID Plan was prepared for the project site using the County of Los Angeles Department of Public Works Low Impact Development Standards Manual dated February 2014. The LID Manual complies with the requirements of the NPDES Municipal Separate Storm Sewer System (MS4) Permit for stormwater and non-stormwater discharges from the MS4 within the coastal watersheds of Los Angeles County (CAS004001, Order No. R4- 2012-0175).

Construction of the proposed project would increase impervious areas on the project site from 78% to 87%. The approximately 1.22-net acre site would be redeveloped with 33 condominiums and associated pavement, parking, and landscaping. Runoff from the developed site would result in increased potential water contamination from urban pollutants that are commonly found in surface parking lots, ornamental landscape planters and from atmospheric buildup on rooftops.

According to the LID Plan, the site drains to the southwest into existing storm down drains along Suva Street which then drain southeasterly 0.1 mile into the City MS4 storm drainage system via the MTD 956 storm drain line into the Rio Hondo Channel. The Rio Hondo Channel then flows southwest to the confluence with the Los Angeles River about 3 miles downstream. The Los Angeles River then flows southerly 13 miles to the Pacific Ocean.

The proposed project will generally be drained via area drains as well as curb and gutter flows along the drive isle and alleys of the property to drop inlet catch basins located in the southwest and northeast. Storm water runoff flows will generally drain in a southwesterly direction towards Suva Street. The LID Plan determined that post-development peak stormwater runoff discharge rates would be slightly higher than the existing rate for the site. This slight increase in flow rate is attributed to the proposed increase in impervious surfaces on the site that would occur as a result of the project.

The LID Plan indicates the developed condition of the site would have a Storm Water Quality Design Volume (SWQDv) of 3,213 cubic feet (cf) which would need to be accommodated by BMPs designed into the project plan. BMPs for the project were evaluated according to the hierarchy recommended in the County LID Manual: from Infiltration; Bioretention; Rainfall Storage and Reuse; then finally to Biofiltration. An infiltration BMP is feasible for the project so the other BMPs were not required. The LID Plan treated runoff from the site as one Drainage Area.

Onsite runoff would be collected by an onsite storm drain system which would direct low flows to a deep infiltration drywell (30 feet or greater in depth) and an underground storage system (USS, either pipes or a chamber) located near the center of the property. The drywell and USS are designed to mitigate discharge of untreated low flow runoff and the USS will help temporarily detain runoff so it can infiltrate over time. According to the LIP Plan, the drywell and USS have been designed to detain and infiltrate the SWQDv (3,213 cf) in accordance with County LID Design Manual requirements. Flows greater than the SWQDv will bypass this system and will discharge directly to Suva Street via an under sidewalk drain. All of the proposed drainage improvements will be installed and managed by the developer until a homeowners association (HOA) can be formed for the condominiums that can take over the maintenance responsibilities.

The project would be able to maintain runoff equal or less than the Los Angeles County allowable flow rates so no adverse effects would occur to the downstream storm drain system. In addition, the proposed BMP’s would satisfy the City’s water quality requirements which would reduce the post-developed flow rates further as well as significantly reduce the pollutants generated from the project.

With this project design and compliance with existing water quality regulations, impacts would be less than significant and no mitigation is required.

b) Less than Significant Impact. If the project removes an existing groundwater recharge area or substantially reduces runoff that results in groundwater recharge such that existing wells would no longer be able to operate, a potentially significant impact could occur.

Project-related grading would not reach the depth of the groundwater table (estimated in the Geotechnical Report as at least 50 feet and more likely 70-80 feet below the ground surface). Therefore, no direct disturbance of groundwater is anticipated.

The proposed building footprints and pavement areas would increase impervious surface coverage on the site from 78% to 87%, thereby incrementally reducing the total amount of potential infiltration onsite. However, infiltration of irrigation water through soil would ensure continued groundwater recharge in Downey as impervious surfaces slowly increase over time. The project site is not utilized for groundwater recharge and would consist of approximately 13% of landscaped areas or soft-bottom surfaces that would allow for infiltration. Because this site is not managed for groundwater supplies and would provide landscaped areas for continued infiltration, this change in infiltration would not have a significant effect on groundwater table level. Groundwater impacts related to development of the proposed project would therefore be less than significant and no mitigation is required.

c.i) Less than Significant Impact. Potentially significant impacts to the existing drainage pattern of the site or area could occur if development of the project results in substantial on- or off-site erosion or siltation. The site drains into a storm drain system that drains into the Rio Hondo Channel, then to Rio Hondo that connects into the Los Angeles River Reach 2 and then Reach 1 and then to Pacific Ocean. Rio Hondo Reach 2 and Reach 1 are currently listed in the federal Clean Water Act 303(d) list due to impairment of cyanide, copper, lead, pH, toxicity, trash, zinc, and coliform bacteria.

The site is already developed with a church, parking lot, and landscaping. Construction of the proposed project would slightly increase impervious areas on the project site (currently 78% to 87% for the project) The approximately 1.3-acre site would be redeveloped with 33-unit townhouses and associated pavement, parking, and landscaping. Runoff from the redeveloped site would result in increased potential water contamination from urban pollutants that are commonly found in surface parking lots, ornamental landscape planters and from atmospheric buildup on rooftops. Section 4.10.a above describes the onsite drainage and water quality system planned for the center of the site. Runoff would then drain into existing storm drains along Suva Street and Foster Bridge Boulevard.

The post-developed drainage pattern of the project site would generally maintain the existing drainage patterns, with runoff ultimately discharging to the Rio Hondo Channel, the Los Angeles River, then finally to the Pacific Ocean. Therefore, the drainage pattern would not be substantially altered in a manner that could cause increases in erosion on- or off-site. Erosion and siltation reduction measures would be implemented during construction through implementation of a SWPPP (see Section 4.10.a above).

At the completion of construction, the site would consist of impervious surfaces or improved landscaped areas so it would therefore not be prone to substantial erosion. No streams cross the project site so the project would not alter any stream course. Impacts would be less than significant and no mitigation is required.

c.ii) Less than Significant Impact. As discussed in Section 4.10.c.i above, a river or stream does not lie within the proposed project site. Additionally, the project would not lead to a substantial alteration of existing drainage patterns in the area. The project site is located in Flood Zone X which is “an area

determined to be outside the 100-year flood hazard area" according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map Number 06037C1810F dated September 26, 2008. Therefore, the project site has less than significant impacts related to flooding and no mitigation is required.

c.iii) Less than Significant Impact. Construction of the proposed project would increase the net area of impervious surfaces on the site so incremental increased discharges to the City's existing storm drain system would likely occur. However, an onsite storm drain catch basin system would direct runoff to a drywell and underground storage system in the center of the site (see Section 4.10.a above). Storm water from the site that is not captured would then drain south and east into storm drains along Suva Street and Foster Bridge Boulevard, respectively.

The post-developed drainage pattern of the project site would generally maintain the existing drainage patterns, with runoff ultimately discharging to the Pacific Ocean. Permits to connect to the existing storm drainage system would be obtained prior to construction. All drainage plans are subject to City review and approval, and these requirements would apply to the proposed project. Therefore, project runoff is not expected to impact local storm drain capacity. The proposed residential use does not have the potential to generate significant amounts of polluted runoff and therefore would not result in substantial pollutant loading such that treatment control BMPs would be required to protect downstream water quality. Post-construction Infiltration BMP's would also ensure the project would not result in substantial pollutant loading. Therefore, impacts related to the proposed project would be less than significant and no mitigation is required.

c.iv) No Impact. As discussed in Section 4.10.c.i above, the flood maps prepared by the Federal Emergency Management Agency show the project site is located in Zone X, which is an area determined to be outside the 100-year flood hazard area.[29] Therefore, the project is not located within a 100-year flood floodplain and would not impede or redirect flood flows. Impacts would be less than significant.

d) Less than Significant Impact. As discussed in Section 4.10.c.iv above, the project site is not located within a 100-year flood floodplain so no direct flooding impacts would occur. The project site is also not subject to tsunami due to its elevation (minimum 133 feet above mean sea level) and distance from the ocean (17.1 miles to the southwest and 14.5 miles to the south).

As noted in Section 4.7.iv, the project site has not been identified in an area susceptible to landslides, thus the potential for mudflow is relatively low because the project does not lie in a landslide hazard zone.

The Safety Element of the City's 2005 General Plan ("Downey Vision 2025") does not identify any specific upstream reservoirs or water impoundments whose failure could result in inundation of the site. GP Goal 5.6 is to "minimize potential adverse impacts from flooding" and GP Policy is to "protect life and property from flooding hazards". To that end, GP Program 5.6.1.3 encourages the City to "Mitigate hazards from possible dam or levee failure, including the raising of bridges and levees along rivers, including in areas outside the City".

A major earthquake could create a seiche, or a standing seismic wave, in bodies of water, and the violent movement of water could cause a dam or levee to fail catastrophically. The only large upstream body of water is the Santa Fe Dam basin in the City of Montebello. The project is located approximately 14 miles southwest and downstream of the Santa Fe Dam along the Rio Hondo Channel.

According to the California Dam Breach Inundation Map website[30], even if the Santa Fe basin were full at the time of a large earthquake or other event that caused a dam failure, flood waters down the Rio Hondo Channel would not be expected to reach the City of Downey or the project site.

The Los Angeles County Public Works Department operates and maintains a state-of-the-art ALERT computer system to monitor meteorological conditions in the County and Southern California in real time, i.e., as they occur. The system includes a network of field sensors that monitor and receive precipitation amounts including rainfall data from the Corps of Engineers' Los Angeles Telemetry System. These systems allow for system level real time checks that provide for emergency management planning. The City of Downey likewise operates an Emergency Management system in the event of dam failures. The proposed project does not include modifications to a dam system or levees that would alter the hazard planning completed by the City of Downey. With adherence to existing policies, regulations, and ordinances, the proposed project would have a less than significant impact related to dam or levee failures and no mitigation is required.

e) Less than Significant Impact. The LARWQCB's Basin Plan is designed to preserve and enhance surface and groundwater quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development of the project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices (BMPs) to protect water quality during construction and operational periods. Development of the project would also be subject to all existing water quality regulations and programs, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that surface and groundwater quality impacts related to the project would be less than significant.

The City's water supply is primarily extracted from the Central (groundwater) Basin which is a sub-basin of the Coastal Plain of Los Angeles pursuant to DWR Bulletin 118, Basin Number 4-11.04. Pursuant to the Sustainable Groundwater Management Act of 2014 (SGMA), the Central Basin was named as an adjudicated groundwater basin and is exempt from the requirements of developing a Groundwater Sustainability Plan and subsequently was designated a very-low-priority basin in DWR's 2019 SGMA Basin Prioritization report. In compliance with SGMA, the Central Basin Watermaster (which is the Water Replenishment District of Southern California and the Central Basin Water Rights Panel) submits its Annual Report to DWR. Therefore, the project would not affect the quality or quantity of groundwater or its management. Impact would be less than significant and no mitigation is required.

4.11 – Land Use and Planning

Would the project:

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

a) No Impact. The project site is currently developed with a church and its parking lot. There are single family residences to the north (adjacent) and east (across Foster Bridge Boulevard), a self-storage facility adjacent to the west, and apartments to the southwest across Suva Street. The project will be a gated townhouse community so surrounding residents would not be able to walk through the property as they can at present. However, there are sidewalks on both sides of Foster Bridge Boulevard and Suva Street so local residents will still have access to the surrounding neighborhoods if needed or desired. Therefore, the new land use would not physically divide the existing community. In addition, the project does not involve construction of any roadway, flood control channel, or other structure that would physically divide any portion of the community. Therefore, no impact would occur.

b) Less than Significant Impact. The two primary land use plans that apply to the project site, and that can avoid environmental effects of land development, are the City General Plan and zoning code.

The Land Use Element of the City's General Plan indicates the project site currently has a land use designation of Low Density Residential (LDR) which allows up to 8.9 units/acre. The project is requesting a General Plan Amendment to change the site's land use designation to Medium Density Residential (MDR) which allows up to 24 units/acre. The density of the proposed project is 20.6 units per gross acre. Similarly, the City of Downey Municipal Code (CDMC) zoning regulations designate the project site as R-1 6,000 which is a single-family detached residential designation. The project proposes to change the site's zoning designation to Multi-Family Residential Ownership Zone (R-3-0). It should be noted the site is currently developed with a church and its parking lot which are allowed uses within the residential land use categories of the General Plan and residential zoning districts.

The density of the project as proposed is 20.6 units per gross acre while the R-3-O zone allows up to approximately 22 units/acre. According to the City Zoning Code, the R-3-O zone is intended to provide "for the development of multiple-family ownership type housing in selected areas compatible with the neighborhood environment. The Zoning Code states…"such areas are intended to be complementary with adjacent uses and provide sufficient opportunities for ownership in multiple-family housing". The project is also consistent with the development standards of the adjacent residential categories/zones (e.g., height, setbacks, etc.). The project also does not include any features that would circumvent any mitigating policies in the Downey General Plan, as outlined in other sections of this IS/MND. Since the proposed use is considered to be compatible with surrounding uses under the General Plan and zoning,

the proposed project is not expected to result in any significant land use impacts and no mitigation is required.

4.12 – Mineral Resources

Would the project:

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

a) No Impact. The project site is in a completely urbanized area within the City of Downey. According to the California Department of Conservation, Division of Mines and Geology Resources, no known mineral resources exist in the City of Downey.[31] No loss of availability of a known mineral resource would occur. Therefore, no impact would occur.

b) No Impact. The project site is located in a completely urbanized area within the City of Downey. There are no mineral extraction or process facilities on or near the site.[32] No mineral resources are known to exist within the vicinity of the project site. No known mineral resources have been identified by the Downey General Plan EIR or in any other plan. Therefore, no impact would occur.

4.13 – Noise

Would the Project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent 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?	☐	☑	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐
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?	☐	☐	☑	☐

A *Noise and Vibration Analysis*[33] was prepared for the proposed project by MIG, dated September 22, 2023 (Appendix D). The information in this section is based on that Noise Study (MIG 2023b).

Existing Noise Environment

The proposed project is located in northern Downey, in an area classified and designated as Residential (R-1) by the City's Zoning Code and Low Density Residential by the Land Use Chapter of the City's General Plan. The City's General Plan identifies vehicular traffic, aircraft overflights, and trains as the dominant noise sources in the City. The existing noise environment in the project vicinity consists primarily of vehicles along Foster Bridge Boulevard and Suva Street, overhead air traffic, construction power tools, and residential noises such as stereos and pedestrians.

Ambient noise monitoring was conducted on the project site including one long-term and two short-term measurement locations. The long-term monitoring was conducted near the center of the site while the short-term monitoring was conducted along the northern boundary and the northeast boundary of the site to effectively characterize ambient noise levels near the closest existing residential uses (i.e., to the north and northeast). Typical ambient noise levels at the project site ranged from approximately 55 to 60 dBA during the daytime and 47 to 57 dBA during the evening and nighttime. It should be noted the project site is not located within any airport planning boundaries or proximate to any private airport facilities.

Sensitive Receptors

Some people are especially sensitive to noise and are given special consideration when evaluating noise impacts from projects. These groups of people include children, the elderly, and individuals with hearing impairments or unusual sensitivity to noise. Structures that house these persons or places where they gather are defined as "sensitive receptors". Noise sensitive receptors are buildings or areas where unwanted sound or increases in sound may have an adverse effect on people or land uses. Residential areas, hospitals, schools, and parks are examples of noise receptors that could be sensitive to changes in existing environmental noise levels. Sensitive single-family residential receptors could be within 25 feet of work areas for short periods of time (e.g., site grading along the north property boundary), at which distance construction equipment may reach 89 dBA Leq. Project construction in the middle of the site would be at least 100 feet from sensitive single-family residential receptors to the north (adjacent to the site) and east (across Foster Bridge Boulevard) as well as the multi-family residential complex to the south (across Suva Street).

Regulatory Setting

The City's Municipal Code and General Plan Safety Element establish the following standards applicable to construction noise, operational noise, and noise/land use compatibility.

- *Construction Noise*: Municipal Code Section 4606.5 exempts construction, repair or remodeling equipment and devices and other related construction noise sources shall be exempted from the provisions of this chapter provided a valid permit for such construction, repair, or remodeling shall have been obtained from the City. In any circumstance other than emergency work, no repair or remodeling shall take place between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day, and no repair or remodeling shall exceed eighty-five (85) db(A) across any property boundary at any time during the course of a twenty-four (24) hour day.
- *Operational Noise:* Municipal Code Section 4606.3 Subsection (b) states that if the alleged noise source is of a continuous nature and cannot reasonably be discontinued for a time period wherein the ambient noise level can be determined, the maximum permissible steady noise level by sound sources across the property boundary of any land use cited below may be less, but not greater than (for residential land use):

  o Daytime (7:00 AM – 10:00 PM): 55 dBA Leq

  o Nighttime (10:00 PM – 7:00 AM): 45 dBA Leq

Municipal Code Section 4606.3 adjusts these standards in the hours between 7:00 a.m. to 10:00 p.m., the noise levels permitted in Subsection (b) of this section may be adjusted by the inclusion of the following factors when applicable:

o Noise source operated 12 minutes per hour or less + 5 db(A)

o Noise source operated 3 minutes per hour or less + 10 db(A)

o Noise source operated 1 minute per hour or less + 15 db(A)

- *Noise/Land Use Compatibility*: The City's General Plan Noise Chapter establishes a noise land use compatibility goal for residential uses of 60 CNEL.

a) Less Than Significant with Mitigation Incorporated. The proposed project would generate noise during construction and operation of the proposed facilities. The following analysis evaluates if the project would:

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of the standards established in:
  - City of Downey Municipal Code Section 4606.3 (Maximum Permissible Noise Levels by Sound Sources Across Property Boundaries) or Section 4606.5 (Construction Projects); or
  - The City of Downey General Plan; or
- Generate excessive groundborne vibration or groundborne noise levels; or
- Expose people residing or working in the project area to excessive airport-related noise levels.

An analysis of these potential project noise impacts is provided below.

Short-Term Construction Noise

The proposed project involves construction activities including demolition, site preparation, grading, building construction, paving and architectural coating in an existing residential area of the City. Construction activities are anticipated to begin early-2024 and may last approximately 12 months in total. In general, construction activities would involve the use of worker vehicles, delivery trucks, dump trucks, and heavy-duty construction equipment such as (but not limited to) backhoes, tractors, loaders, graders, excavators, rollers, cranes, material lifts, generators, and air compressors. These types of construction activities would generate noise and vibration from the following sources:

- Heavy equipment operations at different work areas. Some heavy equipment would consist of mobile equipment such as a loader and excavator that would move around work areas; other equipment would consist of stationary equipment (e.g., cranes or material hoists/lifts) that would generally operate in a fixed location until work activities are complete. Heavy equipment generates noise from engine operation, mechanical systems, and components (e.g., fans, gears, propulsion of wheels or tracks), and other sources such as back-up alarms. Mobile equipment generally operates at different loads, or power outputs, and produces higher or lower noise levels depending on the operating load. Stationary equipment generally operates at a steady power output that produces a constant noise level.
- Vehicle trips, including worker, vendor, and haul truck trips. These trips would occur on Suva Street and Foster Bridge Boulevard and other local roads used to access the site.

Typical construction equipment noise levels at different distances are shown in Table 4.13-1 (Potential Project Construction Equipment Noise Levels*)*. With regard to construction noise, demolition, site preparation, and grading phases typically result in the highest temporary noise levels due to the use of heavy-duty equipment such as dozers, excavators, graders, loaders, and trucks. Construction noise impacts generally occur when construction activities occur in areas immediately adjoining noise sensitive land uses, during noise sensitive times of the day, or when construction durations last over extended periods of time.

Construction activities associated with the proposed project would last approximately 12 months. Construction activities would occur in close proximity to the adjacent residential property north of the project site and to the residential properties east of the site across Foster Bridge Boulevard. As shown in Table 4.13-1, worst case hourly construction equipment noise levels are predicted to be approximately 83 dBA Leq and 90 dBA Lmax, respectively, at 50 feet; however, the magnitude of the

project's temporary and periodic increase in ambient noise levels would depend on the nature of the construction activity (i.e., demolition, building construction, grading) and the distance between the construction activity and sensitive receptors/outdoor use areas.

Sensitive residential receptors could be within 25 feet of work areas for short periods of time (e.g., site grading along the property boundary), at which distance construction equipment may reach 89 dBA Leq. Project construction in the middle of the site would be at least 100 feet from sensitive receptors to the north and east. At this distance (100 feet), equipment could reach 77 dBA Leq. The concurrent operation of a dozer, backhoe, and delivery truck at the same time and in the same general area could produce a combined noise level of approximately 80 dBA Leq on a short-term basis (less than an hour) at 100 feet.

Table 4.13-1
Potential Project Construction Equipment Noise Levels

Typical Equipment	Noise Level at 50 feet (L_{max})(A)	Percent Usage Factor(B)	Predicted Equipment Noise Levels (L_{eq})(C)						
			25 Feet	50 Feet	75 Feet	100 Feet	150 Feet	200 Feet	250 Feet
Bulldozer	85	40	87	81	77	75	71	69	67
Backhoe	80	40	82	76	72	70	66	64	62
Compact Roller	80	20	79	73	69	67	63	61	59
Concrete Mixer	85	40	87	81	77	75	71	69	67
Concrete Saw	90	20	89	83	79	77	73	71	69
Crane	85	16	83	77	74	71	67	65	63
Delivery Truck	84	40	86	80	76	74	70	68	66
Generator	82	50	85	79	75	73	69	67	65
Grader	85	40	87	81	77	75	71	69	67
Paver	85	50	88	82	78	76	72	70	68

Sources: Table 4, MIG 2023b, Caltrans, 2013 and FHWA, 2010.

(A) L_{max} noise levels based on manufacturer's specifications.

(B) Usage factor refers to the amount (percent) of time the equipment produces noise over the time period

(C) Estimate does not account for any atmospheric or ground attenuation factors. Calculated noise levels based on Caltrans, 2013: L_{eq} (hourly) = L_{max} at 50 feet – 20log (D/50) + 10log (UF), where: L_{max} = reference L_{max} from manufacturer or other source; D = distance of interest; UF = usage fraction or fraction of time period of interest equipment is in use.

Although project construction may temporarily increase noise levels near the site, it is not anticipated to result in physical harm (e.g., temporary or permanent hearing loss or damage) to any sensitive noise receptor because receptors would not be continuously exposed to elevated construction noise levels (i.e., noise levels would return to ambient conditions when construction ceases for the day) and the construction noise levels presented above are exterior noise levels, whereas receptors would be likely to be inside buildings. Residential construction in California typically provides at least 12 dBA of exterior

to interior noise attenuation with windows open and 20 dBA of exterior to interior noise attenuation with windows closed[iii].

Physiological effects occur when the human ear is subjected to prolonged exposure to high noise environments. For example, to protect workers from noise-induced hearing loss, the U.S. Occupational Safety and Health Administration (OSHA) limits worker noise exposure to 90 dBA as averaged over an 8-hour time period (29 CFR 1910.95). Similarly, the National Institute for Occupational Safety and Health (NIOSH) recommends workers limit noise exposure to no more than 85 dBA over an 8-hour period to protect against noise-induced hearing loss (NIOSH, 1998).

As shown in Table 4.13-1, potential worst-case hourly noise level estimates for any single piece of equipment would be approximately 89 dBA L_{eq} at 25 feet and 77 dBA L_{eq} at 100 feet. Although hourly construction noise levels may approach 89 dBA L_{eq} for one or two hours, such noise levels would not be sustained over an 8-hour period (due to movement of equipment and changes in operations that occur during daily construction activities). Therefore, at worst-case, noise from construction activities may pose a temporary interference or annoyance effect on nearby sensitive receptors but would not result in adverse physiological effects on human receptors in the surrounding area.

The City's Municipal Code (Section 4606.5) limits construction activities to the hours of 7 AM to 9 PM and establishes that construction noise shall not exceed 85 dBA across any property boundary at any time of day. As discussed above, the project's potential construction noise levels would range from approximately 77 dBA L_{eq} to 89 dBA L_{eq} depending on the specific equipment in use and the distance between the equipment and adjacent residential properties. Since the proposed project has the potential to exceed the City's construction noise limit established in the CDMC, Mitigation Measures NOI-1 through NOI-5 are required to reduce construction noise to less than significant levels.

These five mitigation measures would provide advanced notice of construction activities to surrounding residential properties, limit construction hours per City Municipal Code requirements, limit noise from stationary and other construction equipment, and reduce temporary construction noise impacts by a minimum of 5 to 10 dBs, which would lower the project's potential construction noise levels at nearby residential property lines to less than 85 dBA L_{eq} as required by the City's Municipal Code. The proposed project would comply with the City's applicable construction noise control provisions and implement other mitigation measures to reduce the potential for project construction activities to result in a substantial temporary increase in ambient noise levels. With implementation of these measures, potential construction-related noise impacts on nearby sensitive receptors will be reduced to less than significant levels.

Long-term Operational Noise

Project Operation (Onsite Noise Sources)

The project site and surrounding properties are all designated Residential (R-1, 6,000 square feet minimum lot size) by the City's zoning code. Municipal Code Section 4606.3 establishes the maximum permissible noise level that may intrude into adjacent property lines. The code establishes maximum permissible noise levels for residential land uses of 55 dBA L_{eq} for daytime hours (7:00 AM to 10:00 PM) and 45 dBA L_{eq} for nighttime hours (10:00 PM – 7:00 AM). The existing daytime ambient noise

[iii] The U.S. Department of Housing and Urban Development (HUD) Noise Guidebook and supplement (2009a, 2009b) includes information on noise attenuation provided by building materials and different construction techniques. As a reference, a standard exterior wall consisting of 5/8-inch siding, wall sheathing, fiberglass insulation, two by four wall studs on 16-inch centers, and 1/2-inch gypsum wall board with single strength windows provides approximately 35 dBs of attenuation between exterior and interior noise levels, provided windows do not occupy more than 30% of the exterior wall space.

levels at the project site ranged from 55.8 to 58.9 dBA L_{eq}, which is above the City's permissible daytime noise levels (55 dBA L_{eq}). Nighttime (10 PM to 7 AM) ambient noise levels ranged from 47.2 to 57.2 dBA, which are all above the City's permissible nighttime noise level (45 dBA L_{eq}).

The existing residential land uses at and near the site generate noise from vehicle parking activities, waste collection activities, landscaping activities, stationary heating, ventilation, and air conditioning (HVAC) equipment, and, for the existing use of the project site, religious service and education activities (e.g., community masses, after-school gatherings, etc.). The proposed project would involve similar noise generating sources and activities as the existing land uses; however, the amount of mechanical equipment and the intensity of parking would be greater than existing land uses on the site.

Although the proposed project could increase the amount of noise sources and noise-generating activities compared to existing conditions, the project would have a limited potential to generate significant on-site noise levels. In general, residential land uses (including the proposed multi-family townhome land uses) are not a substantial noise-generating land use because they do not involve substantial noise-generating activities during the nighttime, mechanical equipment associated with garage door openers, residential amenities, and other building systems are typically enclosed within closets, sheds, and/or equipment rooms, and HVAC equipment is typically screened from public view by landscaping, fences, or walls and, therefore, shielded from adjacent properties.

Once constructed, the proposed project's primary on-site noise generating activities will be parking, human activity, and HVAC equipment. The site design indicates each unit would have two garage parking spaces. Circulation onsite would provide access to Foster Bridge Boulevard on the northeastern part of the site and Suva Street on the south part of the site. Onsite vehicle travel would occur at very ow speeds and thus would not produce significantly high noise levels.

The project's small ground level HVAC units would be rated to condition individual townhome spaces that would be approximately 1,100 to 1,800 square feet in size. Small, individual residential HVAC units can produce a noise level up to 75 dBA at a distance of 3 feet. At their closest, these HVAC units would be approximately 6 feet from the eastern and western property lines. The project would also include a six-foot-tall concrete masonry unit wall along the western and northern perimeter. Based on distance and the six-foot barrier, uncontrolled HVAC noise levels would be approximately 11 dBA lower due to attenuation at the adjacent commercial property line on the western part of the site, which would reduce HVAC noise to levels be below the City's noise limit of 65 dBA for commercial land uses. The project would not include any HVAC units facing the northern property line. Nonetheless, the six-foot barrier would provide approximately 5 dBA of noise attenuation for this receptor. Residential land uses to the east of the project site are at least 50 feet from any HVAC units facing the eastern side of the site and also contain a six-foot-tall perimeter wall that would limit HVAC noise transmission into these properties.

In addition, HVAC equipment does not operate continuously and would not affect ambient noise levels when the equipment is not in use. For these reasons, potential HVAC equipment would not generate noise levels in excess of the City's 45 dBA L_{eq} nighttime noise standard at any shared residential property line, or otherwise result in a substantial permanent increase in ambient noise levels in the vicinity of the project.

The proposed project would also include an approximately 192 square foot pet station open area in the northwestern portion of the site. This area would be shielded by the six-foot barrier along the western and northern sections of the site perimeter, providing approximately 5 dBA of noise attenuation for the adjacent residential receptor to the north of the site. This area would generate similar noise levels to other nearby existing residential land uses, and thus would not substantially increase ambient noise levels in the vicinity of the project.

For the reasons outlined above, the proposed project would not generate onsite noise levels that exceed City standards or otherwise result in a substantial permanent increase in ambient noise levels in the vicinity of the project. This impact would be less than significant and no mitigation is required.

Project Operation (Off-Site Vehicle Trip Noise)

The Project Traffic and Circulation Analysis Scoping Agreement indicates the proposed project will result in a net increase of 158 daily vehicle trips (Ganddini Group, 2023). In general, it takes a doubling of traffic to increase traffic noise volumes by 3 dBA (Caltrans, 2013). Although the current average daily traffic volume on Foster Bridge Boulevard is not known, the area surrounding the project site is developed with residential land uses and traffic volumes on Foster Bridge Boulevard and other roadways used to access the project site are assumed to be at least 1,000 vehicle trips per day. The addition of 158 passenger cars to the roadway system would not result in a doubling of traffic on any roadway segment at or in the vicinity of the project site and, therefore, would result in a less than 3 dBA increase in noise levels on local roads used to access the project site. The proposed project would therefore not result in a substantial, permanent increase in noise levels along the roadways used to access the proposed project as compared to existing or future conditions. This impact would be less than significant and no mitigation is required.

Other Planning Considerations (Noise / Land Use Compatibility)

In 2015, the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal.4th 369 ruled that CEQA review is focused on a project's impact on the environment "and not the environment's impact on the project." Per this ruling, a Lead Agency is not required to analyze how existing conditions might impact a project's existing or future population except where specifically required by CEQA. However, a Lead Agency may elect to disclose information relevant to a project even if it not is considered an impact under CEQA. Furthermore, the City's General Plan sets noise standards for receiving land uses which require evaluation for consistency and compliance even if such evaluation is not required by CEQA to be identified as a physical impact of a project.

The City's General Plan Noise Chapter establishes a noise and land use compatibility goal for residential uses of 60 dBA CNEL. Noise monitoring conducted at the project site indicates daytime hourly ambient noise levels at the site ranged from approximately 55 to 60 dBA L_{eq}. The long-term ambient noise data indicated a CNEL of 60.9 dBA, which would exceed the City's General Plan acceptable noise levels for residential land use. However, the proposed project would have noise levels less than 70 dBA, which is within the "conditionally acceptable" range for a residential land use.

The City's General Plan Noise Chapter states that in order for new construction or development to be conditionally acceptable, noise insulation features such as conventional construction with closed windows and fresh air supply systems or air conditioning need to be included in the design. As mentioned previously, the proposed project would include HVAC units for each individual townhome unit. Typical building construction provides an exterior-to-interior noise reduction of approximately 12 dBA with windows open and approximately 20 dBA with windows closed. [iv] With windows closed, interior noise levels would be approximately 40.9 dBA, which is less than the interior acceptable noise level (45 dBA) for residential land use. Daily noise exposure at the project is, therefore, considered to be within the City's noise and land use compatibility conditionally acceptable level of 70 CNEL. In addition, interior

[iv] The U.S. Department of Housing and Urban Development (HUD) Noise Guidebook and supplement (2009a, 2009b) includes information on noise attenuation provided by building materials and different construction techniques. As a reference, a standard exterior wall consisting of 5/8-inch siding, wall sheathing, fiberglass insulation, two by four wall studs on 16-inch centers, and 1/2-inch gypsum wall board with single strength windows provides approximately 35 dBs of attenuation between exterior and interior noise levels. Increasing window space may also decrease attenuation, with a reduction of 10 dBs possible if windows occupy 30% of the exterior wall façade.

noise exposure would be less than 45 CNEL with windows closed and use of the project's HVAC system. Therefore, the proposed project is considered compatible with the exterior ambient noise environment in the project area and no exterior or interior noise design features are required to protect project residents from significant noise impacts.

Cumulative Impacts
The Noise Study determined that project noise impacts during construction (with mitigation) and operation (without mitigation) would be less than significant (i.e., within City standards). Surrounding cities and the County have similar types of noise standards, and new development projects are required to document their potential offsite noise impacts and, if they are significant, to mitigate those impacts to less than significant levels (i.e., to within the locally established standards). Like the City of Downey, the surrounding communities have similar requirements to review impacts and mitigate when necessary under CEQA. It should also be noted that the ambient noise levels in many of these communities already exceed their established noise standards. As long as the City continues to require an evaluation of impacts and mitigation when necessary under CEQA, it is not expected that this project will make a significant contribution to cumulatively considerable noise impacts in the surrounding region, and no mitigation other than the recommended project level mitigation is required.

Conclusion
As detailed above, the proposed project would not generate temporary or permanent noise levels that would exceed the City's standards or otherwise result in a substantial increase in ambient noise levels with the incorporation of mitigation measures. Therefore, the proposed project would not result in a substantial, adverse noise-related effect on the environment, including cumulative impacts. With implementation of the recommended mitigation for construction activities, noise-related impacts of the project will be less than significant.

b) Less Than Significant Impact. Vibration is the movement of particles within a medium or object such as the ground or a building. Vibration sources are usually characterized as continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency; however, unlike airborne sound, there is no standard way of measuring and reporting amplitude. Vibration amplitudes can be expressed in terms of velocity (inches per second) or discussed in dB units in order to compress the range of numbers required to describe vibration. Vibration impacts to buildings are usually discussed in terms of peak particle velocity (PPV) in inches per second (in/sec). PPV represents the maximum instantaneous positive or negative peak of a vibration signal and is most appropriate for evaluating the potential for building damage. Vibration can impact people, structures, and sensitive equipment. The primary concern related to vibration and people is the potential to annoy those working and residing in the area. Vibration with high enough amplitudes can damage structures (such as crack plaster or destroy windows). Groundborne vibration can also disrupt the use of sensitive medical and scientific instruments, such as electron microscopes. Groundborne noise is noise generated by vibrating building surfaces such as floors, walls, and ceilings that radiate noise inside buildings subjected to an external source of vibration. The vibration level, the acoustic radiation of the vibrating element, and the acoustical absorption of the room are all factors that affect potential groundborne noise generation.

Caltrans' Transportation and Construction Vibration Guidance Manual provides a summary of vibration human responses and structural damage criteria that have been reported by researchers, organizations, and governmental agencies. These thresholds are summarized in Table 4.13-2 (Caltrans' Vibration Threshold Criteria for Building Damage*)*, and Table 4.13-3 (Caltrans' Vibration Threshold Criteria for Human Response*)*.

Table 4.13-2
Caltrans' Vibration Criteria for Building Damage

Structural Integrity	Maximum PPV (in/sec)	
	Transient	Continuous
Historic and some older buildings	0.50	0.12 to 0.2
Older residential structures	0.50	0.30
New residential structures	1.00	0.50
Modern industrial and commercial structures	2.00	0.50
Source: Table 5, MIG 2023b, Caltrans, 2020		

Table 4.13-3
Vibration Criteria for Human Response

Human Response	Maximum PPV (in/sec)	
	Transient	Continuous
Slightly perceptible	0.035	0.012
Distinctly perceptible	0.24	0.035
Strongly perceptible	0.90	0.10
Severe/Disturbing	2.0	0.7 (at 2 Hz) to 0.17 (at 20 Hz)
Very disturbing	--	3.6 (at 2 Hz) to 0.4 (at 20 Hz)
Source: Table 6, MIG 2023b, Caltrans, 2020		

Construction activities have the potential to result in varying degrees of ground vibration, depending on the specific construction equipment used and activities involved. Vibration generated by construction equipment spreads through the ground and diminishes with increases in distance. The effects of ground vibration may be imperceptible at low levels, result in low rumbling sounds and detectable vibrations at moderate levels and can disturb human activities such as sleep and vibration sensitive equipment at high levels.

Ground vibration can also potentially damage the foundations and exteriors of existing structures even if it does not result in a negative human response. Pile drivers and other pieces of high impact construction equipment are generally the primary cause of construction-related vibration impacts. The use of such equipment is generally limited to sites where there are extensive layers of very hard materials (e.g., compacted soils, bedrock) that must be loosened and/or penetrated to achieve grading and foundation design requirements. The need for such methods is usually determined through site-specific geotechnical investigations that identify the subsurface materials within the grading envelope, along with foundation design recommendations and the construction methods needed to safely permit development of a site. Pile driving equipment is not anticipated to be required at the proposed project site.

Construction vibration impacts generally occur when construction activities occur in close proximity to buildings and vibration-sensitive areas, during evening or nighttime hours, or when construction activities last extended periods of time. Although potential heavy equipment operations at the site for all demolition, site preparation, grading, and paving activities would not last more than approximately 45 days, construction activities would occur in close proximity to an adjacent residential property to the north. The ground-borne vibration levels generated by the type of equipment that would be used to construct the proposed project are shown in Table 4.13-4 (Potential Project Construction Vibration Levels*)*.

Table 4.13-4
Potential Project Construction Vibration Levels

Equipment	Peak Particle Velocity (in/sec) [(A)]			
	25 feet	50 feet	100 feet	200 feet
Small bulldozer	0.003	0.001	0.001	0.000
Jackhammer	0.035	0.016	0.008	0.004
Loaded truck	0.076	0.035	0.017	0.008
Large bulldozer	0.089	0.042	0.019	0.009
Vibratory Roller	0.21	0.098	0.046	0.021

Sources: Table 7, MIG 2023b, Caltrans, 2020 and FTA, 2018

(A) Estimated PPV calculated as: PPV(D)=PPV(ref)*(25/D)^1.1 where PPV(D)= Estimated PPV at distance; PPVref= Reference PPV at 25 ft; D= Distance from equipment to receiver; and n= ground attenuation rate (1.1 for dense compacted hard soils).

As shown in Table 4.13-4, the vibration levels associated with typical construction equipment are dependent on the type of equipment used. For structural damage, the use of typical equipment during construction activities (e.g., bulldozer, jack hammer, trucks etc.) would produce PPV levels up to 0.098 in/sec at 50 feet. These PPV values are well below Caltrans' guidelines standards for potential structural damage for the types of buildings in and adjacent to the Plan Area, which consist of modern residential structures (0.5 PPV for continuous vibration sources, see Table 4.13-2). For human annoyance and interference responses, the use of typical equipment (e.g., bulldozer, jack hammer, trucks, etc.) during construction could produce vibration levels near the project site (within 50 feet) that exceed Caltrans' perceptible vibration detection threshold (0.012 PPV, see Table 4.13-3). Specific vibration-generating equipment, such as vibratory rollers which may be used during paving activities, could produce vibration levels at 50 feet that would be more pronounced and perceptible but still below Caltrans' guidelines for structural damage to modern residential structures (0.50 PPV for continuous vibration sources).

The above vibration estimates represent potential vibration levels based on typical equipment operations and assume there is no change in elevation between work areas and receptor locations and no change in subsurface conditions that may affect vibration transmission through soil media and structures. As discussed above, the proposed project does not have the potential to result in structural damage to buildings near work areas; however, construction-related groundborne vibrations have the potential to be perceptible at buildings within approximately 200 feet of typical construction work areas and 400 feet of construction work areas involving a vibratory roller. Although some vibration associated with construction activities may be felt by nearby residential properties that surround the site, this potential vibration effect would not be excessive because it would occur during daytime hours only (when residential properties would be less sensitive to perceived vibrations, be infrequent (occurring only when equipment is in full operation, not idling or in low power modes), be intermittent (equipment would not operate in the same location every day and would move around the site so that properties are not exposed to continuous peak vibration levels), and would not damage buildings or structures at any point. For these reasons, project construction activities would not generate excessive groundborne vibration or noise levels. This impact would be less than significant.

Once operational, the proposed project would not have any large equipment that would generate vibration. This impact would be less than significant and no mitigation required.

c) Less Than Significant Impact. The proposed project is not located within two miles of any public or private airport or within an airport land use plan. The closest public or private airport facility to the project is the San Gabriel Valley Airport located approximately 10 miles to the northeast of the site in the City of El Monte. No impact would occur with regard to excessive airport noise. Impacts would be less than significant and no mitigation is required.

Mitigation Measures[v]

To reduce potential noise levels from project construction activities, the project proponent shall:

NOI-1 **Notify Residential Land Uses of Planned Construction Activities.** This notice shall be provided at least two (2) weeks prior to the start of any construction activities, describe the noise control measures to be implemented by the project, and include the name and phone number of the designated contact for the project proponent and the City of Downey responsible for handling construction-related noise complaints (per MM NOI-5). This notice shall be provided to the owner/occupants of residential dwelling units within 500 feet of construction work areas.

NOI-2 **Restrict Work Hours.** All construction-related work activities, including material deliveries, shall be subject to the requirements of City Municipal Code Section 4.50.100. Construction activities, including deliveries, shall occur only during the hours of 7 AM to 7 PM Monday to Friday and 9 AM to 6 PM on Saturday. No construction is to occur on Sunday and holidays. The project proponent representative and/or its contractor shall post a sign at all entrances to the construction site informing contractors, subcontractors, other workers, etc. of this requirement.

NOI-3 **Construction Equipment Selection, Use, and Noise Control Measures.** The following measures shall apply to construction equipment used at the project site:

a. Contractors shall use the smallest size equipment capable of safely completing work activities.

b. Construction staging shall occur as far away from residential land uses as possible given site and active work constraints.

c. Electric hook-ups shall be provided for stationary equipment (e.g., pumps, compressors, welding sets). If it is not feasible to provide an electric hook-up, the project proponent shall ensure mitigation measures 3a and 3d are implemented.

d. All stationary noise generating equipment shall be shielded and located as far as possible from residential land uses given site and active work constraints. Shielding may consist of existing vacant structures or a three-or four-sided enclosure provided the structure/enclosure breaks the line of sight between the equipment and the receptor and provides for proper ventilation and equipment operation.

e. Heavy equipment engines shall be equipped with standard noise suppression devices such as mufflers, engine covers, and engine/mechanical isolators, mounts, and be maintained in accordance with manufacturer's recommendations during active construction activities.

f. Pneumatic tools shall include a suppression device on the compressed air exhaust.

[v] The project Noise Study recommended one mitigation measure (NOI-1) with five related actions. However, this document separates that one measure into five (NOI-1 through NOI-5) so the City will be better able to monitor implementation of the various required actions

g. No radios or other amplified sound devices shall be audible beyond the property line of the construction site.

NOI-4 **Implement Construction Activity Noise Control Measures.** The following measures shall apply to project construction activities:

a. Demolition: Activities shall be sequenced to take advantage of existing shielding/noise reduction provided by existing buildings or parts of buildings, and methods that minimize noise and vibration, such as sawing concrete blocks, prohibiting on-site hydraulic breakers, crushing or other pulverization activities, shall be employed during project construction.

b. Demolition, Site Preparation, Grading, and Foundation Work: During all demolition, site preparation, grading, and structure foundation work activities, a physical noise barrier shall be installed and maintained around the site perimeter to the maximum extent feasible given site constraints and access requirements. The noise barrier shall extend to a height of eight (8) feet above grade. Potential barrier options capable of reducing construction noise levels could include, but are not limited to:

   i. A concrete, wood, or other barrier installed at-grade (or mounted to structures located at-grade, such as a K-Rail), and consisting of a solid material (i.e., free of openings or gaps other than weep holes) that has a minimum rated transmission loss value of 20 dB.

   ii. Commercially available acoustic panels or other products such as acoustic barrier blankets that have a minimum sound transmission class (STC) or transmission loss value of 20 dB.

   iii. Any combination of noise barriers and commercial products capable of achieving the required construction noise reductions of 20 dB during demolition, site preparation, grading, and structure foundation work activities.

The noise barrier may be removed following the completion of building foundation work (i.e., it is not necessary once framing and typical vertical building construction begins provided no other grading, foundation, etc. work is still occurring on-site).

NOI-5 **Prepare a Construction Noise Complaint Plan.** The project proponent shall prepare a Construction Noise Complaint Plan that shall:

a. Identify the name and/or title and contact information (including phone number and email) for a designated project and City representative responsible for addressing construction-related noise issues.

b. Includes procedures describing how the designated project representative will receive, respond, and resolve construction noise complaints.

c. At a minimum, upon receipt of a noise complaint, the project representative shall notify the City contact, identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint.

4.14 Population and Housing

Would the Project:

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

a) Less than Significant Impact. The project site currently contains a church and parking lot but has no residential units or residents. The project proposes 33 multi-family residential townhouse units within a gated community. According to the California Department of Finance, the City of Downey has 3.02 persons per household.[34] Therefore, the project could generate approximately 100 additional residents in the City. According to the Southern California Association of Governments' (SCAG) *2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*, the number of households in the City is expected to increase by 1,500 units between 2016 and 2045 (from 32,600 to 324,100 units) or +4.6% as shown in Table 4.14-1 (SCAG Growth Projections for Downey). Similarly, the City's population is expected to increase by 5,900 persons between 2016 and 2045 (113,300 to 119,200 persons) or +5.2%. The project represents approximately 2.2% of the total anticipated housing growth and 1.7% of the total anticipated population growth for the City over that time period. The new housing added by the project is well within the anticipated SCAG overall and annual growth projections for the City. Therefore, the project would not induce substantial unplanned population growth in the area. The project is not proposing any new expanded infrastructure that could accommodate additional growth in the area that is not already possible with existing infrastructure or beyond that anticipated by SCAG and the City. Impacts would be less than significant and no mitigation is required.

Table 4.14-1
SCAG Growth Projections for Downey

Demographic	2016	2045	Total Growth[1]	Annual Growth[2]
Population	113,300	119,200	+5,900 persons +5.2%	+204 persons +0.18%/year
Housing	32,600	34,100	1,500 units +4.6%	+255 units +0.78%/year

Source: *2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*,

1 difference between 2016 and 2045 figures divided by 2016 (beginning year) figure
2 total growth divided by number of years evaluated (2016 to 2045 or 29 years)

b) No Impact. The project site is located in a largely residential area of the City. The project site currently contains a church and no residential structures or residents. The proposed project would demolish the church and add 33 multi-family townhouse units with an estimated occupancy of 100 persons. As demonstrated in Threshold 4.13.a above, the project would not add unplanned population or housing to the City and no existing residential units will be lost by project development. Therefore, the project will have no impacts regarding the loss of existing residences.

4.15 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:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?	☐	☐	☑	☐
b) Police protection?	☐	☐	☑	☐
c) Schools?	☐	☐	☑	☐
d) Parks?	☐	☐	☑	☐
e) Other public facilities?	☐	☐	☑	☐

a) Less Than Significant Impact. Fire services in the City are provided by the Downey Fire Department (DFD). DFD has four fire districts each served by its own station. The project site is located in Fire District 3 and would be served by Fire Station #3 (9900 Paramount Boulevard), located approximately 1.1 miles south of the project site. The estimated response time from Station #3 to the project site is estimated to be approximately two minutes assuming an average speed of 35 miles per hour. Additionally, DFD has automatic aid agreements with the Cities of Santa Fe Springs and Montebello and the County of Los Angeles. The agreement provides coverage at fires by the closest unit regardless of the jurisdictional boundary.

The project site has an existing church that is within and served by the DFD. Once the project is occupied, the new townhouse neighborhood would continue to be served by DFD. As previously discussed in Section 3.14, *Population and Housing*, the project would result in a population of 100 residents but is not expected to induce substantial or unanticipated unplanned population growth in the City. The project site currently supports an existing church and it is likely calls for fire or emergency medical service to the townhouse project would incrementally increase compared to the existing church. Due to its small size, it is anticipated that the project would be adequately served by existing DFD facilities, equipment, and personnel, and not result in a significant increase in the demand for DFD

services. The DFD will derive a portion of property tax revenues from increased property taxes on the project site that will offset incremental demand for DFD services.

In addition, technical fire prevention activities such as building plan checks to make sure fire code requirements are met, proposed fire sprinkler systems, fire alarm systems, and compliance with emergency access and evacuation requirements would reduce the impacts associated with the proposed project. All site plans for the proposed project would, as part of the City of Downey's standard review process, be subject to approval and site-specific conditions of approval to ensure compliance with all applicable fire code standards. No new or expanded fire protection facilities would be required as a result of this project because it will not induce a substantial population increase that was not anticipated under the City's General Plan. Furthermore, the proposed project does not propose to use hazardous materials or engage in hazardous activities that would require new or modified fire protection equipment to meet potential emergency demand. Review of project plans and implementation of standard conditions of approval for fire protection are considered regulatory compliance and not unique mitigation under CEQA.

Therefore, project impacts associated with the construction or expansion of fire protection facilities would be less than significant and no mitigation is required.

b) Less Than Significant Impact. Police services in the City are provided by the Downey Police Department (DPD), except for properties owned by the County of Los Angeles in the southwest part of the City, which are patrolled by the Los Angeles County Sheriff's Department. The DPD station at 10911 Brookshire Avenue would service the project site and is located approximately 1 mile to the northwest. The estimated response times to service calls for DPD are 1 to 2 minutes for emergency calls and 5 to 8 minutes for nonemergency calls. DPD has 138 sworn officers and responds to an average of 1,000 service calls per month. Additionally, DPD has mutual aid agreements with all cities in Los Angeles County, with the exception of the City of Los Angeles. The agreement establishes a reciprocal law enforcement status between other cities and the City of Downey (City of Downey 2005).

The project site is already within the DPD service area, and once operational, the project would continue to be served by DPD. As previously discussed in Section 3.14, *Population and Housing*, the project would result in 100 new City residents but would not induce substantial unplanned population growth in the City. The project site currently supports an existing church so calls for DPD services to the project site would likely increase in comparison to the existing condition. The proposed residential development would not result in any unique or more extensive crime problems that cannot be handled with the existing level of police resources. Overall, it is anticipated that the project would be adequately served by existing DPD facilities, equipment, and personnel. The DPD will derive a portion of property tax revenues from increased property taxes on the project site that will help pay for DPD services. Therefore, project impacts associated with the construction or expansion of police protection facilities would be less than significant and no mitigation is required.

c) Less than Significant Impact. The project site is served by the Downey Unified School District (DUSD). The project site is within the attendance areas of the three schools[35] shown in Table 4.15-1 (Local School Enrollments*),* along with their enrollments over the past three school years[36]. Table 43.15-1 indicates that State enrollment figures for DUSD have been declining for the past three years at the elementary level but have remained relatively constant over the past three years at the middle and high school levels. In addition, a comparison of the capacities of the schools serving the project area and their projected enrollments is shown in Table 4.15-2 (School Capacities vs. Projected Enrollment*)*. Table 4.15-2 indicates that the highest projected enrollment for the three project-area schools, as shown in the District's 2022 Facility Master Plan[37], is within each school's estimated student capacity for at least the immediate future.

Table 4.15-1
Local School Enrollments

School/Address	Grades	School Year Student Enrollment		
		2020-2021	2021-2022	2022-2023
Price Elementary School 9525 Tweedy Lane, Downey	K-5	844	734	779
Griffiths Middle School 9633 Tweedy Lane, Downey	6-8	1,298	1,301	1,296
Warren High School 8141 De Palma Street, Downey	9-12	3,469	3,451	3,437
Total				
Project Area	K-12	5,611	5,486	5,512
District-Wide	K-12	22,216	22,261	22,359

Source: DUSD website 2023, California Dept. of Education DataQuest database 2023

Table 4.15-2
School Capacities vs. Projected Enrollment

School/Address	Grades	Estimated Number of Students		
		Estimated Capacity	Lowest Projected Enrollment	Highest Projected Enrollment
Price Elementary School 9525 Tweedy Lane, Downey	K-5	821	742	801
Griffiths Middle School 9633 Tweedy Lane, Downey	6-8	1,500	1,264	1,295
Warren High School 8141 De Palma Street, Downey	9-12	4,014	3,527	3,782
Total				
Project Area	K-12	6,335	5,533	5,878
District-Wide	K-12	25,466	22,512	21,492

Source: DUSD website 2023, Table 17, DUSD Facility Master Plan 2022.

Development impact fees may be levied for residential construction, pursuant to Education Code Section 17620 and California Government Code Section 65995 and DUSD has currently established impact fees of $4.79 per square foot for residential development as of 2022. As stated in California Government Code Section 65996, payment of school impact fees in accordance with California Government Code Section 65995 and/or Education Code Section 17620 is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. Payment of established development impact fees is considered full mitigation under CEQA. Since the proposed project involves a General Plan Amendment and Zone Change, the developer may also choose to enter into a voluntary negotiated fee agreement (called a “mutual benefit agreement”) in lieu of statutory developer fees. The impact fee process is considered regulatory compliance and not project mitigation under CEQA.

The City of Downey requires school impact fees to be paid to DUSD by the developer prior to issuance of building permits. These fees would help to fund future needs in the district with relation to the provision of new or physically altered District facilities. For these reasons, impacts related to the need for new school facilities as a result of implementing the proposed project would be less than significant with regulatory compliance.

d) Less Than Significant Impact. Demand for park and recreational facilities is generally the direct result of residential development. The City has approximately 117 acres of parkland in 12 park sites. The closest City park to the project site is Treasure Island Park. This park has approximately 4.7 linear acres along the west side of the Rio Hondo Channel with turf, walking path, and a playground. This park is 800 feet east of the project site at the eastern end of South Bluff Road. Based on a 2020 population of 114,360 residents, the City provides its residents and workers with approximately 1.02 acres per thousand residents. In addition, there are County parks in the surrounding area that also provide recreational facilities and open spaces for the region.

The State Quimby Act recommends a ratio of 3.0 acres of parkland per thousand residents as a minimum standard for new development. As previously discussed in Section 3.14(a), *Population and Housing*, the project is expected to generate approximately 100 new City residents. Therefore, the proposed project should provide 0.3 acres of public parkland or pay the equivalent in in-lieu park DIF fees to the City to meet the Quimby Act standard[vi]. According to the project plans, the project proposes to provide a total of 6,958 square feet (0.16-acre) of private recreation/open space for its residents. This figure includes 2,569 square feet of "public" spaces (but only for project residents) and 4,389 square feet of private spaces such as uncovered private patio/yard spaces, covered private front porch space, and covered and uncovered decks. Since all of this recreational space is private, the project proponent would be responsible for paying the City's established in-lieu park fee. The provision of adequate recreation and open space for project residents is considered regulatory compliance and not unique mitigation under CEQA.

The City's Parks and Open Space Master Plan[38] (2016) indicates that its park in-lieu fees have been minimal for several years which generally reflects largely built-out housing conditions in the City. With the project design and payment of the City's in-lieu park fee, the project's impacts regarding recreational facilities would be less than significant and no mitigation is required.

e) Less Than Significant Impact.

As previously mentioned in Section 3.14(a), *Population and Housing*, the project would add an estimated 100 residents to the City but would not induce substantial or unanticipated population growth in the City. Population growth as a result of the project is well within SCAG's overall growth projections for the City and would not result in a substantial increase in population. As such, the project would result in an incremental but not substantial increase in patronage at libraries, community centers, and other public facilities. Therefore, impacts associated with other public facilities would be less than significant and no mitigation is required.

[vi] 33 townhomes X 3.01 persons/household or unit = 100 residents divided by 3 acres/1000 residents = 0.3 acre for the proposed project

4.16 Recreation

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

a) Less than Significant Impact. See discussion in Threshold 4.15(d). The City has 117 acres of parkland in 12 parks. The closest park to the project site is Treasure Island Park with 4.7 linear acres along the west side of the Rio Hondo Channel. The project is expected to generate approximately 100 new City residents, so the proposed project should provide 0.3 acres or 13,068 square feet to meet the Quimby Act standard (3 acres per thousand residents). The project proposes a total of 6,958 square feet (0.16-acre) of private recreation/open space for its residents and the Quimby Act requirement would be 0.3 acre of public recreation/open space. The project proponent would thus be responsible for paying the City's in-lieu park fee. The provision of adequate recreation and open space for project residents is considered regulatory compliance and not unique mitigation under CEQA.

Since the project has only a small amount of internal recreational area, it is likely project residents will use Treasure Island Park as well as other City parks for recreational activities. The City of Downey maintains and operates the existing neighborhood parks and the County maintains and operates regional parks and other recreational facilities in the surrounding region. The small number of new residents would only represent an incremental increase in local and regional park use. The project will pay the City's in-lieu park fee for the difference of onsite vs. required park and open space land as noted above. It is not likely such incremental use would result in the need to reconstruct or upgrade existing park facilities. Therefore, impacts would be less than significant with payment of the City's in-lieu park fee.

b) Less than Significant Impact. As discussed in Section 4.16(a) above, the project is expected to generate approximately 100 new City residents. The proposed project should provide 0.3 acres or 13,068 square feet to meet the Quimby Act standard. The project proposes a total of 6,958 square feet (0.16-acre) of recreation/open space for its residents and the Quimby Act requirement would be 0.3 acre of recreation/open space. The applicant would thus be responsible for paying the City's in-lieu park fees to cover the difference. The provision of adequate recreation and open space for project residents is considered regulatory compliance and not unique mitigation under CEQA. The project does not include removal of any existing City of Downey recreational facility or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, impacts would be less than significant and no mitigation is required.

4.17 Transportation and Traffic

Would the Project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☑	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 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)?	☐	☐	☐	☑
d) Result in inadequate emergency access?	☐	☐	☑	☐

A *Vehicle Miles Traveled (VMT) Screening Assessment*[39] was prepared for the proposed project by the Ganddini Group dated November 15, 2023 (Appendix G). The information in this section is largely taken from that assessment.

a) Less than Significant Impact. Prior to the passage of California Senate Bill 743 (SB 743) in 2013, the analysis of transportation impacts in CEQA documents was Level of Service (LOS) or congestion on public streets and intersections. This type of analysis was to assure the local street grid network functioned well and allowed for efficient movement of vehicles. The current focus of traffic analyses for CEQA is to encourage active transportation (e.g., pedestrians, bicyclists, etc.) and transit, and to limit increases in Vehicle Miles Traveled (VMT) to better balance traffic on a regional basis. An important part of this analysis is to determine if a proposed action is consistent with both the vehicular and non-vehicular aspects of the Circulation Element of the General Plan.

Pedestrian Access

The streets adjacent to the project site, Suva Street, Foster Bridge Boulevard, and South Bluff Road, all have sidewalks on both sides of the street. Project construction will include constructing new sidewalks along the project frontage of these adjacent streets. Therefore, project impacts on pedestrian access will be less than significant and no mitigation is required.

Bicycle Access

According to Exhibit 2.6-1 in the City's Master Plan of Parks and Open Space[38], the City has a network of Class II and Class III bike lanes within the City, and there are also regional Class I bike paths along the San Gabriel River and Rio Hondo channels bordering the City to the southeast and northwest, respectively. There is currently a Class III bike lane along Suva Street (adjacent to

the project site) that runs from the City limit just west of the site east to Paramount Boulevard. This bike lane then connects to another Class III bike lane along Tweedy Lane/Rivers Avenue to the southwest. These two bike lanes then connect to other bike lanes throughout the City. The project will not remove or have any impacts on existing bicycle lanes. Therefore, impacts will be less than significant and no mitigation is required.

Transit Services

Transit services are provided within the City of Downey and to the Los Angeles region by the Los Angeles County Metropolitan Transportation Authority[40] (MTA or Metro). The following Metro bus lines are located within a mile of the project site:

- Route 110 operates along Garfield Avenue in the vicinity of the project site. At its closest this line is 0.75 mile northwest of the site;
- Route 111 operates along Florence Boulevard in the vicinity of the project site. At its closest this line is 0.6 mile southwest of the site; and
- Line 265 along Paramount Boulevard in the vicinity of the project site. At its closest this line is 0.7 mile southeast of the site.

The closest bus stops are located on Garfield Avenue near Loveland Street serving Line 110, on Florence Avenue near Scout Avenue serving Route 111, and on Paramount Boulevard at Suva Street serving Line 265. Development of the project would not conflict with the existing bus routes or bus stops. Impacts to transit would be less-than-significant.

In addition, Metrolink[41] commuter rail service to the City is available via the C Line (formerly the "Green Line") at the Lakewood Boulevard Station located approximately 3.6 miles south of the project site, as well as the Norwalk Station located approximately 4 miles southeast of the project site.

Therefore, the project will not conflict with the program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts will be less than significant and no mitigation is required.

b) Less than Significant Impact. Following the passage of California Senate Bill 743 (SB 743) in 2013, the State of California's Governor's Office of Planning and Research (OPR) was tasked with developing new guidelines for evaluating transportation impacts under CEQA. These guidelines were intended to shift the performance metric from automobile delay and level of service (LOS) to one that would promote the reduction of greenhouse gas emissions and the development of multimodal and diverse transportation networks. As a result, OPR determined that the CEQA guidelines would use vehicle miles traveled (VMT) as the primary metric for evaluating environmental and transportation impacts. In December 2018, OPR published the revised CEQA Guidelines incorporating the transition to VMT, along with the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018) to assist with the implementation of the revised CEQA Guidelines.

In 2020, the County of Los Angeles adopted the Los Angeles County Transportation Impact Analysis Guidelines[42] based on OPR's Technical Advisory. The City of Downey has not established VMT analysis guidelines at this time; therefore, the project VMT impact has been assessed based on available guidance from the County of Los Angeles, OPR Technical Advisory, and consideration of implementation policies established by other jurisdictions in the Southern California region.

Trip Generation

The VMT Assessment estimated trip generation for the existing church and proposed residential uses based upon trip generation rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*[43] Based on review of the ITE land use descriptions, trip generation rates for Church (ITE Land Use Code 560) and Multi-Family Housing (Low-Rise) (ITE Land Use Code 220) were determined to best represent the existing land use and proposed project uses in terms of trip generation forecasts. The VMT Assessment determined the existing land use generates approximately 64 daily trips, including 3 trips during the AM peak hour and 4 trips during the PM peak hour. In addition, the proposed project will generate approximately 222 daily trips, including 13 trips during the AM peak hour and 17 trips during the PM peak hour. When combined, the proposed project will result in a "net" increase of approximately 158 additional daily trips compared to the existing use, including 10 additional trips during the AM peak hour and 13 additional trips during the PM peak hour - see Table 4.17-1 (Project Trip Generation). As shown in Table 4.17-1, the proposed project will result in a "net" generation of 10 AM Peak Hour trips, 13 PM Peak Hour trips, and 158 total daily trips.

Table 4.17-1
Project Trip Generation

Land Use[1]	Trips Generated						
	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Existing	2	1	3	2	2	4	64
Proposed	3	10	13	11	6	17	222
Net New Trips	**+1**	**+9**	**+10**	**+9**	**+4**	**+13**	**+158**

Source: Table 3, Ganddini Group, 2023

[1] Existing land use is church (ITE 560) while proposed use is 33 townhomes (ITE 220)

VMT Screening Assessment

According to the LA County TIA Guidelines, certain types of projects, because of their size, nature, or location, are exempt from the requirement of preparing a traffic impact analysis. The County Guidelines establish screening thresholds for certain types of projects that may be presumed to cause a less than significant VMT impact based on substantial evidence provided in OPR's 2018 Technical Advisory. The County TIA Guidelines specify the following four screening steps: 1) Non-Retail Project Trip Generation Screening; 2) Retail Project Site Plan Screening; 3) Proximity to Transit Based Screening; and 4) Residential Land Use Based Screening. The VMT Screening Assessment evaluated the proposed project and found that, for various reasons, it did not meet any of the four screening criteria.

Daily Trip Thresholds

During the project evaluation of LA County VMT Screening Thresholds, the VMT Assessment noted that the County's non-retail trip generation threshold was based on extrapolation of categorical exemption criteria rather than consideration of the actual potential for VMT impacts and is very low compared to historical screening thresholds for determining the need to prepare a traffic impact analysis. Historically, the County of Los Angeles, and subsequently the City of Downey, used a trip generation threshold of peak hour trips for determining the need to prepare a traffic impact analysis. For residential uses, 50 peak hour trips would roughly equate to 500 daily trips. Accordingly, several jurisdictions in the region have developed higher daily trip thresholds for small projects based on the intent and stated goals of SB 743 to reduce greenhouse gas (GHG) emissions.

The VMT Assessment found a number of other jurisdictions in the region that have established their own daily trip thresholds for screening small residential projects. The daily trip thresholds of these sample jurisdictions generally range from 250 to 500 daily trips, as shown in Table 4.17-2 (Daily Screening Thresholds Established by Other Jurisdictions in the Region). It must be noted that the OPR Technical Advisory recommended thresholds are based on the Categorical Exemption for 10,000 square foot additions to existing structures; from this, the OPR Technical Advisory calculated a 110 daily trip threshold based on 10,000 square feet of office use. There are many uses, however, that would result in substantially higher trips than the 110 daily trip threshold recommended by the OPR Technical Advisory.

Based on the intent and stated goals of SB 743 to reduce greenhouse gas (GHG) emissions, some jurisdictions have adopted daily trip thresholds based on GHG emissions rather than extrapolation of categorical exemption criteria. For example, the City of Redlands *CEQA Assessment VMT Analysis Guidelines* and County of Riverside *Transportation Analysis Guidelines for Level of Service [and] Vehicle Miles Traveled* (December 2020) include the documentation used to establish substantial evidence for GHG emissions-based trip thresholds for screening small projects (see Attachment A in Appendix A).

In addition, the South Coast Air Quality Management District (SCAQMD) threshold of 3,000 metric tons of carbon dioxide emissions (MTCO2e) per year is the most stringent GHG threshold in the region, the City of Redlands and County of Riverside have established small project thresholds by evaluating the significance of mobile source emissions associated with VMT generated by various land uses using the California Emissions Estimate Model (CalEEMod). Table 4.17-2 (Range of Local Daily Trip Screening Thresholds in the Region*),* shows a number of jurisdictions in the region have thresholds for small multi-family residential projects that range from 250-500 average daily trips or 147-299 units. In either case, the proposed project is below any of these locally established standards.

In addition, the VMT Assessment presented the results of a similar GHG-based emissions analysis for a multi-family housing (low-rise) project in the City of Downey (similar to the proposed project) using the updated ITE Trip Generation Manual trip generation rates and CalEEMod defaults (see *Air Quality, Greenhouse Gas, and Energy Analysis*[5]- Appendix A). Table 4.17-3 (Daily Trip Threshold that Exceed the GHG Emissions Threshold) estimates it would take approximately 321 dwelling units of low-rise multi-family housing to generate 2,164 daily trips that would exceed the GHG emissions threshold established by the SCAQMD. Therefore, multi-family housing (low-rise) projects with 320 dwelling units or less, like the proposed project, would not exceed the SCAQMD threshold for GHG emissions and could be presumed to result in a less than significant VMT impact using the GHG emissions approach for establishing daily trip thresholds for small projects.

It is noted that the analysis and thresholds shown in Tables 4.17-2 and 4.17-3 are not intended to establish policy or precedent for the City of Downey, but rather to demonstrate potential screening criteria in light of those established by other jurisdictions in the region. For purposes of this analysis, the proposed project would result in a less than significant VMT impact using a daily trip threshold of 250 daily trips which is at the low end of the thresholds adopted by the other jurisdictions reviewed as shown in Table 4.17-2.

The VMT Assessment concluded the proposed project will generate fewer than 250 new daily trips (gross or net). Based on review of the daily trip screening thresholds for small projects established by other jurisdictions in the region and taking into account the evaluation of GHG emissions thresholds established by SCAQMD, the proposed project will have a less than significant VMT impact and no mitigation is required.

Table 4.17-2
Range of Local Daily Trip Screening Thresholds in the Region

Jurisdiction	Local Daily Trip Screening Threshold	
	Average Daily Traffic	Dwelling Units
City of Los Angeles	250	--
City of Irvine	250	--
City of Newport Beach	300	--
City of Long Beach	500	--
City of Perris	500	---
City of Redlands[1]	370 – 4,243	
Multi-Family (low rise)	--	232
Multi-Family (mid-rise)	--	299
County of Riverside[1]		
Multi-Family (low rise)	--	147
Multi-Family (mid-rise)	--	194
Proposed Project (Downey)[2]	**158**	**33**

Source: Table 4, Ganddini 2023
[1] Emissions would not exceed SCAQMD threshold of 3,000 MTCO2e emissions per year based on CalEEMod analysis
2 Net trips based on analysis in Table 4.7-1

Table 4.17-3
Daily Trip Threshold that Exceeds the GHG Emissions Threshold

Land Use	Quantity[1]	Total CO2e (MT/yr)[2]	CO2e Threshold (MT/yr)	Daily Trip Rate[3]	Size that Triggers Threshold	Daily Trips that Trigger Threshold
Condo/Townhouse	100 DU	955	3,000	6.74	321 DU	2,164

Source: Table 5, Ganddini Group, 2023

c) No Impact. A significant impact would occur if the project substantially increased an existing hazardous design feature or introduced incompatible uses to the existing traffic pattern. It should first be noted the street layout around the project site is somewhat unusual in that two adjacent collector streets (Suva Street and Foster Bridge Boulevard) are separated at the southern end of the site by a small segment of a third street (South Bluff Road). This alignment results in a skewed intersection with 5 approaches instead of the typical 4 approaches. In addition, instead of all the approaches being at 90^{o} to each other, 3 approaches are at approximately 60^{o} and two approaches are at 120^{o}. However, the intersection does have 4-way stop control which allows this intersection to operate in an acceptable manner even with the additional skewed approach (see Exhibit 2 to see the skewed nature of this intersection).

The project proposes a gated entry with a 26 -foot driveway at the north end of the site from Foster Bridge Boulevard, and an "emergency vehicle access" (EVA) with a gate and Knox box for emergency responder access if needed at the south end of the project at Suva Street. These two access points will be connected by a slightly curved 26-foot wide drive aisle.

The design of the project access points and onsite road comply with all applicable City regulations. Furthermore, the project does not involve changes in the alignments of Suva Street, Foster Bridge Boulevard, or South Bluff Road, nor does it create hazardous geometric design features.

The project would not construct any new roadways, modify any existing roadway or intersection geometries (i.e., the skewed intersection was a pre-existing condition), or result in temporary road closures during construction or any permanent road closures. Any and all site adjacent road or intersection improvements required are within the public right-of-way and would be required to comply with standards set forth by the City to ensure that the project does not introduce an incompatible design feature that would impede operations on project-adjacent roadways or intersection(s). Therefore, no impact would occur and no mitigation is required.

d) Less than Significant Impact. A significant impact would occur if the design of the project would not satisfy emergency access requirements of the Downey Fire Department or Police Department, or in any other way threaten the ability of emergency vehicles to access and serve the project site or adjacent uses. As discussed above, access to the project site is proposed via two 26-foot wide driveways - one a public gated access to Foster Bridge Boulevard and one for emergency vehicles only to Suva Street. The driveway widths are sufficient to provide access to fire and emergency vehicles are consistent with the California Fire Code requiring a minimum of 18 feet. All access features are subject to and must satisfy the City of Downey design requirements, including the Fire Department's requirements. Therefore, the project would result in less than significant impacts with regard to emergency access and no mitigation is required.

4.18 – Tribal Cultural Resources

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 Cultural Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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	☐	☑	☐	☐
b) 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.	☐	☑	☐	☐

a) Less than Significant Impact with Mitigation Incorporated. A significant impact would occur if the proposed project would cause a substantial adverse change in the significance of a tribal cultural resource (TCR) listed or eligible for listing in the California Resources of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). When available, results of the cultural resources records research conducted at the South-Central Coastal Information Center (SCCIC), a part of the California Historical Resources Information System (CHRIS), are expected to confirm that there are no known tribal cultural or historic resources within the project boundaries, and possibly even up to a one-half mile radius from the project site.

A Cultural Resources Assessment (*CRA*) was prepared for the project site by CRM TECH dated October 13, 2023 that included archival archaeological research (Appendix C). In addition, the Gabrieleno Band of Mission Indians - Kizh Nation has indicted the project area has a definite potential to contain tribal cultural resources (TCRs) as stated in their consultation correspondence (Appendix I):

> *"Due to the project site being located within and around a perennial Community (Suvangna ,Nakaungna), adjacent to sacred water courses and major traditional trade routes, there is a high potential to impact Tribal Cultural Resources still present within the soil from the thousands of years of prehistoric activities that occurred within and around these Tribal Cultural landscapes. Therefore, to avoid impacting or destroying Tribal Cultural Resources that may be inadvertently unearthed during the project's ground disturbing activities and pursuant to our consultation, we have provided to the Lead Agency substantial evidence that the proposed project may have a significant impact on our TCRs."*

As discussed in Section 4.5, *Cultural Resources*, Mitigation Measure CUL-1 was recommended to address potential impacts to archaeological resources but Mitigation Measures TCR-1 through TCR-3 were specifically recommended by the Gabrieleno Band of Mission Indians - Kizh Nation to help prevent any adverse changes in the significance of a tribal cultural or historical resource as defined in CEQA §15064.5. With the recommended mitigation measures (i.e., CUL-1 and TCR-1 through TCR-3), potential impacts to TCRs are reduced to less than significant levels.

b) Less than Significant Impact with Mitigation Incorporated. Government Code §§ 65352.3 and 65562.5 (SB 18); and Public Resources Code §§ 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 (AB 52) provide that a project that may cause a substantial adverse change to a defined Tribal Cultural Resource (TCR) can result in a significant effect on the environment. AB 52 requires tribes interested in development projects within a traditionally and culturally affiliated geographic area to notify a lead agency of such interest and to request notification of future projects subject to CEQA prior to determining if a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The Lead Agency is required to notify tribes within 14 days of deeming a development application complete subject to CEQA to notify the requesting tribe as an invitation to consult on the project. AB 52 identifies examples of mitigation measures that would avoid or minimize impacts to TCR. The bill makes the above provisions applicable to projects that have a notice of preparation or a notice of intent to adopt a negative declaration/mitigated negative declaration circulated on or after July 1, 2015.

Section 4.5(b), *Cultural Resources*, indicates that according to the General Plan[1] and the CRA[13], the project area has no facilities that satisfy any of the criteria for a historic resource defined in CEQA Guidelines Section 15064.5. However, the onsite church building was constructed from the late 1950's to 1989, so CRM TECH considered it possible that structure may have historical value. Therefore, CRM TECH undertook a preliminary evaluation of the church building and determined it did not meet any established criteria for historical resources under CEQA. As previously stated, CRM TECH concluded the site did not have any structures or resources eligible for listing in the National or California Registers

under any of the significance criteria. Therefore, the project would not result in an adverse change in the significance of a historical resource as defined in CEQA Section15064.5.

Although there is no indication of TCRs on or in the immediate vicinity of the project site, AB 52 is clear in stating that it is the responsibility of the Public Agency (i.e., Lead Agency) to consult with Native American tribes early in the CEQA process to allow tribal governments, lead agencies, and project proponents to discuss the appropriate level of environment review, identify and address potential adverse impacts to TCRs, and reduce the potential for delay and conflict in the environmental review process (see Public Resources Code Section 2108.3.2). Specifically, government-to-government consultation may provide "tribal knowledge" of the project area that can be used in identifying TCRs that cannot be obtained through other investigative means.

In addition, projects that involve a General Plan Amendment (such as the proposed project) also require separate or combined notification in compliance with SB 18. That law requires a 90-day review period in which the local tribal group representatives have to indicate if they want to consult on a particular development project.

The City of Downey submitted AB 52 notifications on May 1, 2023 and SB 18 notifications on August 7, 2023 to the following tribal governments that have traditional/cultural habitation or resources in the project area:

- Gabrieleno Band of Mission Indians - Kizh Nation (Andrew Salas, Chairperson)
- Gabrieleno/Tongva San Gabriel Band of Mission Indians (Anthony Morales, Chairperson)
- Gabrielino Tongva Indians of California Tribal Council (Robert Dorame, Chairperson)
- Gabrielino /Tongva Nation (Sandonne Goad, Chairperson)
- Gabrielino-Tongva Tribe (Charles Alvarez)

The AB 52 and SB 18 notices were submitted to tribal cultural representatives via emailed letters instead of certified mail as recently agreed to by the local tribal representatives (Appendix I). The City received one response letter from the Gabrieleno Band of Mission Indians - Kizh Nation (GBMI-KN) which recommended mitigation language but did not identify any tribal cultural resources actually on the project site. At the time this IS/MND was circulated for public review, the tribal notification periods for both AB 52 and SB 18 had closed (September 6, 2023 and July 30, 2023, respectively). The City has received no other responses from the Native American community concerning the proposed project. However, despite the heavy disturbances of the project area that may have displaced or destroyed archaeological resources relating to TCRs on the surface, local tribal groups including GBMI-KN consider it still possible that intact tribal cultural resources exist at depth. Therefore, Mitigation Measure CUL-1 outlined in Section 4.5, *Cultural Resources*, and Mitigation Measures TCR-1 through TCR-3 outlined in this section, are recommended to address the potential for any previously undiscovered archaeological and tribal cultural resources encountered during project grading. Incorporation of these mitigation measures will ensure that potential impacts to buried TCRs are less than significant through requirements for halting work (if necessary), allowing for monitoring of grading by an archaeologist and tribal monitors, evaluation, salvage, curation, and reporting. It should be noted the following mitigation measures were recommended in correspondence received from the GBMI-KN during the project's Native American consultation period.

Mitigation Measures

TCR-1 **Tribal Monitor.** The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the

subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

TCR-2 **Unanticipated Discoveries.** Upon discovery of any Tribal Cultural Resources (TCRs), all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3 **Human Remains.** Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

4.19 – Utilities and Service Systems

Would the Project:

	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?	☐	☐	☑	☐
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☑	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?	☐	☐	☑	☐
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?	☐	☐	☑	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☑	☐

a) Less than Significant Impact. The project would require water, wastewater collection and treatment, storm water drainage, electrical power, natural gas, and telecommunication services. An analysis of impacts related to these services is provided below.

Water

A Water Demand Study[44] was prepared for the project by Alan Short, PE dated May 8, 2023. The project site currently contains a church, parking lot, and landscaping. The proposed project would include the development of 33 condominium units and would increase the intensity of uses on the project site, resulting in increased water use. For this analysis, all of the project water use was considered new and

no deduction or reduction was calculated for existing water use by the church. Therefore, the following are conservative estimates for project water use. As discussed in Section 3.10(b), the project would increase the amount of impervious surfaces on the project site from 78 to 87 percent. Pursuant to the City's Municipal Code Section 5707, the project has prepared a Low Impact Development (LID) plan to comply with City efforts to retain stormwater runoff generated from new construction projects.

The project Water Demand Study assumed 33 multi-family residential units with 3-bedrooms each and with a maximum occupancy of 6 persons per unit. Expected water demand could either be 200 gallons per day (gpd) per bedroom or 48 gpd per person. Therefore, the Water Study used the higher daily rate (per bedroom) which indicated the project would consume 19,800 gpd of water per day which is equivalent to 196 gpd per person per day. The Water Study estimated the project would consume 7.2 million gallons per year or 22.2 acre-feet/year (AFY)[vii].

The project site is within the water service boundaries of the City which is responsible for the production and distribution of the City's water supply and the maintenance of all water system facilities. The City had 23,631 connections in 2020 and supplied 14,449 acre-feet (AF) of water that year. According to the City's 2020 Urban Water Management Plan (UWMP), the reliable quantities of projected water supply and demand for Year 2025 through Year 2045 are shown in Table 4.19-1 (Projected City Water Demand and Supply*)*, from the UWMP. Table 4.19-1 indicates that water demand is projected to increase by 3.6% over the next 20 years, while water supplies are projected to increase by 4.1% over the same period. The projection of supplies assumes no imported water from CBMWD is purchased but use of recycled water from CBMWD is expected to increase by 16.4% over that time period. The proposed project's annual water consumption of 1,349,303 gallons per year equals 4.1 acre-feet/year which represents 0.025% of the projected water supply in the City by 2025 and 0.024% by 2045. According to the UWMP supply/demand data in Table 4.19-1, the estimated water consumption of the proposed project is well within the Utility Division's projected water supply for 2025 and 2045 and would not, therefore, significantly impact existing water service.

Table 4.19-1
Projected City Water Demand and Supply (acre-feet/year)

Water Users[1]/Supplies	**2025**	**2030**	**2035**	**2040**	**2045[1]**	**2020-2045**
Demand[2]						
Single Family	7,573	7,637	7,704	7,774	7,842	+3.5%
Multi-Family	3,204	3,233	3,261	3,290	3,319	+3.6%
Commercial	2,701	2,725	2,749	2,773	2,797	+3.6%
Industrial	759	766	773	779	786	+3.6%
Government	429	433	437	440	444	+3.5%
Landscape	143	145	146	147	148	+3.5%
Losses	892	900	908	916	924	+3.6%
Other	128	130	131	132	133	+3.9%
Sub-Total	**15,828**	**15,969**	**16,109**	**16,251**	**16,393**	**+3.6%**
Supplies[3]						
Groundwater-Central Basin	15,829	15,969	16,109	16,251	16,393	+3.6%
Imported Water-CBMWD	0	0	0	0	0	0
Recycled Water-CBMWD	730	770	815	850	850	+16.4%
Sub-Total	**16,559**	**16,739**	**16,924**	**17,101**	**17,243**	**+4.1%**
Difference (supply/demand)	+731 +4.6%	+770 +4.8%	+815 +5.1%	+850 +5.2%	+850 +5.2%	-- +0.5%

Source: Tables 4-2 and 6-9, UWMP 2022

[1] UWMP lists 2045 as an "optional" calculation

[vii] One AF = approx. 326,000 gallons

[2] Retail use for potable and non-potable water not including recycled water demand
[3] Represents the "reasonably available volume" for each supply category

The Water Study and project plans indicate the project will connect to an 8-inch water line in Suva Street and a 10-inch water line in Foster Bridge Boulevard.

The project site would be developed in compliance with the California Green Building Code which implements water efficiency standards for appliances and fixtures that further reduce project water usage. For these reasons, the proposed project would not require or result in the construction of new water facilities. Impacts would be less than significant and no mitigation is required.

Wastewater

The proposed project would generate sewage which would be collected by the City's local sewer pipe system[45] and transferred to the Sanitation Districts of Los Angeles County (SDLAC) for treatment and disposal. The City's Public Works Department, through its Utilities Division, manages the City's local sewer collection system which delivers local sewage to larger sewer trunk lines managed by the SDLAC. The wastewater is then treated and discharged by SDLAC facilities.

The City is located within the jurisdictional boundaries of SDLAC District No. 2. The County operates 11 wastewater treatment facilities, 10 of which are classified as water reclamation plants. Wastewater generated by the City is treated at the Joint Water Pollution Control Plant (JWPCP) in Carson. Serving over 4.8 million residents, businesses and industries, the JWPCP currently provides primary and secondary treatment with a design capacity of 400 million gallons per day (MGD) of wastewater and currently treats an average of 260 MGD. All solids from the Joint Outfall System are processed at this plant and anaerobically digested to produce methane gas. The methane gas is then burned in the Total Energy Facility to produce enough electrical power to run the entire plant. After treatment, the effluent is chlorinated and discharged offshore through two ocean outfalls[46].

A Sewer Study prepared for the project indicated it would generate a sewage flow of 0.02 cubic feet per second (cfs) (Appendix J). These wastes can be accommodated by the existing 10-inch line in Suva Street just south of the site. In addition, the CalEEMod air quality computer model estimated the project would generate approximately 5,371 gallons of wastewater per day or 0.005 MGD (see Attachment A in Appendix J). This amount of wastewater represents much less than 0.0017% of the 260 MGD daily treatment volume of the JWPCP.

Although the proposed project would include construction of onsite water and wastewater distribution and collection facilities necessary to serve the development (i.e., pipes, valves, meters, etc.), Los Angeles Regional Water Quality Control Board wastewater treatment requirements, as well as State Water Resources Control Board Division of Drinking Water potable water treatment requirements, are more applicable to the service providers rather than the proposed project itself.

The City Public Works Department, through its Utilities Division, and the SCLAC are required to treat wastewater in accordance with federal, state and local regulations. For example, sewage generated by the proposed project would be treated in accordance with applicable waste discharge requirements prior to being discharged. Both the City of Downey and the County of Los Angeles are subject to compliance with State Water Resources Control Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended. State Water Resources Control Board Order No. 2006-0003-DWQ establishes performance criteria and effluent limitations to ensure that treated effluent discharges do not violate basin plan objectives for receiving waters. The order ensures that the City and the SDLAC properly maintain and manage sewer systems and reduce

frequency and severity of sanitary sewer overflows and their potential impacts on public health, safety, and the environment. The water and sewer fees paid by the project proponent would be used by the utility providers, at least in part, to fund projects and programs necessary to meet their regulatory obligation with respect to treatment requirements, treatment capacity, and supply reliability.

Based on the above, the potential impact with respect to wastewater treatment requirements would be less than significant and no mitigation is required.

Stormwater

Construction of the proposed project would increase the net area of impervious surfaces on the site; therefore, increased discharges to the City's existing storm drain system would likely occur. As described under Sections 4.10(a) and 4.10(c), the drainage patterns of the site would not substantially change relative to existing conditions. The existing church on the project site would be replaced with 33 condominium units and associated pavement, parking, and landscaping. If not controlled, runoff from the developed site would result in increased potential water contamination from urban pollutants that are commonly found in surface parking lots, ornamental landscape planters, and from atmospheric buildup on rooftops.

After onsite water treatment, the proposed project would drain toward Suva Street and Foster Bridge Boulevard to the City's existing storm drain system.

In accordance with the current Los Angeles Municipal NPDES permit, the project proponent would be required to prepare and comply with a Low Impact Development (LID) Plan (Appendix F) which would reduce the peak volume of stormwater runoff discharged into the City's storm drain system and would ensure that stormwater is retained onsite to the extent feasible. As such, the proposed project would not require the construction or expansion of off-site storm water drainage facilities, as the project would not contribute a substantial amount of new stormwater runoff relative to existing conditions. Impacts would be less than significant and no mitigation is required.

Electric Power

The project site would be serviced by Southern California Edison (SCE). The project site would connect to the existing power grid via existing underground lines within the Suva Street and Foster Bridge Boulevard rights-of-way. New electrical connections to the project site would be installed via underground lines. Although the project would require new electrical line tie-ins for service, it would not result in the need for new electrical substations or electrical generating facilities. SCE conditions of service would apply to the proposed project which is considered regulatory compliance and not mitigation under CEQA. Therefore, the project would have a less than significant impact on electric systems and no mitigation is required.

Natural Gas

The Southern California Gas Company (Gas Company) provides natural gas services to the project area. However, the project is proposed to be all-electric so it will have no impacts on natural gas supplies or service.

Telecommunication Facilities

The project site is supported by telecommunication services for a variety of providers. Cable and wireless telephone services are provided to the City by Verizon. Fiber optic cables and high-speed

connections for television and internet services are provided to the City by Time Warner. The project site would be required to comply with all Federal, State, and local regulations for installation and wiring of telecommunications to the project. With adherence to existing City and state Electrical, Building and Safety code requirements, the project would have a less than significant impact on telecommunications facilities and no mitigation is required.

b) Less than Significant Impact. As discussed in Section 4.18(a), the proposed project operation is anticipated to require approximately 7,164 gallons of water per day, or 8.0 AFY. The proposed project would connect to municipal water service provided by the City's Public Works Department through its Utilities Division. Water Code Section 10910-10915 requires the preparation of a water supply assessment (WSA) demonstrating sufficient water supplies for any subdivision that involves the construction of more than 500 dwelling units, or the equivalent thereof. As the project includes 33 townhouse units it is below the established thresholds, and no WSA is required. However, to better characterize the potential water use of the project, a Water Demand Study was prepared and its results are described below.

The City of Downey extracts groundwater from the Central Basin which is located in Los Angeles County, approximately 20 miles southeasterly of downtown Los Angeles. Groundwater in the Central Basin provides a substantial portion of the water supply needed by residents and industries in the overlying area. In the Central Basin Judgment of 1965 (Central Basin Judgment), the Superior Court fixed allowable withdrawals from the Central Basin at a level that was greater than the amount of water returned to the Central Basin through natural replenishment. The City was one of the original parties involved in the Central Basin Judgment and has acquired additional water rights since that time.

Additionally, the 2014 Sustainable Groundwater Management Act directed DWR to establish initial groundwater basin priorities for the basins identified and defined in DWR's Bulletin 118. DWR finalized the basin prioritization in June 2014 through the California Statewide Groundwater Elevation Monitoring (CASGEM) program. The CASGEM basin prioritization program is being used by DWR to focus resources towards implementing legislation to require all groundwater basins be monitored for seasonal and long-term groundwater elevation trends. DWR plans to evaluate the status of groundwater level monitoring in "High" or "Medium" priority groundwater basins. If DWR determines that groundwater levels in all or part of a High or Medium Priority basin are not being monitored, DWR will work cooperatively with local entities to establish a monitoring program. Compliance with DWR requirements allows the basin monitoring entities to be eligible to receive state water grants or loans.

City 2020 Urban Water Management Plan

The following is summarized from the City's 2020 UWMP which is also discussed in Section 4.19(a). The Downey Water Utilities Division of the Public Works Department is a Public Water System and is regulated by the State Water Resources Control Board. It would provide water to the proposed project. The City provides water service to an area with a 2020 population of 112,068 and is projected to have a population of 117,081 by 2045. The City's main water supply source is treated groundwater pumped from the Central Basin, and the Central Basin Municipal Water District (CBMWD) is the City's wholesale water supplier. Supplemental imported water can also be purchased from the CBMWD for emergencies in the event that system demands exceed the production capacity of the City's groundwater wells and recycled water supplies from CBMWD.

The Central Basin is one of two groundwater sub-basins in the Coastal Plain of the Los Angeles County Groundwater Basin. It is comprised of Quaternary-age sediments (less than 1.8 million years old) of gravel, sand, silt, and clay that were deposited from the erosion of nearby hills and mountains, and from

historical beaches and shallow ocean floors that covered the area in the past. Central Basin covers approximately 270 square miles and its storage capacity is approximately 13.8 million acre-feet (AF)[viii].

Drought Resiliency

State law requires UWMPs to address drought conditions based on single-year and multiple years scenarios. According to the UWMP, the City has already started to reduce its reliance on imported water supplies from 2015 to 2010. In addition, the City is projected to continue reducing its reliance on imported water supplies through 2045 (p. 1-7, UWMP 2020). The City maintains connections to imported water that can be purchased from MWD through CBMWD for emergencies. Water quality from MWD relating to supply reliability is addressed separately in MWD's 2020 Regional Urban Water Management Plan. UWMP states that the City's water supplies sources have been sufficient in meeting the City's historical water demands during an average year, a single dry year, and a five consecutive year drought (p. 7-7, UWMP 2020). In addition, Table 4.19-2 (Single Dry Year Supply and Demand Scenario*)*, and Table 4.19-3 (Multiple Dry Year Supply and Demand Scenario*)*, shows the City's water supplies will be resilient through either drought scenarios through 2045.

Table 4.19-2
Single Dry Year Supply and Demand Scenario

Supply and Demand	2025	2030	2035	2040	2045[1]
Total Supply	17,243	17,430	17,623	17,807	17,956
Total Demand	17,243	17,430	17,623	17,807	17,956
Difference	0	0	0	0	0

Source: Table 7-3, UWMP 2022

[1] UWMP lists 2045 as an "optional" calculation

Table 4.19-3
Multiple Dry Year Supply and Demand Scenario

Year	Supply/ Demand	Acre-Feet/Year				
		2025	2030	2035	2040	2045[1]
1st Year	Total Supply	18,653	18,854	19,063	19,262	19,423
	Todal Demand	18,653	18,854	19,063	19,262	19,423
	Difference	0	0	0	0	0
2nd Year	Total Supply	19,015	19,221	19,434	19,637	19,801
	Todal Demand	19,015	19,221	19,434	19,637	19,801
	Difference	0	0	0	0	0
3rd Year	Total Supply	19,086	19,293	19,506	19,710	19,875
	Todal Demand	19,086	19,293	19,506	19,710	19,875
	Difference	0	0	0	0	0
4th Year	Total Supply	17,417	17,605	17,800	17,986	18,136
	Todal Demand	17,417	17,605	17,800	17,986	18,136
	Difference	0	0	0	0	0
5th Year	Total Supply	15,366	15,532	15,704	15,868	16,000
	Todal Demand	15,366	15,532	15,704	15,868	16,000
	Difference	0	0	0	0	0

Source: Table 7-4, UWMP 2020

[viii] one AF is equivalent to 326,000 gallons

In addition to drought resilience, the UWMP explains the City's Water Shortage Contingency Plan which is a detailed approach to how the City intends to act, or respond, in the case of an actual water shortage contingency. The City will still manage water supplies to minimize the adverse impacts of water shortages. The City's plan for water usage during periods of shortage is designed to incorporate six standard water shortage levels corresponding to progressive ranges from up to a 10, 20, 30, 40, and 50 percent shortage, and greater than a 50 percent shortage. For each declared water supply shortage level, customers will be required to reduce their consumption by the percentage specified in the corresponding water supply shortage level. To augment future supplies, the City will consider groundwater storage, leased water, and imported water may be used more extensively as discussed in the UWMP.

The proposed project would also be required to pay development impact fees to offset any project impacts to existing infrastructure and fund future expansion. Further, the project site would be developed in compliance with the California Green Building Code (which implements water efficiency standards for appliances and fixtures), which would further reduce water usage. For these reasons, impacts would be considered less than significant.

c) Less than Significant Impact. As previously discussed in Section 4.18(a), the proposed project would connect to water service provided by the City's Water Utility Division and would deliver sewage into the City's sewer collection system operated and maintained by the City's Public Works Department and treated by the LACSD. Wastewater generated from the project would be treated at the Joint Water Pollution Control Plant (JWPCP). As described in Section 4.18(a) the amount of wastewater generated by the proposed project would be relatively small compared to current and would not exceed the current capacity of this wastewater plant. As such, impacts would be less than significant.

d) Less than Significant Impact. Significant impacts could occur if wastes from the proposed project would exceed the existing permitted landfill capacity or violates federal, state, and local statutes and regulations. Solid waste disposal services for the project site would be provided by Athens Services (Athens). Athens offers waste and recycling collection, green waste recycling programs, organic waste composting, special waste transportation, and transfer and materials recovery services to the City as well as many other areas in Southern California.

The project proposes 33 townhomes that could generate approximately 100 new residents. Based on the default CalEEMod solid waste generation rates, the proposed project would generate approximately 48 tons of solid waste per year (see Attachment A in Appendix A). This estimate is equal to 96,000 pounds per year, 263 pounds per day for the project, or 2.63 pounds per day per person. Solid waste generated by the proposed project would be collected by Athens and transported to a local or regional landfill operated by Waste Management under contract to Los Angeles County.

The increase in solid waste generation from implementation of the proposed project would be minimal compared to the remaining capacity of the area landfills. Regional landfills in the Los Angeles area are anticipated to have sufficient capacity to accommodate the minor increase in solid waste generation attributable to the proposed project. Locally, the Downey Area Recycling and Transfer (DART) Center, operated by Athens, is located on 6.2 acres at 9770 Washburn Road in Downey and accepts municipal waste from the City. This landfill is regulated by the U.S. Environmental Protection Agency and the applicable state laws. This facility buries trash and garbage below secured and stratified layers of dirt and isolating material – it accepts tire, solid waste, hazardous waste, and inert material waste.

According to the CalRecycle Website, the DART facility[47] currently has a daily permitted capacity of 5,000 tons per day. The project is expected to generate approximately 48 tons per year of waste which represents one percent or a negligible amount of the landfill's daily disposal rate.

Additionally, Article V, Chapter 8 (Ordinance No. 09-1252) of the Downey Municipal Code requires that 100% of inert debris and at least 50% of the remaining construction and demolition debris generated during a construction or demolition project be diverted from landfill disposal.

The City of Downey has been required to reclaim or recycle at least 50% of domestic waste since 2000 according to the California Integrated Waste Management Act of 1989. Required compliance with this regulation would reduce the project's solid waste generation once occupied.

In addition to the DART facility, the combined remaining capacities at the County's landfills would be adequate to accommodate the proposed project. For these reasons, solid waste impacts resulting from the construction and operation/occupancy of the proposed project would be considered less than significant and no mitigation is required.

e) Less than Significant Impact. The project proponent is required to comply with all local, state, and federal requirements for integrated waste management (e.g., recycling, green waste) and solid waste disposal. The project would be required to comply with the City's Recycling and Waste Handling Requirement for construction and demolition debris, which requires at least 75% of all building and demolition materials to be recycled.

Athens Services currently transports all of Downey's recycling to a Material Recovery Facility, where recyclable materials are sorted and then diverted from local landfills. The proposed residential use would not generate hazardous waste of any kind. Downey commercial and residential uses that are serviced by Athens Services are already in compliance with AB 341. Therefore, a less than significant impact would occur.

4.20 – Wildfire

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

	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?	☐	☐	☐	☑
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?	☐	☐	☐	☑

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?	☐	☐	☐	☑
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?	☐	☐	☐	☑

a) No Impact. The proposed project is located in an area that is fully developed and not considered a high fire-threat area. No native vegetation occurs on the project site, and the street trees located along Foster Bridge Boulevard and Suva Street are maintained by the City of Downey Public Works Department and therefore would not contribute significantly to fire threat. The proposed project would be served by the City of Downey Fire Department, and further supported by the Los Angeles County Fire Department under a "mutual aid" agreement should fires occur. The project site is not located within a very high or high fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). Further, the project site and surrounding area is not identified as being within or near any State Responsibility Area (SRA) on CALFIRE maps.[48] Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan and no impact would occur.

b) No Impact. As discussed above, the project site is not located within a fire hazard zone, as identified on the latest FHSZ maps prepared by CALFIRE. There are no wildland conditions in the urbanized area where the project site is located. Therefore, the project would not exacerbate wildfire risks, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impact would occur.

c) No Impact. The project site is not located within or near any State Responsibility Areas. As a result, none of the project improvements would exacerbate fire risk or would result in a temporary or ongoing impact from wildfires requiring the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact would occur.

d) No Impact. The project site is not located within or near any State Responsibility Areas. The project site is also not located in a FEMA 100-year flood floodplain. No impact would occur.

4.21 – Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable?	☐	☑	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☑	☐	☐

a) Less than Significant with Mitigation Incorporated. The proposed project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area, as discussed in Section *4.1, Aesthetics*, and would not result in excessive light or glare. The project site is located within a suburbanized area with no significant natural habitat onsite. The project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species after incorporation of Mitigation Measure BIO-1, as discussed in Section 4.4. Adverse impacts to archeological and historic resources would be less than significant with implementation of Mitigation Measures CUL-1 and TCR-1 through TCR-3. Adverse impacts to paleontological resources would be less than significant with implementation of Mitigation Measures GEO-2 through GEO-5. With the implementation of these mitigation measures, the proposed project would not have a significant adverse impact with respect to the degradation of the quality of the environment. The proposed project would not restrict the levels of fish and wildlife below sustaining levels or threaten to eliminate a plant or wildlife community. No sensitive species are known to occupy the proposed project site. No rare or endangered plants or animals are known to occur on the project site or would be removed as a result of the proposed project.

b) Less than Significant with Mitigation Incorporated. Cumulative impacts can result from the interactions of environmental changes resulting from one proposed project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public services, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long term, due to the permanent land use changes and operational

characteristics involved with the project. Cumulative impacts would be less than significant with mitigation incorporated, as further discussed herein.

Aesthetics

Impacts related to aesthetics at the project-level have no potential for cumulative impacts because impacts are limited to on-site conditions and include no component that could result in similar impacts over time or space. Therefore, no cumulative impacts related to this topic would occur.

Agricultural Resources

The analysis provided in Section 4.2 found that no individual impacts would occur; therefore, the project could not contribute considerably to local agricultural or forestry.

Air Quality

The analysis provided in Section 4.3 related to air quality (criteria pollutants) and sensitive receptors (local significance thresholds) found that impacts would be less than significant with regulatory compliance and no mitigation was required. That section also determined the project would not contribute considerably to cumulative air quality impacts in the region. The project would have no other air quality impacts.

Biological Resources

The analysis provided in Section 4.4 found that no individual impacts to sensitive species would occur with implementation of Mitigation Measure BIO-1. With mitigation, the project would not contribute considerably to regional impacts on migratory birds or any sensitive species. The project would have no other impacts on biological resources.

Cultural Resources

Loss of on-site archaeological resources could reduce or eliminate important information relevant to the County of Los Angeles and the City of Downey. In Section 4.5, impacts related to historical and archaeological resources were found to be potentially significant and require mitigation to reduce to less than significant levels. Therefore, the project could contribute considerably to significant localized cumulative impacts in this topic area. Mitigation Measures CUL-1 and TCR-1 through TCR-3 are incorporated into the project requiring evaluation of any discovered potential cultural or archaeological resources, the uniqueness of the sample, and appropriate steps to preserve or curate the artifact. This would eliminate any potential loss of important local cultural or archaeological information that may be buried under the project site. Therefore, the project would have no contribution to a cumulative loss of important local or regional archaeological knowledge.

Energy

The analysis provided in Section 4.6 related to energy found that impacts would be less than significant. Therefore, the project would not contribute to cumulative energy impacts.

Geology and Soils

Impacts related to geology at the project-level will be mitigated by Mitigation Measure GEO-1. Section 4.7 concluded the project impacts have no potential for cumulative impacts because impacts are limited to on-site conditions and include no component that could result in similar impacts over time or space. Loss of onsite paleontological resources could reduce or eliminate important information relevant to the County of Los Angeles and the City of Downey. Impacts related to paleontological resources were found to be potentially significant and require mitigation to reduce to less than significant levels. Therefore, the project could contribute considerably to significant localized cumulative impacts in this topic area. Mitigation Measures GEO-2 through GEO-5 are incorporated into the project requiring evaluation of any discovered potential paleontological resources, the uniqueness of the sample, and appropriate steps to

preserve or curate the artifact. This would eliminate any potential loss of important local cultural or paleontological information that may be buried under the project site. Therefore, the project would have no contribution to a cumulative loss of important local or regional paleontological knowledge. No other cumulative impacts related to this topic would occur.

Greenhouse Gas Emissions

As discussed in Section 4.8, climate change is the result of numerous, cumulative sources of greenhouse gas emissions all over the world. The project would not contribute considerably to global climate change.

Hazardous Materials

The analysis provided in Section 4.9(a-f) related to hazards and hazardous materials found that impacts would be less than significant with implementation of Mitigation Measure HAZ-1 to address unanticipated hazardous materials that may be found during grading, and Mitigation Measure HAZ-2 to determine if the existing church contains asbestos-containing materials or lead-based paint prior to demolition. Compliance with these measures and all applicable regulations related to the disposal and storage of household waste would ensure that impacts would be less than significant. Therefore, the project would not contribute to localized or regional cumulative impacts related to hazardous materials.

Airport Hazards

Section 4.9(g) indicates impacts related to airport hazards at the project-level have no potential for cumulative impacts because impacts are limited to on-site conditions and include no component that could result in similar impacts over time or space. Therefore, no cumulative impacts related to this topic would occur.

Wildfires

The analysis provided in Section 4.9(h) and Section 4.20 found that no individual, local, or regional impacts would occur; therefore, no cumulative impacts related to this topic would occur.

Groundwater Levels

The analysis provided in Section 4.10 (a) found that less than significant local, or regional impacts would occur; therefore, while the project would contribute to individual, localized or regional cumulative impacts, the project contribution would not be considerable.

Drainage/Water Quality

The analysis provided in Section 4.10, found that less than significant individual, local, or regional impacts would occur; therefore, while the project would contribute to individual, localized or regional cumulative impacts, the project contribution would not be considerable.

Flooding

The analysis provided in Section 4.10, found that no regional impacts would occur; therefore, no cumulative impacts related to this topic would occur.

Land Use and Planning

The analysis provided in Section 4.11 related to Land Use and Planning found that impacts would be less than significant even with implementation of a General Plan Amendment and Zone Change. While the project would contribute to incremental localized or regional cumulative impacts, the project's contribution would not be considerable.

Mineral Resources
The analysis provided in Section 4.12 related to mineral resources found that impacts there would be no impact; therefore, while the project would contribute to localized or regional cumulative impacts, the project contribution would not be considerable.

Noise
The project is not a substantial source of operational noise, as discussed in Section 4.13(a), and therefore would not contribute considerably to noise levels in the immediate vicinity of the project. The project would contribute to temporary increases in noise levels in the immediate project vicinity during construction activities, however, these would be reduced to less than significant through incorporation of Mitigation Measures NOI-1 through NOI-5. The project would increase traffic in the project area; however, project traffic-related noise would not be discernible to the public and therefore would have no considerable contribution to cumulative traffic-related noise. With mitigation incorporated, the project would not contribute considerably to regional noise impacts. The project would have no other impacts related to noise.

Population and Housing
The analysis provided in Section 4.14 related to Population and Housing found that no impacts would result; therefore, no cumulative impacts related to this topic would occur.

Public Services
The analysis provided in Section 4.15 related to Public Services found that impacts would be less than significant; therefore, while the project would contribute to localized cumulative impacts, the project contribution would not be considerable.

Recreation
The analysis provided in Section 4.16 related to Recreation found that impacts would be less than significant; therefore, while the project would contribute to localized cumulative impacts, the project contribution would not be considerable.

Traffic and Transportation
The analysis provided in Section 4.17 found impacts related to transportation to be less than significant. The project's contribution to cumulative impacts to local and regional transportation facilities would not be considerable.

Tribal Cultural Resources
Loss of on-site tribal cultural resources could reduce or eliminate important information relevant to the County of Los Angeles and the City of Downey. Section 4.18 indicates impacts related to tribal cultural resources were found to be potentially significant and require mitigation to reduce to less than significant levels. Therefore, the project could contribute considerably to significant localized cumulative impacts in this topic area. Mitigation Measures CUL-1 and TCR-1 through TCR-3 are incorporated into the project requiring evaluation of any discovered potential archaeological or tribal cultural resources, coordinating with local tribal groups for monitoring, determining the uniqueness of any resources discovered, and appropriate steps to preserve or curate the artifact. This would eliminate any potential loss of important local archaeological or tribal cultural information that may be buried under the project site; therefore, the project would have no contribution to a cumulative loss of important local or regional archaeological or tribal cultural knowledge.

Utilities and Service Systems
The analysis provided in Section 4.19 related to Utilities and Service Systems found that impacts would be less than significant; therefore, while the project would contribute to localized or regional cumulative impacts, the project contribution would not be considerable.

Wildfire
The analysis provided in Section 4.20 related to wildfire found that impacts would not occur. Therefore, the project would not contribute to local or regional cumulative impacts.

c) Less than Significant with Mitigation Incorporated. Based on the analysis of the project's impacts in the responses to items 4.1 through 4.20, there is no indication that this project would result in substantial adverse effects on human beings. Section 4.9, *Hazards and Hazardous Materials*, recommended Mitigation Measure HAZ-1 to address unanticipated hazardous materials that may be found during grading, and Mitigation Measure HAZ-2 to determine if the existing church contains asbestos-containing materials or lead-based paint prior to demolition. In addition, Section 4.13, *Noise*, recommended Mitigation Measures NOI-1 through NOI-5 to preclude any significant noise impacts during project construction**.** The analysis herein concludes that direct and indirect environmental effects on humans would be less than significant with implementation of the recommended mitigation measures and regulatory compliance.

5 Mitigation Summary

Aesthetics

AES-1 **Enhanced Landscaping.** Prior to issuance of the first occupancy permit, the developer shall install enhanced landscaping along the northern boundary of the site. Its purpose is to substantially block views and lighting from the project site onto the residence at 7336 Foster Bridge Boulevard just north of the site. The design and location of this enhanced landscaping, primarily trees, shall be the responsibility of the City Planning Department.

Biological Resources

BIO-1 **Nesting Bird Survey.** To the extent feasible, construction activities shall be scheduled to avoid the nesting season. If construction activities are scheduled to take place during the nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code must be avoided. The nesting season for most birds in Los Angeles County extends from February 1 through September 1.

If it is not possible to schedule construction activities between September 1 and January 31, then a pre-construction survey for nesting birds will be conducted by a qualified biologist to ensure that no nests would be disturbed during project implementation. This survey will be conducted no more than 5 days prior to the initiation of any site disturbance activities and equipment mobilization, including tree, shrub, or vegetation removal, fence installation, grading, etc. If project activities are delayed by more than 5 days, an additional nesting bird survey will be performed. During this survey, the biologist will inspect all trees and other potential nesting habitats (e.g., trees and shrubs) in and immediately adjacent to the impact area for nests. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the survey(s) will be documented.

If an active nest is found sufficiently close to work areas to be disturbed by these activities, the qualified biologist will determine the extent of a construction-free buffer zone to be established around the nest (typically up to 300 feet for raptors and up to 100 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code will be disturbed during project implementation. Within the buffer zone, no site disturbance and mobilization of heavy equipment, including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading will be permitted until the chicks have fledged.

A qualified biologist is an individual who has a degree in biological sciences or related resource management with a minimum of two seasonal years post-degree experience conducting surveys for nesting birds. During or following academic training, the qualified biologist will have achieved a high level of professional experience and knowledge in biological sciences and special-status species identification, ecology, and habitat requirements.

Cultural Resources

CUL-1 **Unanticipated Resources.** In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities of the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the California Environmental Quality Act (CEQA: 14 CCR 15064.5(f): PRC Section 21083.2), the archaeologist may simply record the find and allow work to continue. However, if the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.

Geology/Soils/Paleontological Resources

GEO-1 **Supplemental Geotechnical Report.** Prior to issuance of a grading permit, the project proponent shall retain a qualified geotechnical consultant to prepare a supplemental geotechnical investigation as recommended by the "Geotechnical Due-Diligence Investigation" prepared by Albus & Associates, Inc. dated February 6, 2023. The supplemental report shall be certified by the City Engineer as adequate for the purposes of design, permitting, and construction.

GEO-2 **Conduct Paleontological Sensitivity Training for Construction Personnel.** If excavation below 6' is required, the project proponent must retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to conduct a Paleontological Sensitivity Training for construction personnel before commencement of excavation activities. The training would include a handout and would focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources; and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary.

GEO-3 **Conduct Periodic Paleontological Spot Checks During Grading and Earth-Moving Activities.** If excavation below 6' is required, the project proponent must retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to conduct periodic Paleontological Spot Checks beginning at depths below six feet from the surface to determine if construction excavations extend into older Quaternary deposits. After the initial Paleontological Spot Check, further periodic checks would be conducted at the discretion of the qualified paleontologist. If the qualified paleontologist determines that construction excavations have extended into the older Quaternary deposits, construction monitoring for Paleontological Resources are required. The project proponent must retain a qualified paleontological monitor, who would work under the guidance and direction of a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor must be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into the older Pleistocene alluvial deposits. Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring is based on the rate of excavation and grading activities, proximity to known paleontological resources and/or unique geological features, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the

abundance and type of paleontological resources and/or unique geological features encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional paleontologist. Monitoring shall terminate when grading and trenching activities on the site have been completed.

GEO-4 **Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered.** In the event that paleontological resources and or unique geological features are unearthed during ground-disturbing activities, the paleontological monitor may halt or divert work away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet must be established around the find where construction activities are not allowed to continue until an appropriate paleontological treatment plan is approved by the project proponent and the City. Work is allowed to continue outside of the buffer area. The project proponent and City would coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor would assist in removing rock samples for initial processing.

GEO-5 **Prepare Report Upon Completion of Monitoring Services.** If paleontological resources are found, upon completion of the activities identified under Mitigation Measure GEO-4, the professional paleontologist would prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, and a description of the fossils collected and their significance. The report would be submitted to the project proponent, the City, the Natural History Museums of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

Hazards/Hazardous Materials

HAZ-1 **Inadvertent Hazmat Discovery.** Prior to issuance of a grading permit, the project proponent shall retain a qualified environmental professional (QEP) experienced with remediating hazardous materials from infill urban construction sites. The QEP must be on-call and summoned to the site immediately if any potentially hazardous materials are found during grading. Grading must be halted within 100 feet of an area that appears to contain hazardous materials. The QEP will halt grading as necessary to effectively identify the potential contaminated materials, including directing any sampling and laboratory testing that may be required.

If soils are found to be contaminated at levels that are only slightly in excess of applicable residential standards, the QEP shall exercise professional discretion and have the option to coordinate with the grading contractor and developer to either remove contaminated soil and/or mix the contaminated soil with clean soil from either onsite or offsite to dilute any contaminants to below applicable exposure standards for residential development.

Remediated areas must be retested to assure potential contaminant levels are below applicable residential standards. The results of any testing shall be provided to the City or other agencies as appropriate and no further action is needed. Any contaminated soil that must be removed from the site shall be done by a licensed contractor and hauled to

a landfill approved for such materials. This measure shall be implemented to the satisfaction of the City Community Development Department.

HAZ-2 **ACMs and LBP Survey.** Prior to demolition of any structures on the project site, the developer shall retain qualified licensed environmental contractor(s) to survey the existing onsite church building and any related structures for asbestos-containing materials (ACMs) and Lead-Based Paints (LBPs). If the survey finds the presence of any ACMs or LBPs on the site, the contractor(s) shall follow all relevant guidance from affected regulatory agencies (e.g., CalEPA, SCAQMD, DTSC, County Health Department, etc.) in terms of safe removal and disposal of the contaminated materials as appropriate. The contractor(s) shall prepare and submit a final report to the City Community Development Department within 30 days after completion of demolition/removal for ACMs and LBPs on the project site.

Noise

NOI-1 **Notify Residential Land Uses of Planned Construction Activities.** This notice shall be provided at least two (2) weeks prior to the start of any construction activities, describe the noise control measures to be implemented by the project, and include the name and phone number of the designated contact for the project proponent and the City of Downey responsible for handling construction-related noise complaints (per MM NOI-5). This notice shall be provided to the owner/occupants of residential dwelling units within 500 feet of construction work areas.

NOI-2 **Restrict Work Hours.** All construction-related work activities, including material deliveries, shall be subject to the requirements of City Municipal Code Section 4.50.100. Construction activities, including deliveries, shall occur only during the hours of 7 AM to 7 PM Monday to Friday and 9 AM to 6 PM on Saturday. No construction is to occur on Sunday and holidays. The project proponent representative and/or its contractor shall post a sign at all entrances to the construction site informing contractors, subcontractors, other workers, etc. of this requirement.

NOI-3 **Construction Equipment Selection, Use, and Noise Control Measures.** The following measures shall apply to construction equipment used at the project site:

a. Contractors shall use the smallest size equipment capable of safely completing work activities.

b. Construction staging shall occur as far away from residential land uses as possible given site and active work constraints.

c. Electric hook-ups shall be provided for stationary equipment (e.g., pumps, compressors, welding sets). If it is not feasible to provide an electric hook-up, the project proponent shall ensure mitigation measures 3a and 3d are implemented.

d. All stationary noise generating equipment shall be shielded and located as far as possible from residential land uses given site and active work constraints. Shielding may consist of existing vacant structures or a three-or four-sided enclosure provided the structure/enclosure breaks the line of sight between the equipment and the receptor and provides for proper ventilation and equipment operation.

e. Heavy equipment engines shall be equipped with standard noise suppression devices such as mufflers, engine covers, and engine/mechanical isolators,

mounts, and be maintained in accordance with manufacturer's recommendations during active construction activities.

f. Pneumatic tools shall include a suppression device on the compressed air exhaust.

g. No radios or other amplified sound devices shall be audible beyond the property line of the construction site.

NOI-4 **Implement Construction Activity Noise Control Measures.** The following measures shall apply to project construction activities:

a. Demolition: Activities shall be sequenced to take advantage of existing shielding/noise reduction provided by existing buildings or parts of buildings and methods that minimize noise and vibration, such as sawing concrete blocks, prohibiting on-site hydraulic breakers, crushing or other pulverization activities, shall be employed during project construction.

b. Demolition, Site Preparation, Grading, and Foundation Work: During all demolition, site preparation, grading, and structure foundation work activities, a physical noise barrier shall be installed and maintained around the site perimeter to the maximum extent feasible given site constraints and access requirements. The noise barrier shall extend to a height of eight (8) feet above grade. Potential barrier options capable of reducing construction noise levels could include, but are not limited to:

   i. A concrete, wood, or other barrier installed at-grade (or mounted to structures located at-grade, such as a K-Rail), and consisting of a solid material (i.e., free of openings or gaps other than weep holes) that has a minimum rated transmission loss value of 20 dB.

   ii. Commercially available acoustic panels or other products such as acoustic barrier blankets that have a minimum sound transmission class (STC) or transmission loss value of 20 dB.

   iii. Any combination of noise barriers and commercial products capable of achieving required construction noise reductions during demolition, site preparation, grading, and structure foundation work activities.

   iv. The noise barrier may be removed following the completion of building foundation work (i.e., it is not necessary once framing and typical vertical building construction begins provided no other grading, foundation, etc. work is still occurring on-site).

NOI-5 **Prepare a Construction Noise Complaint Plan.** The project proponent shall prepare a Construction Noise Complaint Plan that shall:

a. Identify the name and/or title and contact information (including phone number and email) for a designated project and City representative responsible for addressing construction-related noise issues.

b. Includes procedures describing how the designated project representative will receive, respond, and resolve construction noise complaints.

c. At a minimum, upon receipt of a noise complaint, the project representative shall notify the City contact, identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint.

Tribal Cultural Resources

TCR-1 **Tribal Monitor.** The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

TCR-2 **Unanticipated Discoveries.** Upon discovery of any Tribal Cultural Resources (TCRs), all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3 **Human Remains.** Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human

remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

6 References

6.1 List of Preparers

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6.2 Persons and Organizations Consulted

- N/A

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