Draft

DOWNTOWN DOWNEY SPECIFIC PLAN

Environmental Impact Report
State Clearinghouse No. 2010051008

Prepared for
Hogle-Ireland, Inc.

July 2010

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED DOWNTOWN DOWNEY SPECIFIC PLAN

Project Title: Downtown Downey Specific Plan

Purpose of the Notice of Availability: This Notice of Availability of a Draft Environmental Impact Report (Draft EIR) has been prepared for the proposed Downtown Downey Specific Plan, which encompasses approximately 131 acres (including rights-of-way) of downtown Downey. The Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended through the Public Resources Code, Section 21000 et seq., and the State *CEQA Guidelines*, California Code of Regulations, Section 15000, *et seq*. This Notice of Availability is intended to inform all responsible agencies, trustee agencies, interested parties, and organizations of the availability of the Draft EIR for public review and comment.

Project Description: The primary objective of the Downtown Downey Specific Plan (the proposed Project) is to guide the growth and development of the 131-acre planning area, encourage economic revitalization and create a lively and livable pedestrian-oriented, mixed-used downtown that serves as an residential area, a place of employment and entertainment destination.

The Specific Plan proposes a planning area that will be divided into five (5) land use districts that focus on specific kinds of development based on location, existing uses and/or complementary uses. The five districts, each with its own development and design standards, will together achieve a mix of 60 percent commercial and 40 percent residential uses. The districts include the Paramount Boulevard Professional District, the Downtown Residential District, the Downtown Core District, the Civic Center District, and the Firestone Boulevard Gateway District.

The proposed maximum development potential for each district is discussed in the Draft EIR. Land uses contemplated for each district are consistent with uses considered consistent in downtown areas. Specific details are provided in the Draft EIR and in Appendix 3 of the Draft EIR, which is a copy of the proposed Draft Downtown Specific Plan.

Project Location:

The approximately 131-acre planning area (85 acres excluding rights-of-way) that is bounded by:

Northerly Boundary: Various east/west street segments that stretch from Paramount Boulevard to Brookshire Avenue that include sections of 4th 5th and 7th Streets;

Easterly Boundary: Westerly side of Brookshire Avenue;

Southerly Boundary: Union Pacific Railway line; and

Westerly Boundary: Easterly side of Paramount Boulevard, except for the site of the Rives Mansion, located at the northwest corner of Paramount Boulevard and 3rd Street.

Significant Environmental Impacts:

The Draft EIR addresses 16 environmental topics and determined the following:

Environmental Topic	Significance under CEQA
Aesthetics	Less than Significant with Mitigation Incorporated
Agriculture and Forestry Resources	No Impact
Air Quality	Significant and Unavoidable Impacts During Construction, Long-Term Operations and on a Cumulatively
Biological Resources	Less than Significant with Mitigation Incorporated
Cultural Resources	Less than Significant with Mitigation Incorporated
Geology and Soils	Less than Significant
Greenhouse Gas Emissions	Significant and Unavoidable Impacts During Project Construction and Its Long-Term Operations.
Hazards and Hazardous Materials	Less than Significant with Mitigation Incorporated
Hydrology and Water Quality	Less than Significant
Land Use and Planning	Less than Significant
Mineral Resources	No Impact
Noise	Cumulatively Significant and Unavoidable Impact along the section of Paramount Blvd. south of 3rd Street
Population and Housing	Less than Significant
Public Services / Recreation (two topics considered together)	Less than Significant with Mitigation Incorporated
Transportation/Traffic and Circulation	Significant and Unavoidable Impacts to the Intersections at Downey Ave./2nd St. and Firestone Blvd./Paramount Blvd.
Utilities and Service Systems	Less than Significant with Mitigation Incorporated

Hazardous Waste

The project site does not contain any hazardous materials dump sites, or land designated as hazardous waste material property, or hazardous waste facilities. The Specific Plan area includes two LUST (leaking underground storage tank) sites.

Public Review Period:

Due to time limitations mandated by State law, comments on the Draft EIR must be sent at the earliest possible date, but not later than 45 days after receipt of this notice. The public comment period on the Draft EIR will begin on **July 15, 2010 and end at the close of business on August 30, 2010**. **All written comments must be submitted in writing on or before the end of the public comment period in order to be addressed and included in the Final EIR**. Written comments on the Draft EIR therefore should be submitted no later than 5:00 PM on August 30, 2010 to:

Mark Sellheim
City of Downey Planning Division
11111 Brookshire Avenue
Downey, CA 90241
Telephone: (562) 904-7154
Fax: (562) 904-7135
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Public Hearing Information:

A public hearing before the Planning Commission is scheduled to be held on the proposed Downtown Specific Plan and its Draft EIR on September 15, 2010. The hearing will begin at 6:30 PM and be held in the Council Chambers of Downey City Hall, located at 11111 Brookshire Avenue, Downey, California.

Location of Copies of the Draft EIR:

Copies of the Draft EIR will be available for review starting on July 15, 2010 at the following locations. A copy will also be posted on the City's website at http://www.downeyca.org.

City of Downey Planning Division
11111 Brookshire Avenue
Downey, CA 90241
Hours: Monday through Friday, 7:30 AM to 5:30 PM

City of Downey Public Library, Reference Section
11121 Brookshire Avenue
Downey, CA 90241-7015
Hours: Monday through Thursday, 10 AM to 9 PM
Friday and Saturday, 10 AM to 5 PM
Sunday, 1 PM to 5 PM

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EXECUTIVE SUMMARY

ES.1 Introduction

This chapter provides a brief summary of the Downtown Downey Specific Plan Draft Environmental Impact Report (Draft EIR). This summary outlines the proposed project, which is the adoption and implementation of the Downtown Downey Specific Plan. This chapter also provides a summary table of all potential impacts and mitigation measures.

This Draft EIR has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and the *CEQA Guidelines* (14 California Code of Regulations [CCR] Section 15000 et seq.). As stated in Section 15123(a) of the *CEQA Guidelines*, "*[a]n EIR shall contain a brief summary of the proposed action and its consequences. The language of the summary should be as clear and simple as reasonably practical*."

ES.2 Background

Downey's downtown is located in the center of the city, nearly equidistant from the San Gabriel River and Rio Hondo, and within a few blocks of SR 19 to the east. The project site, which encompasses much of the original downtown, and surrounding areas, is roughly bound by:

North: Various street-segments between Paramount Boulevard and Brookshire Avenue, including segments of Seventh, Fifth and Fourth streets, and mid-block southern property lines on blocks in between;

South: The southern edge of the right-of way for the Union Pacific Railroad tracks;

East: Brookshire Avenue; and

West: The eastern side of Paramount Boulevard, with the exception of the Rives Mansion located on the western side of Paramount Boulevard, between Third and Fourth Place.

Over the years, Downey's downtown has played a central part in its history. Facing decline in the 1960s, redevelopment of the downtown continues to be one of Downey's highest priorities. In May, 2001, the City adopted the *Downtown Plan for Downey's Historic*

Downtown District, intending to "create a distinct area within Downey's historic central business district" that would "bring people back to downtown, providing interesting and entertaining elements for the area drawing people to shop, eat and attend entertainment events" (Downtown Plan, 2000). This "plan" was a zoning amendment that created the Downtown Overlay Zone. All existing zoning became the underlying zoning. The Downtown Overlay Zone established permitted uses, development and parking standards, signage standards, and standards for outdoor dining and vending machines/newspaper racks.

In 2005, the Downey General Plan was updated and includes goals and objectives that address downtown development. These include goals related to increasing the night time pedestrian population in downtown through housing; and promotion of the downtown as a destination for entertainment, dining, civic activities and other activities. The updated General Plan continued the 1992 land use designation for the downtown, which is *Mixed Use*.

In 2009, the City of Downey issued a Request for Proposals (RFP) for a Specific Plan for the Downtown Downey area to implement the General Plan policies related to downtown. In the RFP, the City stated that it wanted to meet the following objectives:

- Mixed Use – The downtown area should be a mixed use environment with a variety of residential and commercial uses.
- Livable Community – The downtown should be consistent with livable community standards that encourage residents to walk to destinations within downtown; as well as, encourage all visitors to park once and walk to various destinations.
- Sense of Place – The Downtown Downey Specific Plan should incorporate elements necessary to instill a sense of place within the downtown area. This should include signs in the public right of way, public art, public spaces, and design standards [for] the streetscape.

The City stated that development standards should "facilitate high quality development" through its development, uses, sign program, public spaces, public art, streetscapes, architectural guidelines, and objectives for downtown.

ES.3 Project Description

Proposed Project

The proposed project is the adoption and implementation of the Downtown Downey Specific Plan that would encourage and guide development in Downey's downtown area. The Specific Plan anticipates full build-out by 2025 and a mix of development that would result in 40 percent residential use and 60 percent commercial use. The Specific Plan would establish five districts in the approximately 85-acre Downey downtown area and intensify residential uses by 79 percent and commercial uses by 58 percent in the downtown. The project would also expand the boundaries of what is now considered the downtown area. Maximum development to 2025 is

envisioned to add approximately 735 new dwelling units, and slightly over 1.3 million square feet of new commercial development spread across five districts. The five districts consist of the:

- Paramount Boulevard Professional District;
- Downtown Residential District;
- Downtown Core District;
- Civic Center District; and
- Firestone Boulevard Gateway District.

Each district within the downtown would, as part of the Specific Plan, have its own set of permitted and conditionally permitted uses, densities, maximum building height, setbacks, and lot coverage requirements. The proposed Specific Plan would meet goals and objectives in the General Plan related to promoting housing projects and mixed use projects that include housing within areas designated for the downtown area; developing downtown Downey as a destination point for entertainment, dining, civic and other activities; promoting mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles; generating nighttime pedestrian traffic in the downtown; and providing dining opportunities within walking distances of employment centers.

As required by California State law, the Specific Plan includes the following sections:

- A description of land use districts with a land use plan for each district;
- Urban design standards and guidelines;
- A mobility plan;
- A parking plan;
- An infrastructure plan; and
- A plan for implementation and administration of the Specific Plan.

Project Approvals

The proposed Specific Plan would require the following discretionary approvals:

- Approval of the Water Supply Assessment by the City Council;
- Certification of this Environmental Impact Report by the City Council;
- Approval of the Specific Plan by the City Council;
- Approval of a change regarding the General Plan land use designation for the Rives Mansion site to Mixed Use and the shuttered Gallatin Medical Center to Mixed Use; and
- Approval of an amendment to the General Plan in the Specific Plan area to reflect the proposed density ranges in the Specific Plan.

Additional discretionary approvals will be required by development proposed by the Specific Plan. These approvals include conditional use permits, site plan review approval, and other discretionary actions.

ES.4 Environmental Impacts and Mitigation Measures

A detailed discussion of existing environmental conditions, environmental impacts and recommended mitigation measures is included in Chapter 3.0, *Environmental Setting, Impacts and Mitigation Measures*, of this Draft EIR. Project impacts, recommended mitigation measures, and level of significance after mitigation are summarized in Table ES-1, located at the end of this chapter. This table lists impacts and mitigation measures for each issue area.

ES.5 Alternatives

CEQA requires that "*An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basics objectives of the project, but would avoid or substantially lessen any of the significant effects of the project*…." (*CEQA Guidelines* Section 15126.6(a)). The following alternatives are described and evaluated in Chapter 6.0, *Alternatives*, of this Draft EIR and summarized below:

Alternative 1 - No Project (No Build) Alternative: Under Alternative 1 or the No Project (No Build) Alternative, no expansion or additional development would occur. The existing Downtown Overlay Zone area would remain "as-is" with no improvements and no other new development other than changes related to normal repairs and maintenance. As a result, Alternative 1 would replicate the continuance of existing conditions in the Specific Plan area.

Alternative 2 – No Project (Build) Alternative: Alternative 2 or the No Project (Build) Alternative would continue existing policies and regulations for the Specific Plan area; and development would continue under existing regulations. The Downtown would continue to be defined by the Downtown Plan and would not include the proposed Civic Center District nor the parts of the proposed Paramount Boulevard Professional District. Portions of these areas would be subject to C-P, C-1, C-2 and C-3 zoning. Some areas would be within the Downtown Plan Overlay, which includes height restrictions and use restrictions.

Alternative 3 – 50 Percent Residential / 50 Percent Commercial Alternative: Alternative 3 would use the 50 percent residential, 50 percent commercial approach to development in the Specific Plan area. This approach would establish a goal of 1,423 net new dwelling units in the Specific Plan area, and approximately 777,408 square feet of net new commercial space, for a total of 1,620 residential units and 2.6 million square feet of commercial space. (The proposed Specific Plan establishes a goal of 735 net new dwelling units and approximately 1.3 million square feet of net new commercial space.) Alternative 3 would result in a goal of 189 net new dwelling units in the Paramount Boulevard Professional District, 80 new dwelling units in the Downtown Residential District, 165 net new dwelling units in the Downtown Core, and 989 net new dwellings in the Firestone Boulevard Gateway District. (No new units would be proposed for the Civic Center District.) Most of the commercial development would take place in the Firestone Boulevard Gateway District, where approximately 873,470 net new square feet (for a total of 1.7 million square feet of commercial space in the Firestone Boulevard Gateway District), or

approximately two-thirds of anticipated commercial development under Alternative 3, has been targeted.

This would be the only change to the Specific Plan. All other guidelines and requirements under the Specific Plan would remain the same, including design guidelines, proposed densities and floor-to-area ratios, and proposed building heights.

In addition, the Draft EIR is required to identify an Environmentally Superior alternative. Because neither the No Project (No Build) Alternative nor the No Project (Build) Alternative can be the Environmentally Superior Alternative under CEQA, the Environmentally Superior Alternative would be Alternative 3 (the 50 Percent Residential / 50 Percent Commercial Alternative). Alternative 3 would result in similar long-term effects to traffic although residents would be able to use nearby neighborhood services and transit. Alternative 3 would, however, result in fewer employment opportunities and more proposed residential use in a sluggish housing market. Alternative 3 would not maximize employment opportunities and would result in a reduction in the jobs-to-housing ratio.

TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
3.1 Land Use and Planning		
LU-1: The proposed project could physically divide an established community.	None required.	Less than significant.
LU-2: The proposed project could potentially conflict with any applicable land use plan, policy or regulation of an agency over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental impact.	**Measure LU-1:** The City of Downey shall, in conjunction with the approval of the proposed Specific Plan, amend the General Plan so that the entire planning area is designated as Mixed Use and change the residential density ranges of the planning area are changes to reflect those in the proposed Specific Plan.	Less than significant.
3.2 Population and Housing		
POP-1: The proposed project could induce substantial population growth in the City of Downey, either directly (by proposing new homes and businesses) or indirectly (for example, through extension of infrastructure).	None required.	Less than significant.
POP-2: The proposed project could displace existing housing, necessitating the construction of replacement housing elsewhere.	**Measure POP-1:** Provide relocation assistance to households and businesses consistent with the requirements of the California Relocation Assistance Act of 1970 (Govt. Code § 7260 et seq.), the State Relocation Guidelines (25 Cal. Code Regs § 6000, et seq.), and the California Redevelopment Law (Health & Safety Code § 33410 et seq.), as applicable. Provide replacement of any units removed as a result of the project that were formerly occupied by very low-, low- or moderate-income households, consistent with the California Redevelopment Law (Health & Safety Code § 33413).	Less than significant.
POP-3: The proposed project could displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	**Measure POP-2:** Implement Mitigation Measure POP-1.	Less than significant.
3.3 Traffic and Circulation		
TRAF-1: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	**Mitigation Measure TRAF-1:** The proposed Specific Plan shall implement a program for monitoring conditions at the following intersections: • Paramount Boulevard at Firestone Boulevard; • Downey Avenue at 2nd Street; and • Downey Avenue at Firestone Boulevard. Should conditions continue to deteriorate at these intersections, the program shall fund alternative improvements, such as	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	Transportation Systems Management (traffic signal coordination, traffic incident management, etc.), Transportation Demand Management (ridesharing, transit information kiosks, etc.), or improvements to the infrastructure for alternative modes of transport (walking, bicycling, NEVs). **Measure TRAF-2:** All new development within the Specific Plan area shall be required to conform to the City's traffic standards.	
TRAF-2: The proposed project could conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	**Measure TRAF-3:** Implement Mitigation Measure TRAF-2.	Less than significant.
TRAF-3: The proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	None required.	No impact.
TRAF-4: The proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	None required.	Less than significant.
TRAF-5: The proposed project would not result in inadequate emergency access.	None required.	Less than significant.
TRAF-6: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	None required.	Less than significant.
3.4 Air Quality		
AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan.	None required.	Less than significant.
AIR-2: Project construction could violate air quality standards or contribute substantially to an existing or projected air quality violation during the short-term duration of construction.	**AIR-2a:** The City shall ensure that a fugitive dust control program is implemented pursuant to the provision of SCAQMD Rule 403 for all new development. **AIR-2b:** Prior to grading and construction, the developer/applicant shall be responsible for compliance with the following: A. During clearing, grading, earth moving, or excavation, maintain equipment engines in proper tune. B. After clearing, grading, earth moving, or excavation:	Significant and unavoidable.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	1. Wet the area down, sufficient enough to form a crust on the surface with repeated soakings, as necessary, to maintain the crust and prevent dust pick up by the wind. 2. Spread soil binders. 3. Implement street sweeping as necessary. C. During construction: 1. Use water trucks or sprinkler systems to keep all areas where vehicles move damp enough to prevent dust raised when leaving the site. 2. Wet down areas in the late morning and after work is completed for the day. 3. Use low sulfur fuel (0.05 percent by weight) for construction equipment. 4. Discontinue construction during second stage smog alerts. **AIR-2c:** Prior to grading and construction, the developer/applicant shall be responsible for compliance with the following: A. Require a phased schedule for construction activities to minimize daily emissions. B. Schedule activities to minimize the amount of exposed excavated soil during and after the end of work periods. C. Treat unattended construction areas with water (disturbed lands which have been, or are expected to be, unused for four or more consecutive days). D. Require the planting of vegetative ground cover as soon as possible on construction sites. E. Install vehicle wheel-washers before the roadway entrance at construction sites. F. Wash off trucks leaving the site. G. Require all trucks hauling dirt, sand, soil, or other loose substances and building materials to be covered, or to maintain a minimum freeboard of two feet between the top of the load and the top of the truck bed sides.	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	H. Use vegetative stabilization, whenever possible, to control soil erosion from stormwater, especially on super pads. I. Require enclosures or chemical stabilization of open storage piles of sand, dirt, or other aggregate materials. J. Control off-road vehicle travel by posting driving speed limits on these roads, consistent with City standards. K. Use electricity from power poles rather than temporary diesel or gasoline power generators. **AIR-2d:** Prior to issuance of grading permits, the developer/applicant shall be responsible for assuring that construction vehicles are equipped with proper emission control equipment to substantially reduce emissions. **AIR-2e:** Prior to issuance of grading permits, the developer/applicant shall be responsible for the incorporation of measures to reduce construction related traffic congestion into the project grading permit. Measures, subject to the approval and verification by the Building and Safety Division, shall include, as appropriate: A. Provision of rideshare incentives. B. Provision of transit incentives for construction personnel. C. Configuration of construction parking to minimize traffic interference. D. Measures to minimize obstruction of through traffic lanes. **E.** Use of a flagman to guide traffic when deemed necessary.	
AIR-3: Project operations could violate air quality standards or contribute substantially to an existing or projected air quality violation during long-term operations.	**AIR-3a:** Construct on-site or off-site bus turnouts, passenger benches, and shelters. **AIR-3b:** Coordinate traffic lights on streets impacted by development. **AIR-3e:** Set up resident worker training programs to improve job/housing balance.	Significant and unavoidable.
AIR-4: The proposed project would not create objectionable odors affecting a substantial amount of people.	None required	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
AIR-5: Increased localized carbon monoxide would be generated from vehicular traffic during operation.	None required.	Less than significant.
AIR-6: Air pollutant emissions associated with the project would result in an adverse cumulative impact to air quality.	No additional feasible mitigation measures.	Significant and unavoidable.
3.5 Greenhouse Gases and Global Warming		
GHG-1: Construction and implementation of the project could result in a cumulatively considerable increase in GHG emissions. The project would not potentially conflict with the state goal of reducing GHG emissions in California to 1990 levels by 2020, as set forth by the timetable established in AB 32, California Global Warming Solutions Act of 2006.	**GHG-1:** The applicant shall require implementation of all feasible energy efficiency and GHG reduction measures, including but not limited to the following where practicable: **Energy Efficiency** • Design buildings to be energy efficient. • Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings. • Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use. • Install light colored “cool” roofs, cool pavements. • Provide information on energy management services for large energy users. • Install energy efficient heating and cooling systems, appliances and equipment, and control systems. • Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting. • Limit the hours of operation of outdoor lighting. • Provide education on energy efficiency. **Renewable Energy** • Install solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives. • Install solar panels on carports and over parking areas. • Use combined heat and power in appropriate applications.	Significant and unavoidable.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	Water Conservation and Efficiency • Create water-efficient landscapes. • Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. • Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water. • Design buildings to be water-efficient. Install water-efficient fixtures and appliances. • Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. • Restrict the use of water for cleaning outdoor surfaces and vehicles. • Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.) • Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project. • Provide education about water conservation and available programs and incentives. **Solid Waste Measures** • Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). • Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. • Provide education and publicity about reducing waste and available recycling services.	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	Land Use Measures • Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods. • Educate the public about the benefits of well-designed, higher density development. • Incorporate public transit into project design. • Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio. • Develop “brownfields” and other underused or defunct properties near existing public transportation and jobs. • Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking. **Transportation and Motor Vehicles** • Limit idling time for commercial vehicles, including delivery and construction vehicles. • Promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides). • Encourage the development of acilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). • Provide public transit incentives such as free or low-cost monthly transit passes. • Promote “least polluting” ways to connect people and goods to their destinations. • Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	• Incorporate bicycle-friendly intersections into street design. • For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking. • Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points. • Institute a telecommute and/or flexible work hours program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences. • Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.	
3.6 Noise		
NOI-1: Project construction could expose persons to or generate noise levels in excess of standards.	**Measure NOI-1a:** Applicants/developers shall be required to secure a construction permit for exemption of the noise standards (Section 4606.5) prior to project implementation. **Measure NOI-1b:** As specified in City of Downey Ordinance No. 4606, no construction will occur between the hours of 9:00 pm and 7:00 am. **Measure NOI-1c:** All construction equipment shall use properly operating mufflers. **Measure NOI-1d:** All construction staging shall be performed as far as possible from occupied dwellings. **Measure NOI-1e:** Signs shall be posted at all construction sites within the Specific Plan area that include permitted construction days and hours, a contact number for the job site, and a contact number for the City of Downey Building and Safety Department, in the event daytime noise exceeds 85dBA across any property boundary. In that event the standard is exceeded, the City shall place a limit on the number of noisy pieces of equipment used at one time so that the noise level is reduced to the permissible level.	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
NOI-2: Operation of the project could expose persons to or generate noise levels in excess of standards established in the local general plans or noise ordinances, or applicable standards of other agencies.	**Measure NOI-2a:** Building equipment (e.g., HVAC units) shall be located away from nearby residences, on building rooftops, and properly shielded by either the rooftop parapet or within an enclosure that effectively blocks the line of site of the source from the nearest receptors. The resultant HVAC noise level shall not exceed 45 dBA at the nearest receptors. **Measure NOI-2b:** In order to avoid noise-sensitive hours, commercial and retail land uses shall prohibit loading and unloading activities between the night time hours of 10:00 PM and 7:00 AM. **Measure NOI-2c:** To further address the nuisance impact of loading dock/truck delivery noise, commercial and retail uses shall locate all loading areas for commercial and retail uses at the rear or sides of buildings within the commercial and mixed-use districts, where noise can be directed away from residential uses within the mixed use areas of the project.	Less than significant.
NOI-3: Traffic associated with operation of the proposed project could result in a significant increase in ambient noise levels on nearby roadways.	None required.	Less than significant.
NOI-4: The proposed project, together with anticipated future development could result in long-term traffic increases that could cumulatively increase noise levels.	None feasible.	Significant and unavoidable.
3.7 Aesthetics		
AES-1: The proposed project could have a substantial adverse effect on a scenic vista.	None required.	No impact.
AES-2: The proposed project could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	None required.	No impact.
AES-3: The proposed Specific Plan could degrade the existing visual character or quality of the site and its surroundings.	None required.	Less than significant.
AES-4: The proposed Specific Plan would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.	**AES-1:** The City shall ensure that the Specific Plan requires the minimal glare provisions set forth in the existing Downtown Plan.	Less than significant
AES-5: The proposed Specific Plan could result in cumulatively and substantially adverse aesthetic impacts**.**	**AES-2:** Implement Mitigation Measure AES-1.	Less than significant

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
3.8 Cultural Resources		
CUL-1: Implementation of the Specific Plan could adversely affect recorded historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to the historical setting.	**Measure CUL-1:** Implement Mitigation Measure CUL-2a.	Less than significant.
CUL-2: Implementation of the Specific Plan could adversely affect unrecorded historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to the historical setting.	**Measure CUL-2a:** The City of Downey shall evaluate the potential direct and indirect effects to the James C. Rives House and the Union Pacific Railroad prior to any roadway widening efforts resulting from implementation of the Specific Plan. If the evaluation determines that the roadway widening efforts (or any other activity resulting from Plan implementation) would directly or indirectly impact either the Rives House or the applicable segment of the Union Pacific Railroad tracks, the City shall redesign the project to avoid significant impacts, such as retaining the existing width of the street(s) in the location of these historical resources and/or the retention of historic roadway or railway materials (in the case of the Union Pacific Railroad). **Measure CUL-2b:** The Downtown Specific Plan shall include a new policy 3.6.10.C – Site Specific Historical Survey and Evaluation - which states that all areas slated for development or other ground-disturbing activities in the Specific Plan area that contain structures 45 years old or older at the time of project initiation shall be surveyed and evaluated for their potential historic significance prior to the City's approval of project plans. The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History.	Less than significant.
CUL-3: Construction of future projects resulting from implementation of the Specific Plan could have a substantial adverse impact to previously unknown archaeological resources.	**CUL-3a:** In the event that such archaeological resources are uncovered during construction-related activities, the onsite contractor's construction supervisor shall stop all activity within the immediate vicinity of the discovery, unless safety issues are of concern. Specifically, the construction crew will stop work at the location where the find was uncovered and shall not resume construction within 20 feet of the find until cleared to proceed by the archaeologist. The construction supervisor shall immediately notify the City, who will then notify the qualified archaeologist and, if appropriate, a Native American monitor, in coordination with the City staff, will assess the geographic extent and scientific value of the resource. If significant archaeological materials are determined, the archaeologist shall record and recover the resources using standard professional archaeological methods.	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	CUL-3b: The Specific Plan shall include a new policy 3.6.10.D – Halt Work for Accidental Discovery of Historic Materials, which states that should prehistoric or historic subsurface cultural resources be discovered during construction, all activity in the vicinity of the find shall stop and a qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the lead agency and the archaeologist shall determine, and in consultation with local Native American groups, appropriate avoidance measures or other appropriate mitigation.	
CUL-4: Construction of future projects resulting from implementation of the Specific Plan could have a substantial adverse impact to previously unknown paleontological resources.	**CUL-4:** The Specific Plan shall include a new policy 3.6.10.E – Halt Work for Accidental Discovery of Paleontological Resources, which states that in the event paleontological resources are discovered, the lead agency shall notify a qualified paleontologist. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossil or fossil bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (in accordance with Society of Vertebrate Paleontology standards). The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the lead agency determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important. The plan shall be submitted to the lead agency for review and approval prior to implementation.	Less than significant.
CUL-5: Construction of future projects could result in the substantial adverse change of previously unidentified human remains.	**CUL-5:** The Specific Plan shall include a new policy that states that if human skeletal remains are uncovered during project construction, work in the vicinity of the find shall cease and the County coroner will be contacted to evaluate the remains, following the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, he/she shall contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641) and the Most Likely Descendant will be identified. The Most Likely Descendant will make recommendations for the treatment of any human remains. Per Public Resources Code 5097.98, the	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendents regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.	
3.9 Hazards and Hazardous Materials		
HAZ-1: Disturbance and release of contaminated soil during demolition and construction, or transportation of excavated material, or contaminated groundwater could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling.	**HAZ-1:** Prior to issuance of any building permit, all proposed development sites where previous hazardous materials releases have occurred shall have a Phase I site assessment performed by a qualified environmental consulting firm in accordance with ASTM E 1527-05. All proposed development in the Specific Plan area shall require remediation and cleanup to levels established by the overseeing regulatory agency (HHMD, RWQCB or DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by licensed professional.	Less than significant.
HAZ-2: Disturbance and release of hazardous structural and building components (i.e. asbestos, lead, PCBs, USTs, and ASTs) during demolition and construction phases of development or transport of these materials could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling.	**HAZ-2a:** Each structure proposed for demolition shall require an assessment by licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, or PCB-containing equipment prior to obtaining a demolition permit. **HAZ-2b:** If the assessment required by Mitigation Measure HAZ-2a establishes the presence of lead-based paint, asbestos, and/or PCBs, the developer or project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition or renovation of affected structures. **HAZ-2c:** If the assessment required by Mitigation Measure HAZ-2a finds presence of lead-based paint, the developer or project applicant shall develop and implement a lead-based paint removal plan by a licensed contractor. The plan shall specify, but not be limited to, the measures taken to contain, store, and transport paint waste in accordance with the licensed disposal facilities requirements.	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	HAZ-2d: If the assessment required by Mitigation Measure HAZ-2a finds presence of asbestos, the project sponsor shall ensure that asbestos abatement shall be conducted by a licensed contractor prior to building demolition.	
	HAZ-2e: If the assessment required by Mitigation Measure HAZ-2a finds presence of PCBs, the project sponsor shall ensure that PCB abatement shall be conducted prior to building demolition or renovation.	
HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage.	**HAZ-3.** All development and redevelopment shall require the use of construction BMPs to control handling of hazardous materials during construction to minimize the potential negative effects from an accidental release to storm drains, groundwater and soils.	Less than significant.
HAZ-4: Future development would include land uses that would handle various commercial, transportation and household hazardous materials in a range of quantities, and could cause an adverse effect on the environment through accidental upset.	None required.	Less than significant.
HAZ-5: Proposed development of the Specific Plan area could result in a cumulatively considerable contribution to hazardous materials in the City of Downey.	None required.	Less than significant.
3.10 Geology, Soils and Seismicity		
GEO-1: In the event of a major earthquake in the region, ground shaking and/or localized liquefaction could cause damage, destruction or injury to development anticipated under the proposed Specific Plan.	None required.	Less than significant.
GEO-2: New development or redevelopment anticipated under the proposed Specific Plan would involve grading and other ground disturbing construction activities which could expose soils to erosion and loss of topsoil.	None required.	Less than significant.
GEO-3: New development or redevelopment anticipated under the proposed Specific Plan could be located on unstable soils or become unstable resulting in lateral spreading, subsidence or collapse.	None required.	Less than significant.
GEO-4: New development or redevelopment anticipated under the proposed Specific Plan could be located on expansive soils creating substantial risks to life or property.	None required.	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
GEO-5: Implementation of the proposed Specific Plan along with potential development in the surrounding region would result in cumulative impacts to geologic and seismic hazards.	None required.	Less than significant.
3.11 Hydrology and Water Quality		
HYD-1: Construction associated with the proposed Specific Plan projects could adversely affect water quality and drainage patterns in the short term due to erosion and sedimentation.	None required.	Less than significant.
HYD-2: Implementation of the Specific Plan could adversely affect water resources in the long-term by reducing permeable surfaces, which could degrade water quality in receiving waters, decrease groundwater recharge, or alter drainage patterns.	None required.	Less than significant.
HYD-3: Implementation of the Specific Plan could adversely affect groundwater resources in the long-term by increasing groundwater demand and/or reducing permeable surfaces, which could decrease groundwater recharge.	None required.	Less than significant.
HYD-4: Implementation of the Specific Plan could result in additional runoff exceeding the capacity of existing storm water facilities and increasing potential flooding of receiving waters and areas in downstream.	None required.	Less than significant.
HYD-5: Concurrent implementation of the proposed Specific Plan and projected regional development could contribute to degradation of regional water quality, reduction of groundwater recharge, or result in increased flooding hazards. (	None required.	Less than significant.
3.12 Biological Resources		
BIO-1: 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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	**BIO-1:** Should project construction be scheduled to commence between February 1 and August 31, a pre-construction survey will be conducted by a qualified biologist. The survey shall cover all reasonably potential nesting locations located on or closely adjacent to the project site. This survey will occur within 30 days of the on-set of construction. A survey shall also be conducted no more than five days prior to initiation of clearance or construction work. If ground disturbance activities are delayed, additional pre-construction surveys will be conducted such that no more than five days will have elapsed between the last survey and the commencement of ground disturbance activities. If an active nest is located, a biologist qualified biologist shall determine a suitable buffer distance, which shall be placed around	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	the nest and shall remain off-limits to construction until it is determined (by a biologist) that the next is no longer in use. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel shall be instructed on the sensitivity of nest areas.	
BIO-2: 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 U.S. Fish and Wildlife Service.	None required.	No impact.
BIO-3: 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.	None required.	No impact.
BIO-4: 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.	None required.	No impact.
BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.	**BIO-5a: Coordination with Community Development Department.** The applicant shall work with the Community Development Department to identify significant trees that may be impacted by implementation of the project. If a significant tree is identified within the project site, the applicant shall work with the Public Works Department on measures to preserve significant trees. **BIO-5b: Tree Permit.** No public street tree will be removed or planted without having obtained a permit from the Public Works Department. **BIO-5c: Tree Survey.** The applicant shall retain a certified arborist to conduct a tree survey and evaluation of all significant trees that would be removed or potentially impacted. The survey shall identify the species and trunk diameter (when measured at 4.5 feet above the mean natural grade). The physical condition of each significant tree will be assessed and an alphabetical ranking shall be assigned to each tree (‘A’ being best and ‘F’ being worst) for rating the tree’s overall health. In addition, a Tree Replacement Plan shall be developed for the development site. The Plan shall include a minimum 2-year monitoring plan that includes	

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE FRESH & EASY RIVERSIDE DISTRIBUTION CENTER

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
	performance standards for measuring and evaluating the health of all replacement trees and significant trees that would be preserved. **BIO-5d: Replacement Trees.** All replacement trees shall be selected in accordance with the City's official Tree Species List and Master Street Tree Plan. All replacement trees will be planted on-site, following grading activities. **BIO-5e: Preservation of Significant Trees.** All significant trees that would be preserved that are located within 50 feet of land clearing or areas to be graded shall be enclosed in a temporary fenced zone for the duration of the clearing or grading activities. Fencing shall extend to the root protection zone (i.e., the area at least 15 feet from the trunk or five feet from the drip line, whichever distance is greater). No parking or storage of equipment, solvents or chemicals that could adversely affect the trees shall be allowed within 25 feet of the trunk at any time. Removal of the fence shall occur only after the project biologist confirms the health of significant trees that would be preserved. **Measure BIO-5f: Construction Monitoring.** A certified arborist shall periodically monitor on-site construction and grading activities occurring near all preserved significant trees to ensure that damage to these trees does not occur. Prior to initiation of construction activities, the certified arborist shall schedule a field meeting to inform personnel (involved in construction) where all protective zones are located and the importance of avoiding encroachment within the protective zones.	
3.13 Utilities and Service Systems		
UTL-1: The proposed project could exceed wastewater treatment requirements of the RWQCB and/or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	None required.	Less than significant.
UTL-2: The proposed project could require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	None required.	Less than significant.
UTL-3: The proposed project could require new or expanded water supply resources or entitlements.	None required.	Less than significant.

TABLE ES-1 (continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE DOWNTOWN DOWNEY SPECIFIC PLAN

Impact	Mitigation Measure	Significance (after implementation of mitigation, if necessary)
UTL-4: The proposed project could result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	None required.	Less than significant.
UTL-5: Would the project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.	None required.	Less than significant.
UTL-6: The proposed project could conflict with federal, state, and local statutes and regulations related to solid waste.	None required.	Less than significant.
UTL-7: The proposed project could result in cumulative impacts related to utilities and utility systems.	None required.	Less than significant.
3.14 Public Services and Recreation		
PUB-1: The proposed project could impact the provision of police protection services in the City of Downey.	None required.	Less than significant.
PUB-2: The proposed Specific Plan could affect the provision of fire protection or emergency medical services in the City of Downey.	None required.	Less than significant.
PUB-3: The proposed project could impact the provision of school services in the City of Downey.	None required.	Less than significant.
PUB-4: The proposed project could impact park and recreational services in the City of Downey.	None required.	Less than significant.
PUB-5: The proposed Specific Plan could result in the need for new public services facilities or the expansion of existing public services facilities that would, in turn, have an adverse impact on the environment.	None required.	Less than significant.

CHAPTER 1
Introduction

This program-level Draft Environmental Impact Report (Draft EIR) has been prepared by the City of Downey, California, pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) and its implementing guidelines, known as the *CEQA Guidelines*.[1] The City of Downey is the Lead Agency for this Draft EIR, which examines potential physical impacts to environment as a result of the adoption of the Downtown Downey Specific Plan (Specific Plan or proposed project). The new Specific Plan is designed to stimulate development of Downey's downtown area, and would result in new zoning and General Plan land use designations for the downtown. The Specific Plan focuses on two types of development – new residential development (approximately 40 percent) and new commercial development (approximately 60 percent). The Specific Plan also identifies new infrastructure improvements, parks, and design guidelines for the downtown area.

This Draft EIR is intended to inform the City decision makers, responsible agencies, and the public of the proposed project's environmental effects. As the Lead Agency, the City of Downey has the "principal responsibility for carrying out or approving a project which may have a significant effect upon the environment" (CEQA Section 21067). The Draft EIR is therefore intended to publicly disclose those impacts that may be significant and adverse, describe possible measures that would mitigate or eliminate such impacts, and describe a range of alternatives to the proposed project.

1.1 Specific Plans

Under California state law, a specific plan implements the local general plan within all or part of the area covered by the general plan. However, a specific plan is not technically part of the general plan, but is a separate document designed to implement the general plan. The specific plan must be consistent with the general plan and, in some municipalities, the specific plan takes the place of zoning. Under Government Code Section 65451, a specific plan is required by state law to include the following components through the use of text and or diagrams:

- The distribution, location and extent of the existing and proposed land uses, including open space, and environmental conditions/constraints within the area covered by the plan.
- The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy,

[1] See, California Code of Regulations, Title 14, Sections 15000 through 15387.

and other essential facilities proposed to be located within the area covered by the specific plan and needed to support the land uses described in the plan.

- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).
- A statement of the relationship of the specific plan to the general plan.

The process by which specific plans are adopted is generally the same way in which a general plan is adopted.

1.2 Environmental Review

CEQA and the CEQA Guidelines

The proposed Specific Plan qualifies as a "project" under CEQA, and is therefore subject to the requirements of CEQA for environmental review. According to CEQA Section 21065:

> "Project" means an activity which may cause either a direct physical change in the environment, a reasonably foreseeable indirect physical change in the environment, and which is any of the following:
>
> - An activity directly undertaken by any public agency.
> - An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
> - An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

The CEQA Guidelines specifically note that a project "*means the whole of an action*," which can result in a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. According to CEQA Section 151378(a)(1), a project can specifically include but is not limited to "*public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof . . . .*"

This document is a draft program-level EIR. CEQA Section 15168(a) states that a program EIR can be prepared for a series of actions that can be characterized as one large project or a group of related projects based on geographical location; as logical parts in a chain of contemplated actions; in connection with rules, regulations, plans or other criteria that govern the conduct of a continuing program; or as individual activities having similar environmental effects that can be mitigated in similar ways. To the extent possible, this document precludes additional

environmental documentation, if an activity falls within the purview of this EIR. CEQA Guidelines Section 15168(c) outlines the criteria used to determine whether additional environmental documentation would be required for future activities associated with the proposed project.

CEQA Process

On May 5, 2010, in accordance with CEQA Section 21092, the City of Downey published a Notice of Preparation (NOP) of a Draft EIR, and circulated it to governmental agencies, organizations, and persons that may be interested in the proposed project. The NOP requested comments on the scope of the Draft EIR. The NOP and responses to the NOP are included in this Draft EIR as Appendices 1 and 2, respectively.

On May 26, 2010, as noticed in the NOP and as noticed separately, the City of Downey held a scoping meeting for agencies and other interested parties to comment on the scope of the Draft EIR and to review the proposed project. The meeting was held at 6:00 PM in the Cormack Room at the Downey City Library, 11121 Brookshire Avenue, Downey. No oral or written comments on the scope of the Draft EIR were submitted.

As required by CEQA Section 15105(a), this Draft EIR is being circulated for public review and comment for a 45-day period that ends on August 30, 2010. Copies of this Draft EIR have been provided to interested agencies and the public. The Draft EIR and the technical documents used in the preparation of the analysis are available at the following locations:

City of Downey Planning Department
11111 Brookshire Avenue
Downey, CA 90241
Hours: Monday through Friday, 7:30 AM to 5:30 PM

City of Downey Public Library
11121 Brookshire Avenue
Downey, CA 90241-7015
Hours: Monday through Thursday, 10 AM to 9 PM
Friday and Saturday, 10 AM to 5 PM
Sunday, 1 PM to 5 PM

The City of Downey's website: http://www.downeyca.org/.

Written comments must be sent on or before August 30, 2010 by the close of business to:

Mark Sellheim
City of Downey Planning Department
11111 Brookshire Avenue
Downey, CA 90241
Telephone: (562) 904-7154

Fax: (562) 904-7135
E-Mail: msellheim@downey.ca.org

Your comments can be sent via the postal service, by fax or by e-mail.

Following the end of the 45-day comment period, responses to all written comments will be prepared and compiled in the Final EIR (FEIR). Publicly noticed hearings on the proposed project and the Draft EIR will be scheduled before both the City Planning Commission and City Council at dates and time to be determined.

1.3 Project Background

Downey's downtown began to take shape in the early 1870s with the purchase of land for Christian Church at 4th and New Streets. In 1873 a tract map established 15 blocks, with ten acres reserved for a railroad station. Gradually, development in the downtown included homes, a post office, a courthouse, more churches, businesses, and schools, and eventually a hotel on the corner of what is now known as La Reina Avenue and Firestone Boulevard. A business center, focused on buying and selling nearby agricultural goods, was established on the northwest corner of Downey Avenue and Firestone Boulevard. By the early 1900s, Downey – positioned between the San Gabriel River and the Rio Hondo (near its confluence with the Los Angeles River) – was the center of business and social life in the area. At that time, the downtown included a Sunkist packing plant, a department store, banks, restaurants and mercantile shops. Through the years, the downtown Downey business community has adjusted to changes in agricultural practices and new developments in media science technology, and has continued to position itself as a business leader in the area. However, despite strong development in these areas, in the 1950s and 1960s shopping malls and business parks began to dominate commercial development in other parts of Downey, pulling shoppers and businesses away from downtown. The City of Downey began to implement several strategies to revitalize the downtown, including the adoption of the Downey Redevelopment Plan in 1978, which included the downtown area. Downtown improvements included street widening and realignment along Downey Avenue, the development of the Civic Center complex, and construction of Embassy Suites. By the 1990s, despite improvements, property values began to decline in the downtown. In 1997, a multi-screen theater complex and a 400-space public parking structure were completed. However, downtown properties continue to be under-utilized.

The City of Downey has continued to make its downtown area one of its priorities. In May, 2001, the City adopted the *Downtown Plan for Downey's Historic Downtown District*, intending to "*create a distinct area within Downey's historic central business district*" that would "*bring people back to downtown, providing interesting and entertaining elements for the area drawing people to shop, eat and attend entertainment events*" (Downtown Plan, 2000). This "plan" was a zoning amendment that created the Downtown Overlay Zone. All existing zoning became the underlying zoning. The Downtown Overlay Zone established permitted uses, development and parking standards, signage standards, and standards for outdoor dining and vending machines/newspaper racks.

In 2005, the Downey General Plan was updated and includes goals and objectives that address downtown development. These include goals related to increasing the night time pedestrian population in downtown through housing; and promotion of the downtown as a destination for entertainment, dining, civic activities and other activities. The updated General Plan continued the 1992 land use designation for the downtown, which is *Mixed Use*.

In 2009, the City of Downey issued a Request for Proposals (RFP) for a Specific Plan for the Downtown Downey area to implement the General Plan policies related to downtown. In the RFP, the City stated that it wanted to meet the following objectives:

- Mixed Use – The downtown area should be a mixed use environment with a variety of residential and commercial uses.
- Livable Community – The downtown should be consistent with livable community standards that encourage residents to walk to destinations within downtown; as well as, encourage all visitors to park once and walk to various destinations.
- Sense of Place – The Downtown Downey Specific Plan should incorporate elements necessary to instill a sense of place within the downtown area. This should include signs in the public right of way, public art, public spaces, and design standards [for] the streetscape.

The City stated that development standards should "facilitate high quality development" through its development, uses, sign program, public spaces, public art, streetscapes, architectural guidelines, and objectives for downtown.

1.4 Potential Areas of Concern

Table 1-1 summarizes the comment letters received by the City in response to the NOP and the key environmental concerns raised by these comments.

TABLE 1-1
SUMMARY OF RESPONSES TO THE NOTICE OF PREPARATION

Comment Letter No.	Agency / Interested Party	Date Received	Environmental Concerns (Other Concerns)
1	California Department of Transportation (Caltrans)	06/10/10	Request that impacts to state facilities be analyzed, including I-5, I-105, I-605 and I-710, along with specific interchanges. Recommend use of a Transportation Management Plan (TMP); include requests for content of traffic impact study.
2	California Energy Commission (CEC)	05/26/10	(CEC would like to assist in reducing energy use for the project.)
3	California Public Utilities Commission (CPUC)	05/19/10	Requests language in the Specific Plan stating that development in the Specific Plan area would consider safety along the rail corridor. Any traffic study should

Comment Letter No.	Agency / Interested Party	Date Received	Environmental Concerns (Other Concerns)
			consider the impact of increased vehicle crossing and include mitigation measures.
4	City of Bellflower	05/27/10	The City should contact Bellflower regarding potential study intersections and should identify bicycle paths in Bellflower.
5	City of South Gate	05/27/10	The project could result in significant traffic impacts in South Gate; want to review the traffic scope; want to have projects listed on cumulative project list.
6	County Sanitation Districts of Los Angeles County	05/25/10	(Informational letter informing City of existing capacity, the legal requirements for expansion of treatment facilities and the requirements for obtaining a "will serve" letter)
7	Governor's Office of Planning and Research, State Clearinghouse	05/10/10	(Copy of letter to reviewing agencies for review of the NOP)
8	Metropolitan Transportation Authority (Metro)	05/26/10	Recommendations concerning issues germane to the agency's statutory responsibilities, including definition of traffic impact analysis geographic area; summary of existing transit services; etc.
9	Metropolitan Water District of Southern California (MWD)	06/11/10	The proposed project is not regionally significant to MWD. Support increased water conservation efforts and encourage measures such as use of recycled water, drought-tolerant landscaping, and water efficient fixtures.
10	Southern California Air Quality Management District (SCAQMD)	05/26/10	Refers City to SCAQMD reference materials to assist in preparation of environmental document.
11	Southern California Association of Governments (SCAG)	(06/03/10)	The proposed project is regionally significant; provides list of SCAG policies that may be applicable. SCAG encourages the use of mitigation measures from its *SCAG List of Mitigation Measures*.
12	Southern California Gas Company (The Gas Company)	05/11/10	(Informational letter – not a commitment letter - stating the Specific Plan area can be served)

1.5 Organization of this Draft EIR

This Draft EIR is organized into eight chapters, an Executive Summary, and appendices, each dealing with a separate aspect of the required content of an EIR as described in the *CEQA Guidelines*. To help the reader locate information of particular interest, a brief summary of the contents of each chapter of the Draft EIR is provided below:

Executive Summary: This chapter contains an overview of the scope of the Draft EIR, as well as a summary of the environmental impacts, proposed mitigation, level of significance after mitigation, and significant and unavoidable impacts. Also included in this chapter is a summary description of the project alternatives.

Chapter 1: Introduction: This chapter provides an overview of the purpose and use of the Draft EIR, the background of the proposed project, the environmental review process, a summary of comments received in response to the NOP, and the general format of the document.

Chapter 2: Project Description: This chapter describes the project location, summarizes the proposed project, and outlines the project objectives and the need for the proposed project. This chapter also includes a description of related projects that are considered in the cumulative analysis.

Chapter 3: Environmental Setting, Impacts and Mitigation Measures: This chapter describes and evaluates the environmental issue areas, including the existing environmental setting and regulatory framework, including policy considerations; applicable environmental thresholds; environmental impacts (both short-term and long-term, and the level of the impact); mitigation measures capable of minimizing environmental harm, and a discussion of cumulative impacts.

Chapter 4: Other CEQA Issues: This chapter provides a shortened analysis of environmental topics that do not apply to the project directly or for which a shortened response is appropriate, because, for example, of existing City requirements or other existing requirements. In addition, this chapter will include an analysis of potential growth-inducing impacts. This chapter will address Agricultural Resources, Energy, Geology and Soils, and Mineral Resources.

Chapter 5: Impact Overview: This chapter provides a summary of the significance of environmental impacts considered in this Draft EIR.

Chapter 6: Alternatives: This chapter analyzes feasible and reasonable alternatives to the proposed project, including (1) the No Project (No Build) scenario; (2) the No Project (Build) scenario; (3) the 50 Percent Residential/50 Percent Commercial scenario.

Chapter 7: Report Preparers: This chapter identifies the public and private agencies and individuals contacted during the preparation of this report, and all individuals responsible for the preparation of the Draft EIR.

Chapter 8: References: This chapter identifies reference documents used in the preparation of the Draft EIR.

Appendices: Data supporting the analysis or contents of this Draft EIR are provided in the appendices to this document.

CHAPTER 2
Project Description

2.1 Introduction

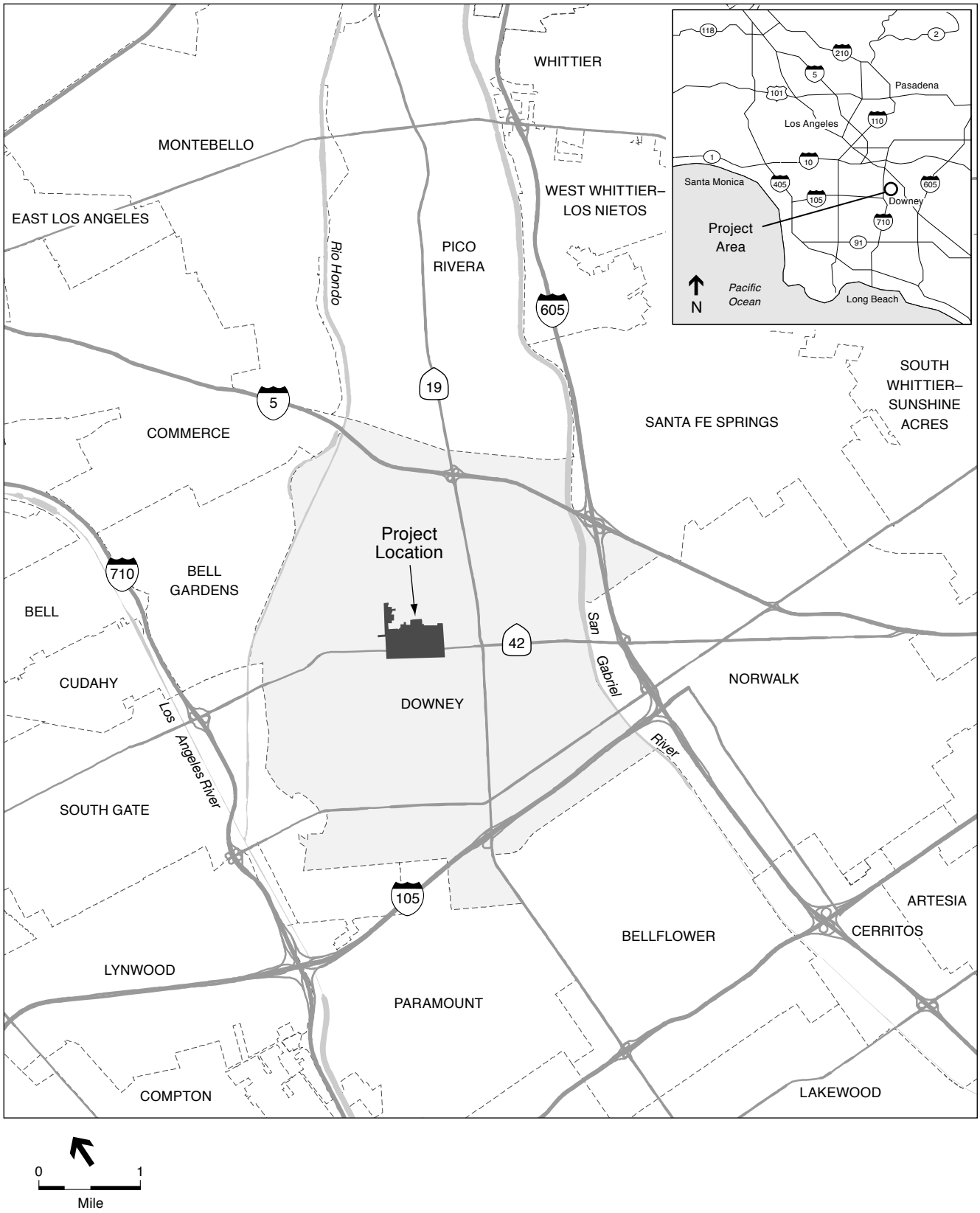
The City of Downey proposes to adopt a Specific Plan for its downtown that would encompass an 85-acre area and includes portions of its original and existing downtown and its current civic center (this does not include street rights-of-way). The *Downtown Downey Specific Plan* (see Appendix 3) would establish a variety of residential, commercial and institutional uses consistent with medium-scale urban downtowns and sustainability principles. The Specific Plan would also further refine the City's goals and objectives for this area as expressed by the City of Downey 2005 General Plan. The Specific Plan would establish additional goals and objectives for the downtown area, a new General Plan land use designation for two areas within the Specific Plan area and a new zoning district for the Downtown area, establish design guidelines, and provide an infrastructure plan to support the planned land uses.

2.2 Project Location and Setting

Project Location

The Specific Plan area (also referred to as the project site) is located in the City of Downey, which is strategically located in southeastern Los Angeles County. **Figure 2-1** provides the regional location of Downey and **Figure 2-2** shows the project site boundaries.

As the largest city in its immediate area, Downey is located at the heart of the area aligned along Interstate 710 (I-710), which is a north-south roadway that connects northern Los Angeles with the southern tip of Los Angeles County in and around the Long Beach area; I-605, also a north-south freeway that to connects to the San Diego area; and I-105, an east-west freeway that connects to the Los Angeles International Airport. The following cities share Downey's borders: Commerce (northwest), Bell Gardens (northwest), South Gate (west and southwest), Paramount (south), Bellflower (south), Norwalk (southeast), Santa Fe Springs (east) and Pico Rivera (northeast). Within a four-mile radius of Downey's borders are the cities or communities that include Artesia, Bell, Cerritos, Compton, Cudahy, Long Beach, Lynwood, Maywood, Montebello, Whittier, and areas of unincorporated Los Angeles County.



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SOURCE: City of Downey; ESA, 2010

Downey Downtown Specific Plan . 209167

Figure 2-1
Regional Location Map

SOURCE: City of Downey; GlobeXplorer; ESA, 2010

Downey Downtown Specific Plan . 209167

Figure 2-2
Project Site Map

Downey is crossed by or is in close proximity to four interstate freeways that include I-710, which extends near Downey along a north-south axis and connects Alhambra to the southern edge of Long Beach; I-5, which extends along the northeastern border of Downey and connects Canada to Mexico; and I-605, which extends through a small portion of eastern Downey on a north-south axis from Irwindale to Seal Beach. In addition, I-105, which extends along an east-west axis through southern Downey, provides direct access to Los Angeles International Airport and Norwalk. Downey is also flanked by three waterways. Both the San Gabriel River and the Rio Hondo form portions of the City's boundaries. The Los Angeles River (at its confluence with the Rio Hondo), is located less than 0.5 mile from the City's western border. All three waterways empty into the Pacific Ocean near Seal Beach and/or Long Beach.

Downey's downtown is located in the center of the city, nearly equidistant from the San Gabriel River and Rio Hondo, and within a few blocks of SR 19 to the east. Firestone Boulevard (formerly SR 42) in the southern downtown area. The project site, which encompasses much of the original downtown, and surrounding areas, is roughly bound by:

North: Various street-segments between Paramount Boulevard and Brookshire Avenue, including segments of Seventh, Fifth and Fourth streets, and mid-block southern property lines on blocks in between;

South: The southern edge of the right-of way for the Union Pacific Railroad tracks;

East: Brookshire Avenue; and

West: The eastern side of Paramount Boulevard, with the exception of the Rives Mansion[1] located on the western side of Paramount Boulevard, between Third and Fourth Place.

Project Setting

The project site is located on a relatively flat alluvial plain that extends on a slight southward slope. Land uses adjacent to the project site include single-family and multi-family residences, institutional and civic uses (churches and schools), office, and commercial uses. The project area uses are the same as those surrounding the downtown area, although with far fewer single-family homes in the downtown, and more commercial uses that include small restaurants and asphalt surface parking lots. Many buildings are underutilized, such as the 24,000 square-foot Court Professional Building, located at 8221 Third Street; the two-story (with a mezzanine), 20,400-square foot Consumer Electronics Building, located at 8218 Firestone Boulevard, and the three-story medical office buildings located at 10610, 10682 and 10800 Paramount Boulevard.

[1] See Section 3.8, *Cultural Resources*, of this Draft EIR for more information concerning this historic resource.

Although there are several tall buildings (four or five stories in height) and several buildings owned by religious institutions (including churches with spires), most buildings are one- to two-stories in height. Recent infrastructure improvements have been made along Third Street and Downey Avenue; these improvements include new sidewalks, street trees and hardscape such as street tree hardscape. The 2,000-seat Krikorian Downey Cinema 10 is located at 8200 Third Street; next to the cineplex is a four-story parking garage with approximately 400 parking spaces. A Fresh and Easy Market opened at 8320 Firestone Boulevard (formerly an Albertson's Market) in early April and a Porto's Bakery (and a parking structure) is currently under construction at 8233 Firestone Boulevard. A Dollar Tree store is located at 8330 Firestone Boulevard.

The current focus in the downtown is on the cineplex and its immediate vicinity, the commercial area along Downey Avenue, which contains restaurants, small unique shops and offices, the Fresh & Easy store along Firestone, and the Farmer's Market held on Saturdays. Downtown currently contains no public parks, public recreation or public assembly areas, although public events (such as the Farmer's Market and Street Faire) are held in the downtown in areas contained by street closures.

The downtown area is currently defined by the City of Downey's Downtown Plan, adopted in October, 2000. This zoning document applies to an approximately 15-block area of Downey's historic downtown, located between 3rd, 4th and 5th streets (north), Brookshire Avenue and Dolan Avenue (east), Union Pacific Railroad right-of-way (south); and Myrtle Street (west). A large portion of the project area is located within *Site D – Downtown Area* of the City's *Redevelopment Plan for Downey* (Redevelopment Project Amendment No. 4).

Most of the project area is designated by the General Plan as *Mixed Use*, and most of the project area, which encompasses several underlying zoning classifications, is zoned as *Downtown Plan Overlay Zone* (except for some areas along the perimeter).

2.3 Project Objectives

The City of Downey proposes to adopt a specific plan for its downtown area that will guide development in the downtown area and achieve the following goals and objectives:

- Provide an appropriate amount of land area to absorb the city's future population growth (see General Plan, Policy 1.1.2).
- Promote housing projects and mixed use projects that include housing within areas designated for the downtown area, transit-oriented developments, and areas in the vicinity of the Downey Landing Project (see General Plan, Program 1.1.2.2).
- Promote Downtown Downey as a destination draw for entertainment and dining uses (see General Plan, Program 1.1.5.2).
- Promote mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles (see General Plan, Program 1.2.1.2).

- Develop the downtown area as a destination point for entertainment, dining, civic, and other activities (see General Plan, Program 1.2.2.1).
- Capitalize on existing pedestrian traffic generated by the Downtown area by the movie theater, hotel, civic center and offices (see General Plan, Program 1.2.2.2).
- Promote housing, mixed use housing, and other land uses that will generate nighttime pedestrian traffic in the Downtown (see General Plan, Program 1.2.2.3).
- Promote project designs that reduce dependency on vehicles and promote pedestrian, transit, and alternate modes of travel (see General Plan, Program 1.2.1.1).
- Promote mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles (see General Plan, Program 1.2.1.2).
- Provide dining opportunities within walking distances of employment centers (see General Plan, Program 1.2.1.4).
- Promote Downtown Downey as an economic core creating new employment opportunities.
- Strengthen pedestrian, bicycle, and transit-oriented characteristics while ensuring access for automobiles.
- Preserve and enhance the unique character of existing structures.
- Identify Downtown as a cultural center for Downey.
- Concentrate growth in Downtown while respecting and preserving surrounding residential neighborhoods.
- Respect the needs of existing landowners in the downtown and minimize the use of eminent domain in the downtown area.

2.4 Downtown Downey Specific Plan

The City of Downey proposes to adopt a Specific Plan that would encourage and guide development in Downey's downtown area. The Specific Plan anticipates full build-out by 2025 and a mix of development that would result in 40 percent residential use and 60 percent commercial use. A copy of the Draft Specific Plan is included in this Draft EIR as Appendix 3. The Specific Plan would establish districts in the approximately 85-acre Downey downtown area and intensify residential uses by 79 percent and commercial uses by 58 percent in the downtown, as described in **Table 2-1**, below. The project would also expand the boundaries of what is now considered the downtown area. Maximum development to 2025 is envisioned to add approximately 735 new dwelling units, and slightly over 1.3 million square feet of new commercial development spread across five districts. **Figure 2-3** provides the proposed land use map. Descriptions of each district are provided below.

TABLE 2-1
PROPOSED DISTRICTS WITH EXISTING DEVELOPMENT AND MAXIMUM PROPOSED DEVELOPMENT

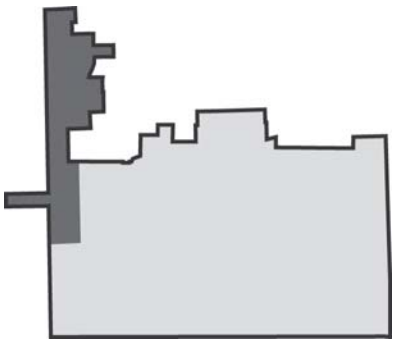
District Name	Approximate Net Acres	Existing Residential	Existing Commercial	Proposed Residential (40%)	Proposed Commercial (60%)	Proposed Maximum Height	Proposed Maximum Density/FAR
Paramount Boulevard Professional	12.0 acres	4 units	202,893 square feet	155 units	504,524 square feet	4 stories/50 feet	2.0 FAR
Downtown Residential	15.0 acres	154 units	169,795 square feet	187 units	153,038 square feet	4stories/50 feet	1.5 FAR 0.5 commercial FAR
Downtown Core	13.0 acres	39 units	492,997 square feet	168 units	411,072 square feet	3 stories/45 feet (Developments of 100% affordable units may build up to 4 stories or 50 feet)	1.5 FAR
Civic Center	13.0 acres	None	112,319 square feet	None	None	No Restriction	No Restriction
Firestone Boulevard Gateway	33.0 acres	None	850,515 square feet	422 units	2,068,782 square feet	6 stories/75 feet	3.0 FAR
Total	**85.00 – 86.00 acres**	**197 units**	**1,828,519 square feet**	**932 units**	**3,137,416 square feet**	**N/A**	**N/A**

Key elements of this Specific Plan are implementation of:

- A Parkland Acquisition Program that would assemble multiple open space areas throughout Downtown, which would allow developers to develop higher density and intensity projects and in exchange will be required to contribute an in lieu fee to the City to finance larger central public spaces.
- Urban Design Standards and Guidelines to encourage the development of new buildings and renovations that would result in "a family-oriented, safe, walkable, and attractive environment that includes a mix of new, old, and human-scale commercial, residential, and mixed-use projects, and new open spaces, green streets and landscape…" (p. 53).
- A plan for roadway improvements, street design, street hardscape standards, bicycle routes and lanes, and transit routes.
- A parking plan.
- An infrastructure plan to support the uses anticipated in the Specific Plan area.
- A plan for administration and implementation of the Specific Plan, which lists the approvals required, potential funding sources, and special assessment districts.

2.4.1 Specific Plan Districts

Paramount Boulevard Professional District

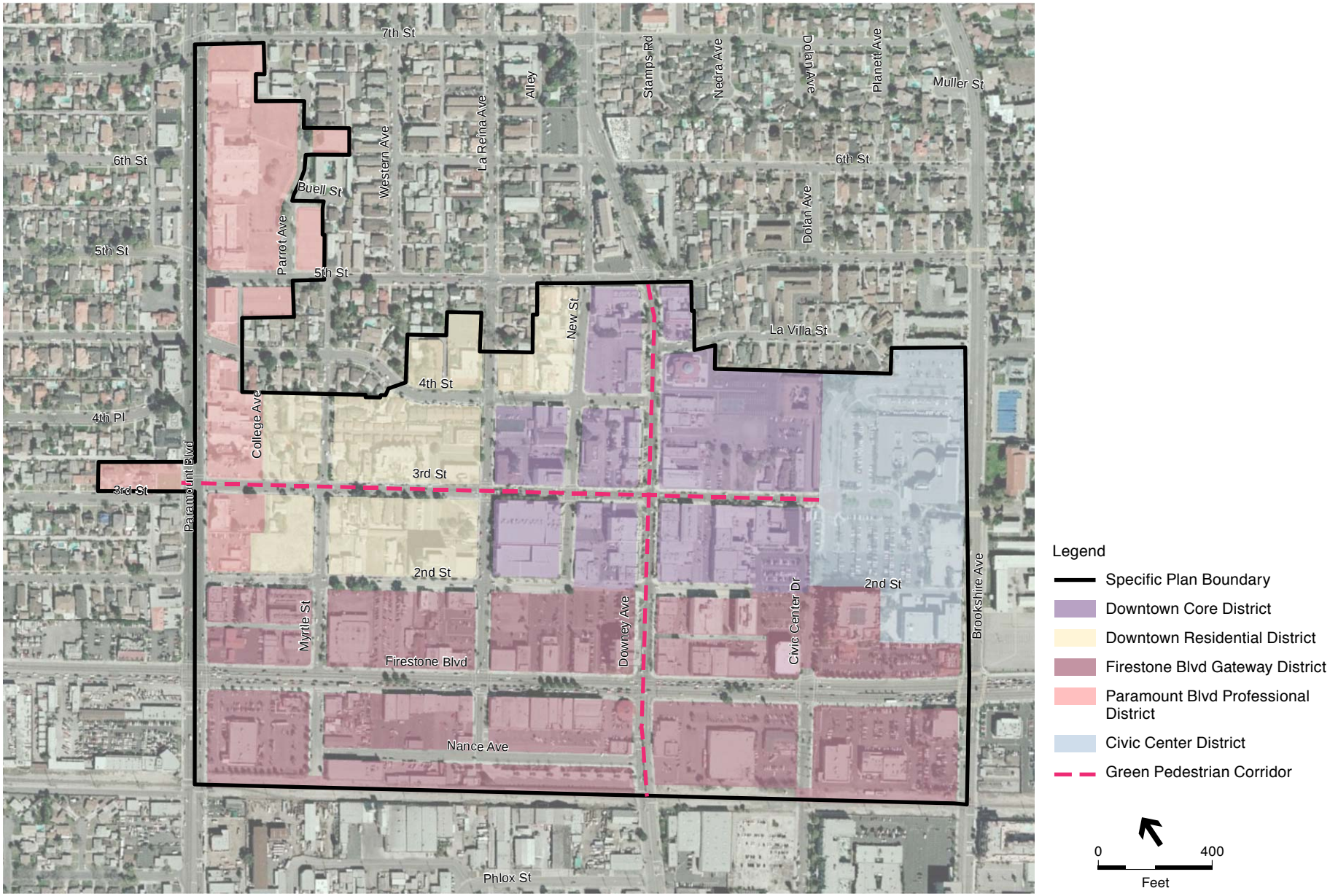


Nearly all of the 12-acre Paramount Boulevard Professional District would be located along the northwestern[2] boundary of the Downtown Specific Plan area (see inset) along the east side of Paramount Boulevard between Second and Seventh Streets. (Parts of the district would extend one block east of Parrot Avenue.) The exception would be the Rives Mansion, an historic resource located along the west side of Paramount Boulevard. This District is already home to a variety of commercial and professional office uses, including the unoccupied former Gallatin Medical Center. The Rives Mansion, a historic resource, is also located in this District, and is used for special events.

According to the proposed Specific Plan, the vision for this area is (p. 37):

> "*…to create a professional office environment with related service uses (quick lunch dining, coffee and juice bars). While the ground floor is reserved for office and commercial uses for properties fronting Paramount Boulevard, residential uses may be located on the second and third floors…*"

[2] This Draft EIR establishes Paramount Boulevard as west and Brookshire Avenue as the eastern boundaries of the project site even though their true orientation is northeast-southwest. As a result, Firestone Boulevard forms the southern boundary of the Specific Plan area.



SOURCE: City of Downey, 2010.

Downey Downtown Specific Plan . 209167

Figure 2-3
Downtown Downey
Land Use Districts

Although residential uses are allowed, they would consist of apartments or condominiums, townhomes, and live-work units. No new detached single-family or duplex housing would be permitted. Live/work units would also be subject to the design guidelines of the Specific Plan and are geared toward professional office uses, live-work units and small service-oriented businesses that would include some uses generally prohibited in this district on a larger scale.

Because of the proximity of this District to single-family homes and low-rise commercial uses, the maximum building height would be limited to four stories or 50 feet in height, which steps up slightly from the predominantly one- and two-story buildings nearby. Maximum lot coverage for commercial uses would be 80 percent and maximum lot coverage for residential uses would be 60 percent.

Table 2-2 lists the uses permitted by right or those that are conditionally permitted in the Paramount Boulevard Professional District.

TABLE 2-2
PARAMOUNT BOULEVARD PROFESSIONAL DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Eating and Drinking Establishments		
Beverage Sales, On-Site, License Type 41 and Type 47	√	
Beverage Sales, On-Site, All Other License Types		√
Catering Services		√
Restaurants	√	
Eating Establishment/Coffee Shop/Bakery	√	
Outdoor Patio Seating or Dining	√	
Educational Uses		
Colleges and Continuing Education Facilities		√
Tutoring Facilities / Educational Activity Centers	√	
Entertainment Uses		
Bar / Night Club / Live Entertainment		√
Conference Facilities/Convention Centers		√
Fitness Studios		√
Financial and Professional Office Uses		
Financial Services/Banks/Credit Unions	√	
Laboratories	√	
Office, Business and Professional	√	
Office, Medical and Dental	√	
Research and Development	√	
Public/Institutional Uses		
Open Space	√	
Parks and Recreational Facilities	√	
Residential Uses		
Apartments	√	
Condominiums	√	
Courtyard Housing	√	
Daycare Homes (9 to 14 children)		√
Daycare Homes (8 or fewer children)	√	
Live/Work Units	√	
Residential Care Facilities (6 or fewer)	√	
Townhomes	√	

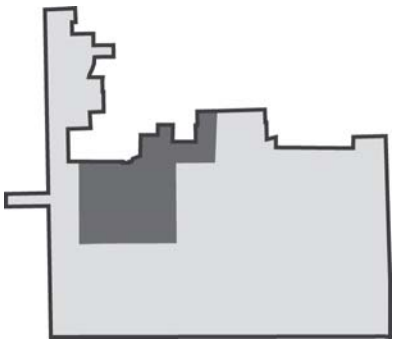
TABLE 2-2
PARAMOUNT BOULEVARD PROFESSIONAL DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Home Occupations	√	
Retail Commercial Uses		
Alcoholic Beverage Sales, off-premises		√
Art Galleries	√	
Banquet Facility		√
Bookstores (new and used)	√	
Drug Stores/Pharmacies	√	
Florist Shops	√	
General Retail/Specialized Retail (New)	√	
General Retail/Specialized Retail (Used)		√
Grocery Stores (Less than 10,000 Square Feet)	√	
Service Commercial Uses		
Day Care Center (Adult)		√
General Commercial Services	√	
Hotels (Less than 30 Rooms)		√
Mail and Shipping Services/Post Office Rentals	√	
Personal Improvement Services	√	
Personal Services	√	
Printing and Professional Services	√	
Travel Agencies	√	
Veterinary Offices		√
Accessory Uses		
Kiosks (Permanent and Temporary)		√

SOURCE: Hogle Ireland, 2010.

Uses that would *not* be permitted in this District include animal boarding facilities/doggie daycare, animal grooming, animal sales/feed and supplies/pet stores, bicycle sales and repair shops, commercial recreation facilities, cultural institutions, cyber cafes, dry cleaning and laundry services, duplex dwelling units, fast food/drive-thru restaurants, government facilities, grocery stores greater than 10,000 square feet, hardware/home improvement stores, hotels (more than 30 rooms), motels, public utilities, single-family dwelling units (detached), smoke lounges, tailor services/shoe repair shops, and transit centers (City-owned and operated). Temporary uses such as fairs, flea markets, swap meets, farmer's markets, etc., would also not be permitted. Additionally, newsstands would not be permitted.

Downtown Residential District



The 14.5-acre Downtown Residential District would be located along the northern boundary of the Downtown Specific Plan area (see inset), north of Second Street and south of Fifth Street, between College Avenue and La Reina Avenue, adjacent to the eastern boundary of the Paramount Boulevard Professional District and the western boundary of the Downtown Core District. The Downtown Residential District is currently occupied by a variety of residential, commercial and professional office uses. Housing includes

single-family units, duplexes, and a multi-family senior complex (Heritage Court Apartments). There are also law, insurance, and medical offices, along with daycare centers in the northern portion of the site and the Bank of America Building on the southeast corner of the District.

According to the proposed Specific Plan, the vision for this area is:

> "*…to establish a residential neighborhood within Downtown. Neighborhood-serving commercial uses such as dry cleaners, markets, coffee shops, and newsstands are permitted on the ground floor only.*"

In general, this is an urban residential area that permits a variety of new housing types, including single-family homes. Urban support is provided by easy access to restaurants, professional services, and the potential to work nearby. Neighborhood design can include medical services, and convenient shopping opportunities that are geared toward smaller urban commercial/retail floor plates and neighborhood services. On-site beverage sales are permitted under a license type 41 and type 47. All other beverage sales are conditionally permitted.

This District is designed to have maximum building heights of four-stories or 50 feet in keeping with the adjacent Paramount Boulevard Professional District. Maximum lot coverage for commercial uses would vary.

Table 2-3 lists the uses permitted by right or are conditionally permitted in the Downtown Residential District. This District allows temporary (T) events, as well as accessory (A) uses.

TABLE 2-3
DOWNTOWN RESIDENTIAL DISTRICT USES
PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Eating and Drinking Establishments		
Beverage Sales, On-Site, License Type 41 and Type 47	√	
Beverage Sales, On-Site, All Other License Types		√
Catering Services		√
Restaurants	√	
Outdoor Patio Seating or Dining	√	
Educational Uses		
Cultural Institutions	√	
Entertainment Uses		
Fitness Studio		√
Financial and Professional Office Uses		
Financial Services/Banks/Credit Unions	√	
Office, Business and Professional (second floor and above)	√	
Office, Medical and Dental (second floor and above)	√	
Public/Institutional Uses		
Open Space	√	
Parks and Recreational Facilities	√	
Residential Uses		
Apartments	√	
Condominiums	√	
Courtyard Housing	√	
Daycare Home (large, 9 to 14 children)		√
Daycare Home (small, 8 or fewer children)	√	
Duplex Housing Units	√	
Live/Work Units	√	

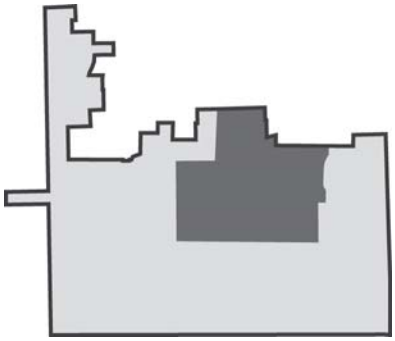
TABLE 2-3
DOWNTOWN RESIDENTIAL DISTRICT USES
PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Residential Care Facility (small, 6 or fewer)	√	
Second Unit Development	√	
Single-Family Dwelling Unit	√	
Townhomes	√	
Home Occupations	√	
Retail Commercial Uses		
Alcoholic Beverage Sales, off-premises		√
Animal Sales/Feed and Supplies/Pet Store	√	
Art Galleries	√	
Bookstores (new and used)	√	
Drug Stores/Pharmacies	√	
Florist Shops	√	
General Retail/Specialized Retail (new)	√	
Grocery Stores (less than 10,000 square feet)	√	
Service Commercial Uses		
Animal Grooming	√	
Cyber Cafes	√	
Day Care Centers (adult)		√
Dry Cleaning and Laundry Cleaning Services	√	
General Commercial Services	√	
Hotels (less than 30 rooms)		√
Mail and Shipping Services/Post Office Rentals	√	
Personal Services	√	
Tailor Services/Shoe Repair Shops	√	
Printing and Professional Services	√	
Tailor Services / Shoe Repair Shops	√	
Travel Agencies	√	
Temporary Uses		
Newsstands	A	

SOURCE: Hogle Ireland, 2010.

In general, uses that would *not* be allowed include animal boarding facilities/doggie daycare, antique and collectible stores, banquet facilities, bicycle sales and repair shops, bar/night club/live entertainment, commercial recreation facilities, conference facilities/convention centers, colleges and continuing education facilities, fast-food/drive-thru restaurants, general retail/specialized retail (used), government facilities, grocery stores (greater than 10,000 square feet), hotels, jewelry stores, laboratories, nursery and garden supply stores, personal improvement services, public utilities, smoke shops, transit centers (City-owned and operated), tutoring facilities/educational activity centers and veterinary offices. In addition, no arts and crafts fairs, farmer's markets, fireworks stands, kiosks, swap meets and flea markets are permitted. Newsstands are permitted as an accessory use.

Downtown Core District



The 20.0-acre Downtown Core District would be located generally north of Second Street and South of Fifth Street, between La Reina Avenue and Civic Center Drive (see inset). This District includes the businesses and buildings surrounding the intersection of Downey Avenue and Third Street. Uses now include the Krikorian cineplex located on the southeast corner of Third Street and La Reina streets, as well as a number of large churches, such as the First Baptist Church of Downey, St. George Greek Orthodox Church, and the Downey United Methodist Church. A large 400-space, city-owned parking garage is located adjacent to the cineplex. This District is also home to several small locally-owned restaurants, retail and service vendors, financial institutions, and service-oriented businesses.

According to the proposed Specific Plan, the vision for this area is:

> "*…to create a vibrant, pedestrian-oriented downtown with a mix of uses. The objective is to produce a unique walkable shopping, dining, working and living experience. The ground floor is reserved for commercial uses, such as boutique retail stores, bookstores, cafes, art galleries, and wine bars, with office and /or residential on the second and third floors.*"

The Downtown Core District would be a walkable urban hub that would not permit new detached housing, but would provide a mix of uses designed to appeal to families, urban professionals, and retirees. Support services for this urban neighborhood would be provided by easy access to restaurants, professional services, and the potential to work nearby. Neighborhood design could include transit centers, medical services, and convenient shopping opportunities with smaller urban floor plates. Because of its centralized downtown location that includes several key intersections and commercial activities (such as the Krikorian cineplex), this is the only district that is permitted to have community events, such as a variety of urban temporary uses, such as arts and crafts fairs, Christmas tree and pumpkin sales, circuses and carnivals, farmer's markets, swap meets and flea markets.

The Downtown Core District is designed to have maximum building heights of three-stories or 45 feet in keeping with the adjacent Downtown Residential District and the scale of existing businesses. Maximum lot coverage would vary from 80 percent to 100 percent for commercial and mixed-use and 60 percent if residential only.

Table 2-4 lists the uses permitted by right or are conditionally permitted in the Downtown Core District.

TABLE 2-4
DOWNTOWN CORE DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Eating and Drinking Establishments		
Beverage Sales, On-Site, License Type 41 and Type 47	√	
Beverage Sales, On-Site, All Other License Types		√

TABLE 2-4
DOWNTOWN CORE DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

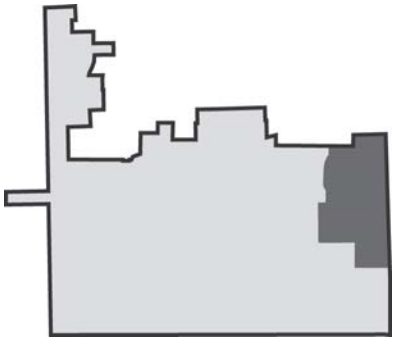
Use	Permitted	Conditionally Permitted
Catering Services		√
Restaurants	√	
Outdoor Patio Seating or Dining	√	
Educational Uses		
Cultural Institutions	√	
Tutoring Facilities/Educational Activity Centers	√	
Entertainment Uses		
Bar/Night Club/Entertainment		√
Commercial Recreation Facilities		√
Fitness Studio		√
Financial and Professional Office Uses		
Financial Services/Banks/Credit Unions	√	
Office, Business and Professional (second floor and above)	√	
Office, Medical and Dental (second floor and above)	√	
Public/Institutional Uses		
Open Space	√	
Parks and Recreational Facilities	√	
Transit Center (City-owned and operated)	√	
Residential Uses		
Apartments (second floor and above)	√	
Condominiums (second floor and above)	√	
Daycare Homes (large, 9 to 14 children)		√
Daycare Homes (small, 8 or fewer children)	√	
Live/Work Units	√	
Residential Care Facilities (small, 6 or fewer)	√	
Home Occupations	√	
Retail Commercial Uses		
Alcoholic Beverage Sales, off-premises		√
Animal Sales/Feed and Supplies/Pet Store	√	
Antique and Collectible Stores	√	
Art Galleries	√	
Bicycle Sales and Repair Shops	√	
Bookstores (new and used)	√	
Convenience Stores/Markets	√	
Drug Stores/Pharmacies	√	
Florist Shops	√	
General Retail/Specialized Retail (new)	√	
General Retail/Specialized Retail (used)		√
Grocery Stores (less than 10,000 square feet)	√	
Hardware/Home Improvement Stores	√	
Jewelry Stores	√	
N		√
Service Commercial Uses		
Animal Grooming	√	
Cyber Cafes	√	
Dry Cleaning and Laundry Cleaning Services	√	
General Commercial Services	√	
Hotels (less than 30 rooms)		√
Mail and Shipping Services/Post Office Rentals	√	
Personal Improvement Services	√	
Personal Services	√	
Tailor Services/Shoe Repair Shops	√	
Printing and Professional Services	√	
Travel Agencies	√	
Temporary Uses		
Arts and Crafts Fairs	T	
Farmer's Market	T	
Swap Meets/Flea Markets	T	
Kiosks (permanent and temporary)		√
Newsstands	A	

SOURCE: Hogle Ireland, 2010.

In general, uses that would *not* be permitted include animal boarding facilities/doggie daycare, banquet facilities, colleges and continuing education facilities, conference facilities/convention facilities, courtyard housing, daycare centers (adult), duplex dwelling units, fast food/drive-thru restaurants, governmental facilities, grocery stores (greater than 10,000 square feet), hotels (more than 30 rooms), laboratories, motels, research and development, nurseries and garden supply stores, public utilities, single-family housing, townhomes, and veterinary offices. Fireworks stands are also not permitted.

Civic Center District

The 13-acre Civic Center District is located generally west of Brookshire, and east and south of Civic Center Drive (see inset). This District is an area already specifically created to provide civic-related uses in Downey. Uses include City Hall, the Downey City Library, facilities for the Downey Police Department, the Downey Civic Theater, and surface parking lots. This area is located along the eastern border of the Specific Plan area, adjacent to the large Downey High School campus. Although part of the downtown, this area is separated from the downtown by landscaped buffers and surface parking.



According to the proposed Specific Plan, this area:

> "*… permits government facilities, public parks, and a transit center. Envisioned embellishments include a large public gathering space… to provide a space for community festivals, fairs; constructing a parking structure; and relocating the transit center to this district.*"

This district would include no residential uses, and limited commercial and educational uses. Building heights would be unrestricted. The Specific Plan notes that the Civic Center District is "an ideal location for a civic park" (p. 50). **Table 2-5** lists the uses permitted by right or are conditionally permitted in the Civic Center District.

TABLE 2-5
CIVIC CENTER DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

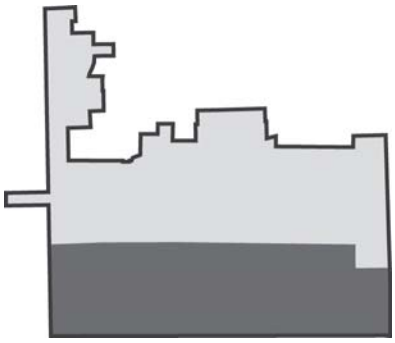
Use	Permitted	Conditionally Permitted
Eating and Drinking Establishments		
Beverage Sales, On-Site, License Type 41 and Type 47	√	
Outdoor Patio Seating or Dining	√	
Restaurants	√	
Educational Uses		
Cultural Institutions	√	
Entertainment Uses		
Conference Facilities/Convention Centers		√

TABLE 2-5
CIVIC CENTER DISTRICT USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Financial and Professional Office Uses		
Financial Services/Banks/Credit Unions	√	
Office, Business and Professional	√	
Public/Institutional Uses		
Government Facilities	√	
Open Space	√	
Parks and Recreational Facilities	√	
Public Utilities	√	
Transit Center (City-owned and operated)	√	
Retail Commercial Uses		
Art Galleries	√	
Accessory Uses		
Kiosks (permanent and temporary)		√

SOURCE: Hogle Ireland, 2010.

Firestone Boulevard Gateway District



The 39-acre Firestone Boulevard Gateway District, the largest of the districts, would be located generally north of the Union Pacific rail line and south of Second Street, between Paramount Boulevard and Brookshire Avenue (see inset). Actively used train tracks border the southern edge of the district. The name of this district is derived from the segment of Firestone Boulevard that extends between Paramount Boulevard and Brookshire Avenue. Located along the south side of the Specific Plan area, this area includes taller buildings and businesses with larger floor plates than the other districts. Existing uses include general commercial (local and larger chain retailers) from grocery stores to furniture wholesale businesses. This district also includes restaurants, financial institutions, a strip mall and Downey's transit center. Major retailers and employers in this district include Embassy Suites, two CVS stores, a Fresh & Easy Market, Portos Bakery, Triple A, and a U.S. Post Office.

According to the proposed Specific Plan, the vision for this area is:

> "*… [to create] a lively area consisting of high-intensity/density development with flexible retail, office and residential space. Entertainment uses such as bowling, sports bars, and dancing may be located in this District. Along Firestone Boulevard, the ground floor is reserved for office and commercial uses; residential uses may be located on the second floor and above. Rental opportunities and creative residential products such as live/work units, and lofted studios are encouraged. Firestone Boulevard will continue to facilitate roadway treatments to facilitate pedestrian connections to Downtown.*"

This is an urbanized area with a busy cross street (Firestone) that allows the largest variety of commercial land uses, and encourages development of apartment, condominium and live-work housing. (No new detached housing would be allowed.) Within easy walking distance of transit and the Downtown Core District, this area would provide an urban experience for young professionals and artists, and others.

This District would have the tallest buildings in the Specific Plan area with a maximum building height of six-stories or 75 feet and with an FAR of 3.0, the District would have the highest FAR in the Specific Plan area. Maximum lot coverage would be 100 percent.

Table 2-6 lists the uses permitted by right or are conditionally permitted in the Firestone Boulevard Gateway.

TABLE 2-6
FIRESTONE BOULEVARD GATEWAY USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
Eating and Drinking Establishments		
Beverage Sales, On-Site, License Type 41 and Type 47	√	
Beverage Sales, On-Site, All Other License Types		√
Catering Services	√	
Restaurants	√	
Outdoor Patio Seating or Dining	√	
Educational Uses		
Colleges and Continuing Education Facilities		√
Tutoring Facilities/Educational Activity Centers	√	
Entertainment Uses		
Bar/Night Club/Live Entertainment		√
Commercial Recreation Facilities	√	
Fitness Studios		√
Hookah/Cigar Lounge	√	
Financial and Professional Office Uses		
Financial Services/Banks/Credit Unions	√	
Laboratories (second floor and above)	√	
Office, Business and Professional (second floor and above)	√	
Office, Medical and Dental (second floor and above)	√	
Public/Institutional Uses		
Government Facilities	√	
Open Space	√	
Parks and Recreational Facilities	√	
Residential Uses		
Apartments (second floor and above)	√	
Condominiums (second floor and above)	√	
Daycare Homes (large, 9 to 14 children)		√
Daycare Homes (small, 8 or fewer children)	√	
Live/Work Units	√	
Residential Care Facilities (small, 6 or fewer)	√	
Home Occupations	√	

TABLE 2-6
FIRESTONE BOULEVARD GATEWAY USES PERMITTED BY RIGHT AND PERMITTED CONDITIONALLY

Use	Permitted	Conditionally Permitted
etail Commercial Uses		
Alcoholic Beverage Sales, off-premises		√
Animal Sales/Feed and Supplies/Pet Store	√	
Art Galleries	√	
Banquet Facilities		√
Bicycle Sales and Repair Shops	√	
Bookstores (new and used)	√	
Drug Stores/Pharmacies	√	
Florist Shops	√	
Grocery Stores	√	
General Retail/Specialized Retail (new and used)	√	
Hardware/Home Improvement Stores	√	
Jewelry Stores	√	
Nurseries and Garden Supply Stores		√
Service Commercial Uses		
Animal Boarding Facilities/Doggie Daycare		√
Animal Grooming	√	
Cyber Cafes	√	
Dry Cleaning and Laundry Cleaning Services	√	
General Commercial Services	√	
Hotels		√
Mail and Shipping Services/Post Office Rentals	√	
Personal Improvement Services	√	
Personal Services	√	
Printing and Professional Services	√	
Tailor Services/Shoe Repair Shop	√	
Travel Agencies	√	
Veterinary Offices		√
Temporary Uses		
Firework Stands	T	
Accessory Uses		
Kiosks (permanent and temporary)		√

SOURCE: Hogle Ireland, 2010.

Although not many uses would be specifically prohibited, detached single-family homes, townhomes, duplexes, and courtyard housing would not be permitted. In addition, adult-oriented businesses, antique and collectible stores, cultural institutions, conference facilities/convention centers, government facilities, new transit centers, public utilities, smoke/cigar/hookah lounges, tanning salons, and temporary uses such as arts and craft fairs, farmer's markets, swap meets/flea markets, etc., would not be permitted.

2.4.2 Design Standards and Guidelines

The Specific Plan (see Section 3 of Appendix 3) establishes a set of design standards and guidelines for all development and renovations in the Specific Plan area. For new buildings, FARs, maximum height, required set-backs, maximum lot coverage, parkway requirements, landscape requirements and storefront requirements are spelled out. Standards and guidelines are also established for the conservation of existing structures, including buildings determined by the City to be historically or architecturally significant. The Specific Plan identifies signage standards and suggests general guidelines for a Way-finding Program. See Appendix 3, Draft Downtown Downey Specific Plan, Section 3, for more detail.

2.4.3 Mobility Plan

The Specific Plan (see Section 4 of Appendix 3) includes a Mobility Plan that describes the existing street network in the downtown area and makes recommendations as to curb-to-curb widths and the right-of-way width for downtown streets, based on the General Plan Circulation Element. **Table 2-7** summarizes the existing and recommended street configurations.

TABLE 2-7
EXISTING AND RECOMMENDED STREET CONFIGURATIONS

Street Classification	Examples	Existing Curb-to-Curb	Existing Right-of-Way	Recommended Curb-to-Curb	Recommended Right-of-Way	Total No. of Lanes	Comments
Major Arterials	Firestone Boulevard; Paramount Boulevard	76 feet to 80 feet (88 feet for Firestone Blvd.)	100 feet (110 feet for Firestone Blvd.)	84 feet	114 feet	3 in each direction	For key intersections, the right–of-way would be augmented. No on-street parking
Secondary Arterials	Downey Avenue; Brookshire Avenue	56 feet to 60 feet	75 feet to 84 feet	64 feet	84 feet	2 in each direction	On-street parallel parking
Collector/Local Streets	La Reina Avenue; Third Street	24 feet to 41 feet	50 feet to 60 feet	38 feet	50 feet	1 in each direction	Includes on-street parallel parking on both sides; no on-street parking; diagonal parking on one side

SOURCE: Hogle Ireland, 2010.

The Specific Plan also describes public transit options within the Specific Plan area, and provides a pedestrian mobility plan, along with a bicycle backbone network. The Specific Plan recommends that most of the bicycle routes be placed on collector/local streets as Class III (signed) bicycle routes. As an innovative alternative mode of transport, the Specific Plan

recommends for consideration the use of neighborhood electric vehicles (NEVs), and proposes an NEV vehicle network.

2.4.4 Parking Plan

The Specific Plan (see Section 5 of Appendix 3) includes a proposed Parking Plan that addresses existing and future parking requirements for the Specific Plan area. The existing parking supply totals 1,040 parking spaces and is underutilized. However, development under the Specific Plan could create a demand that far exceeds existing parking.

The Specific Plan includes several methods for reducing parking demand. Shared parking and reducing parking requirements in the downtown area

The Specific Plan recommends that that the City initiate long-range planning and property acquisition efforts to provide for additional parking structures located in both the east and west areas of the Specific Plan area. A potential east end site would be the civic center complex, where surface parking could be converted to a parking structure that could provide additional shared parking. A potential west end site would be the existing Post Office surface parking lot.

The Specific Plan also recommends further study of public parking needs when the number of parking waivers granted exceeds 60 percent of the available public parking (see pp. 136 and 137).

Although as of March, 2010, CEQA no longer addresses parking as an environmental issue, parking is discussed briefly in Section 3.3 of the Draft EIR.

2.4.5 Infrastructure

California state law requires that Specific Plans describe existing infrastructure and demonstrate how adequate infrastructure will be provided for future development within the Specific Plan area. As a result, the Specific Plan (see Section 6 of Appendix 3) describes Downey's water, wastewater treatment, storm drainage, solid waste, electrical, natural gas, telephone and cable utilities and service systems. In addition, the Specific Plan describes Downey's public services, such as police and fire protection services. Both utilities and public services are described in more detail Sections 3.13 and 3.14 of this Draft EIR.

2.4.6 Implementation and Administration of the Specific Plan

Financing and Fees

The Specific Plan points to the need for a full financing plan associated with downtown infrastructure improvements. Potential funding sources include funds from the City's Community Development Block Grant (CDBG), potential loans and grants from the California Department of Housing and Community Development (HCD), potential grants from the California Environmental Protection Agency (Cal EPA), potential grants from the National Endowment for the Arts and state historic restoration incentives. City programs include the potential use of tax increment funds as allowed by state law for redevelopment plan areas, the City's general fund,

and debt financing, such as General Obligation Bonds, Revenue Bonds and Tax Allocation Bonds.

The Specific Plan also discusses the potential for special improvement or assessment districts that address issues such as the promotion of local businesses, maintenance, parking, community services, and landscaping and lighting. Impact fees and exactions provide another potential source of revenue for improvements.

Administration of the Specific Plan

According to the Specific Plan, "*The Specific Plan supersedes the otherwise applicable Development Code regulations. Whenever the provisions and development standards contained herein conflict with those contained in the Development Code the provisions of the Specific Plan shall take precedence. Where the Specific Plan is silent, the Development Code shall apply*." (p. 164).

2.5 Cumulative Projects

Cumulative impacts refer to the combined effect of project impacts with the impacts of other past, present and reasonably foreseeable future projects. Both CEQA and the CEQA Guidelines require that cumulative impacts be analyzed in an EIR. As set forth in CEQA Guidelines Section 15130(b), "*the discussion of cumulative impacts shall reflect the severity of the impacts, and their likelihood of occurrence, the discussion need not be as detailed as the discussion of environmental impact attributable to the project alone.*"

According to Section 15355 of the *CEQA Guidelines*:

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

Therefore, in general, the cumulative discussion in this EIR focuses on whether the impacts of the proposed project are cumulatively considerable within the context of impacts caused by other past, present or reasonably foreseeable future projects. Under each environmental topic, however, the cumulative discussion changes slightly because the context changes. A discussion of geological impacts would focus not so much on projects, but on the actively known faults in the area, etc.

A cumulative projects list is provided in Appendix 4 of this Draft EIR.

2.6 Discretionary Approvals Required for the Specific Plan

The proposed Specific Plan would require the following discretionary approvals:

- Approval of the Water Supply Assessment by the City Council;
- Certification of this Environmental Impact Report by the City Council;
- Approval of the Specific Plan by the City Council;
- Approval of a change regarding the General Plan land use designation for the Rives Mansion site to Mixed Use and the shuttered Gallatin Medical Center to Mixed Use; and
- Approval of an amendment to the General Plan in the Specific Plan area to reflect the proposed density ranges in the Specific Plan.

Additional discretionary approvals will be required by development proposed by the Specific Plan. These approvals include conditional use permits, site plan review approval, and other discretionary actions.

CHAPTER 3

Environmental Setting, Impacts, and Mitigation Measures

This chapter provides the environmental setting, potential impacts, and mitigation measures, if required, for 14 environmental topics, as follows:

Section	Environmental Topic
3.1	Land Use, Plans and Policies
3.2	Population and Housing
3.3	Traffic and Circulation
3.4	Air Quality
3.5	Greenhouse Gases and Global Warming
3.6	Noise
3.7	Aesthetics
3.8	Cultural Resources
3.9	Hazards and Hazardous Materials
3.10	Geology, Soils and Seismicity
3.11	Hydrology and Water Quality
3.12	Biological Resources
3.13	Utilities and Service Systems
3.14	Public Services and Recreation

Two environmental topics will be discussed in Chapter 4.0, *Other CEQA Issues*: Agriculture and Forestry Resources, and Mineral Resources.

3.1 Land Use, Plans and Policies

This chapter examines existing and proposed land uses, and land use plans and policies that apply to the proposed project site. These existing land uses include residential, commercial and institutional uses, some of which are located in the original downtown area. Land use plans and policies that apply to the project site include the Vision 2025 General Plan, existing zoning, and the Redevelopment Plan.

3.1.1 Environmental Setting

Regional

Background

Downey is located at the heart of the region that occupies southeastern Los Angeles County. Land uses in this region were first established by its early history as part of one of the rare Spanish land grants in the western United States. Land uses in the region were influenced by abundant sources of water, fertile soil found in the alluvial plain, local longstanding roadways, and the eventual arrival of the railroads. Cities such as Bellflower, Downey, Norwalk, Pico Rivera, and South Gate all share in the history of being part of one of the largest Spanish land grants in the west. The entire region was located at the crossroads for travelers to the coast and northward to Los Angeles from southern inland areas of California and beyond and cities in this area became known as the "Gateway Cities."[1] Land uses included grazing and farming, and later agriculture-based industrial uses/commercial uses. Portions of roadways in the area have been in use long before the arrival of the automobile and continue to serve local and regional circulation through the region.

Existing

Today, the region continues to be a hub with some predominantly residential communities with small historic downtowns, while others are commercial centers with large, newly developed downtowns. The transportation system includes an airport, marine terminals, freeways systems, rail networks including the Alameda Corridor Freight Rail System and mass transit. Land uses in many of the region's cities tend to be lower in density or have lower floor-to-area ratio requirements than more highly urbanized areas closer to the City of Los Angeles. The Gateway Cities Council of Governments (Gateway Cities COG) describes the region as a center for high-tech manufacturing and entrepreneurial businesses, and "big city living with small town life."

[1] The Gateways Cities include 27 cities, all of which are members of the Gateway Cities Council of Governments (in addition to some cities outside of the region, such as Los Angeles, Avalon (on Catalina Island), and the Port of Long Beach). These cities include Artesia, Bell, Bell Gardens, Cerritos, Commerce, Compton, Cudahy, Downey, Hawaiian Gardens, Huntington Park, La Habra Heights, La Mirada, Lakewood, Long Beach, Lynwood, Maywood, Montebello, Norwalk, Paramount, Pico Rivera, Santa Fe Springs, Signal Hill, South Gate, Vernon, and Whittier.

Local

Background

After the arrival of the railroad, Downey established itself as a center for transporting produce and as a center for agriculture-based businesses. Its downtown developed around and near the Southern Pacific railroad station, with a hotel located at the corner of what is now known as the corner of La Reina Avenue and Firestone Boulevard, and a business center on the northwest corner of Downey Avenue and Firestone Boulevard. By the beginning of the 20th century, "*Downey was the undisputed center of the business and social life of the area*" (Downey, 2010). Downey contained a Sunkist packing plant, as well as schools, and a thriving downtown area that included department stores, banks, restaurants and financial institutions. According to one account, "*The years 1900-1917 were perhaps the 'Golden Age' of Downey. In this era a citrus cooperative was formed, the Downey Board of Trade (later renamed the Downey Chamber of Commerce) was organized and the streets were lighted with electricity*" (Downey, 2010). Agriculture continued to play a big part in Downey's evolution, until the 1940s, when wartime efforts were a priority, which encouraged the development of air technology, and later space technology.

Existing

Today, as one of the "Gateway Cities," Downey is primarily a residential city. According to the *Vision 2025 General Plan*, approximately 61 percent of Downey's net land area is devoted to residential uses, approximately 10 percent is devoted to commercial use and approximately 9 percent is devoted to manufacturing. Approximately 8 percent is devoted to open space. (Approximately 12 percent is devoted to other uses, including schools, public uses, and mixed-use.)

Despite revitalization efforts in the 1960s and 1970s, by the 1990s, Downey's downtown was in need of a new strategy that would modernize land uses. According to Downey's *Vision 2025 General Plan* (p. 1-21):

> "*The area around Downey Avenue between Firestone Boulevard and Fifth Street has historically been considered the Downtown district of Downey. The downtown area is at the heart of the community containing major landmarks such as Downey City Hall, City Library, Downey Depot Bus Transit Center, and the Rives Mansion. After the demolition of the County Courthouse and a decline of the commercial areas in the downtown area, the city took a pro-active approach to revitalizing the area.*
>
> *The courthouse site was replaced by a 10-screen Kirkorian Theatre, which serves as a customer draw into the area. The city has focused its efforts on making the Downtown as a destination spot featuring entertainment and dining opportunities, capitalizing on the customers drawn to the area by the theatre and other uses, such as the Embassy Suites hotel, City Hall, and other uses. . . .*"

The downtown is now a mix of uses that include reuse of existing buildings; declining use of existing office space; an increase in other commercial uses; a large number of surface parking lots; new sidewalks, street trees and streetscape; a hotel; a large multi-plex (or cineplex); and

small shops and restaurants unique to Downey. The downtown also includes several mortuaries and several large church structures. The City's civic buildings are also located adjacent to the downtown.

Figure 3.1-1 describes existing uses in the proposed Specific Plan's downtown area. Residential uses are mostly limited to the northeastern portion of the area, along Third and Fourth Streets. Commercial uses are largely in the southern portion of the area, along Second Street and Firestone Boulevard. Civic uses are limited to the eastern area and one site located along the southern boundary.

3.1.2 Regulatory Framework

Regional and Statewide

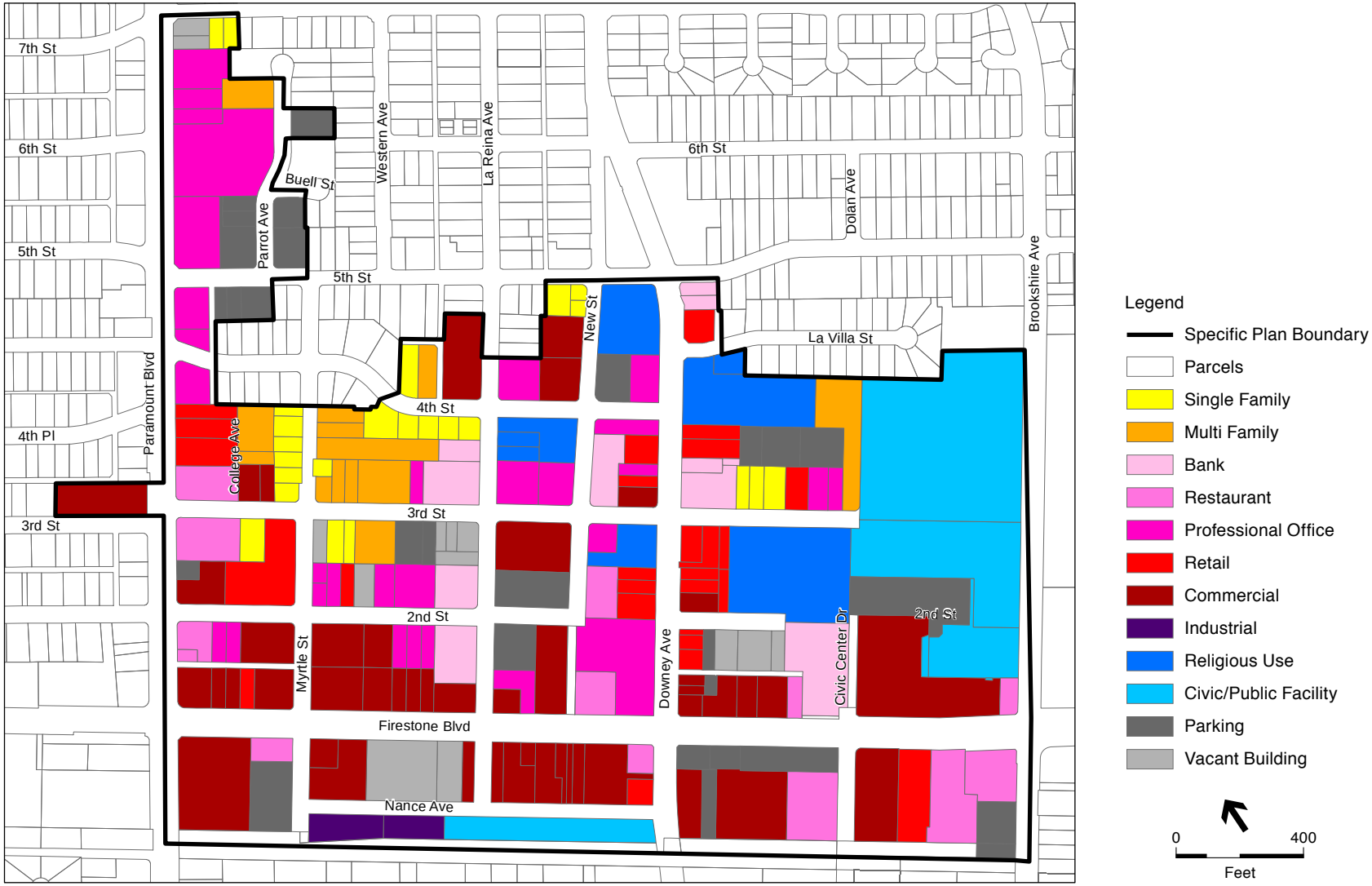
Senate Bill 375

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires the CARB to design and implement emission limits, regulations, and other measures, such that statewide greenhouse gas emissions (GHGs) will be reduced to 1990 levels by 2020. The discussion of Assembly Bill 32 is provided in Chapter 3.5, *Greenhouse Gases and Global Warming*.

Senate Bill 375 (SB 375) makes the link between Assembly Bill 32 and land use. SB 375 requires "*the regional transportation plan for regions of the state with a metropolitan planning organization (MPO) to adopt a sustainable communities strategy, as part of its regional transportation plan, as specified, designed to achieve certain goals for the reduction of greenhouse gas emissions (GHGs) from automobiles and light trucks in a region*" (Senate Bill No. 375, Chapter 728, 2008). The California Air Resources Board must provide each affected region with GHG reduction targets for the automobile and light truck sector for 2020 and 2035 by September 30, 2010, to appoint a Regional Targets Advisory Committee to recommend factors and methodologies for setting those targets and to update those targets every eight years.

The connection to land use is through the Housing Element, which is now required to be updated every eight years, so that the sustainable communities strategy and the Housing Element are on the same schedule, and so that the Housing Element reflects the strategies and schedule established by the sustainable communities strategy.

SB 375 also exempts from CEQA a "transit priority project" that meets certain requirements and is declared by the legislative body of a local jurisdiction to be a sustainable communities project. The "transit priority project" must be consistent with the MPO's sustainable communities strategy. The bill limits CEQA review of various other transit priority projects. CEQA review of residential or mixed-use residential projects that meet certain requirements would be exempt from being required to include certain information regarding growth inducing impacts or impacts from



SOURCE: City of Downey, 2010.

Downey Downtown Specific Plan . 209167

Figure 3.1-1
Existing Land Uses in Downtown Downey

certain vehicle trips. Local jurisdictions are authorized by SB 375 to adopt traffic mitigation measures for transit priority projects and would exempt transit priority projects that seek a land use approval for having to comply with additional mitigation measures.

In December 2009, the Gateway Cities Council of Governments, of which Downey is a member, published *A White Paper Addressing the Requirements of SB 375 at the Sub-Regional Level* that examines the pros and cons of developing a subregional framework and guidelines applicable to a subregional Sustainable Communities Strategy (SCS). This report notes that "subregions are not required to take on RHNA [Regional Housing Needs Allocation] as described in state law if they prepare a SCS/APS [alternative planning strategy]" (p. 7). However, it also notes that "SCAG encourages subregions to undertake both processes due to their inherent connections" (p. 7). The RHNA housing units must be consistent with the development pattern included in the SCS.

Southern California Association of Governments and Regional Plans

The Southern California Association of Governments (SCAG) is the MPO for Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura counties. As an MPO, SCAG is "*mandated by the federal government to research and draw up plans for transportation, growth management, hazardous waste management, and air quality*" (SCAG, 2010). Additional mandates exist at the state level. SCAG is also the Council of Governments (COG) for the six-county area.[2] SCAG's responsibilities as a COG include determining the Regional Housing Needs Allocation (RHNA) for all city and county jurisdictions within the SCAG boundaries. In addition, SCAG is responsible for:

- Maintenance of a continuous, comprehensive, and coordinated planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program.
- Development of demographic projections plus the integrated land use, housing, employment, transportation programs, measures, and strategies portions of the South Coast Air Quality Management Plan, as well as serving as co-lead agency for air quality planning for the Central Coast and Southeast Desert air basin districts.
- Responsibility under the federal Clean Air Act for determining conformity to the Air Plan of projects, plans and programs.
- To function as the authorized regional agency for intergovernmental review of programs proposed for federal financial assistance and direct development activities.
- Review of environmental impact reports for projects having regional significance for consistency with regional plans.
- Pursuant to federal water pollution control statutes, functioning as the authorized area wide waste treatment management planning agency.

[2] In general, state law provides that where there is a Council of Governments, it provides the allocations of regional housing needs to all cities and counties within its boundaries. (Where there is no Councils of Governments that duty is carried out by the State Department of Housing and Community Development).

In addition, SCAG is responsible, along with the San Diego Association of Governments, and the Santa Barbara County/Cities Area Planning Council, for preparing the Southern California Hazardous Waste Management Plan pursuant to the California Health and Safety Code.

2008 Regional Comprehensive Plan

SCAG's 2008 Regional Comprehensive Plan (RCP) is "a problem-solving guidance document" (SCAG, 2010) that (1) links transportation, land use, and air quality planning; and (2) recommends key roles and responsibilities for public and private sector stakeholders and invites them to implement reasonable policies that are within their control. It is SCAG's hope that this document will set the stage for a more robust 2012 update of the Regional Transportation Plan (RTP). According to SCAG, "*[t]he result is a proactive, unconstrained, big-picture advisory plan that envisions what a livable, sustainable, successful region could look like and challenges us to tackle difficult issues*" (SCAG, 2008). SCAG is careful to say that the RCP *recommends* more integrated resource planning, but does not mandate it. Instead, local governments are asked to consider the RCP when updating General Plans, amending municipal codes, recommending design guidelines, and other actions. The RCP includes overviews of land use and housing; open space and habitat; water; energy; air quality; solid waste; transportation; security and emergency preparedness; and the economy.

Section 3.1.3 of this Draft EIR considers the goals and policies of the RCP and indicates whether the proposed Specific Plan would be consistent with these goals and policies.

2008 Regional Transportation Plan

SCAG's 2008 RTP "*presents the transportation vision for this region through the year 2035 and provides a long-term investment framework for addressing the region's transportation and related challenges. The RTP is the culmination of a multi-year effort focusing on maintaining and improving the transportation system through a balanced approach that considers system preservation, system operation and management, improved coordination between land-use decisions and transportation investments, and strategic expansion of the system to accommodate future growth*" (SCAG, 2008). The RTP stresses that it is a collective vision for the future, based on the existing transportation system, future growth in the region, transportation needs, the need to improve air quality, the need to preserve the environment, and the need to mitigate harmful environmental impacts of proposed transportation-related improvements.

The RTP's seven goals are to:

- Maximize mobility and accessibility for all people and goods in the region;
- Ensure travel safety and reliability for all people and goods in the region;
- Preserve and ensure a sustainable regional transportation system;
- Maximize the productivity of our transportation system;
- Protect the environment, improve air quality and promote energy efficiency;
- Encourage land use and growth patterns that complement our transportation investments; and
- Maximize the security of the regional transportation system through improved system monitoring, rapid recover planning, and coordination with other security agencies.

The 2008 RTP is a performance based plan that uses factors that include mobility, accessibility, reliability, productivity, safety, sustainability, preservation, cost-effectiveness; environmental; and environmental justice to judge its success in achieving the RTP goals.

Section 3.1.3 of this Draft EIR considers the goals and policies of the RCP and indicates whether the proposed Specific Plan would be consistent with these goals and policies.

Local

Downey Vision 2025 General Plan

Adopted in January, 2005, the Downey Vision 2025 General Plan is divided into eight chapters that address land use, circulation, conservation, noise, safety, open space, design, and economic development. The Housing Element, which is on a separate update schedule that is mandated by state law, is a separate document that is part of the General Plan, incorporated by reference.[3] The General Plan Land Use Chapter (or Element) establishes 12 land use designations for the City as described in **Table 3.1-1** on the following page. (This table also includes the corresponding zoning for the General Plan land use designation.)

The General Plan includes several adopted goals, policies and programs relevant to the proposed Specific Plan. These goals, policies and programs follow below:

Goal 1.1 Provide sufficient land areas for uses that serve the needs of residents, visitors, and businesses.

Policy 1.1.1 Maintain a balance of land uses.

- **Program 1.1.1.1** Discourage the over-concentration of a particular land use that will preclude the establishment of other uses needed to serve the community.
- **Program 1.1.1.3** Adopt floor-area ratios (FAR) or comparable method to address building intensity for each zoning classification.

Policy 1.1.2 Provide an appropriate amount of land area to absorb the city's future population growth.

- **Program 1.1.2.1** Identify areas to absorb population growth and support additional housing.

[3] State law mandates that the General Plan address land use, circulation, conservation, open space, noise, safety and housing.

TABLE 3.1-1
GENERAL PLAN LAND USE DESIGNATIONS AND ZONING CLASSIFICATIONS

General Plan Land Use Designation	Density/Floor-to-Area Ratio (FAR)	Minimum Lot Size (sf) per Unit	Approximate Total Net Acres in Downey	Zoning
Low Density Residential	1 to 8.9 housing units per acre	5,000 sf	3,188 net acres	R-1
Low/Medium Density Residential	9 to 17 housing units per acre	Two units per 5,000 sf	187 net acres	R-2
Medium Density Residential	18 to 24 housing units per acre	10,000 sf 18 to 24 units per acre or 3 units per 6,000 sf	414 net acres	R-3
Office	0.5:1 to 5:1 FAR	6,000 sf	163 net acres	C-P; H-M
Neighborhood Commercial	Less than or equal to 0.25:1	6,000 sf	103 net acres	C-1
General Commercial	0.25:1 to 4:1 FAR	10,000 sf	372 net acres	C-2
General Manufacturing	0.6:1 FAR	20,000 sf (M-1) 40,000 sf (M-2	229 net acres	M-1 (20,000 sf), M-2 (40,000 sf), Light / General Manufacturing
Commercial Manufacturing	0.5:1 to 0.6:1 FAR	86,120 sf	304 net acres	C-M
Open Space	Not applicable	Not applicable	516 net acres	O-S
Schools (including Mixed Use School)	O-S	Not applicable	348 net acres	O-S, Public School subzone O-S, Private School subzone
Public	Not applicable	Not applicable	104 net acres	P
Mixed Use (not including Mixed Use School)	Not applicable	7,500 sf	301 net acres	M-U

SOURCE: City of Downey, 2005; ESA, 2010.

Policy 1.1.3 Provide an appropriate amount of land area for business and employment.

Program 1.1.3.1 Encourage land uses that generate jobs.

Program 1.1.3.2 Discourage land uses that do not generate jobs within areas classified for job-generating land uses.

Program 1.1.3.3 Promote a diversified employment base by discouraging the over-concentration of a particular land use that will preclude the establishment of other uses.

Policy 1.1.4 Provide an appropriate amount of land area for people to acquire goods and services.

Policy 1.1.5 Provide an appropriate amount of land area for recreation and entertainment.

Program 1.1.5.2 Promote Downtown Downey as a destination draw for entertainment and dining uses.

Program 1.1.5.3 Promote recreation and entertainment uses that serve needs of the public.

Goal 1.2 Advance livable community concepts.

Policy 1.2.1 Promote livable communities concepts that allow added flexibility in addressing land use needs.

Program 1.2.1.1 Promote project designs that reduce dependency on vehicles and promote pedestrian, transit, and alternate modes of travel.

Program 1.2.1.2 Promote mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles.

Program 1.2.1.3 Promote commercial and residential uses in proximity to transit stops to reduce dependency on vehicles.

Program 1.2.1.4 Provide dining opportunities within walking distances of employment centers.

Program 1.2.1.5 Promote the establishment of child-care centers near transportation routes and employment centers.

Program 1.2.1.6 Promote the placement of buildings at or near the public right-of-way with a primary or secondary entryway facing the sidewalk.

Policy 1.2.2 Focus on areas where livable communities concepts are most likely [to] have the most impact to set a catalyst for similar projects elsewhere in the city.

Program 1.2.2.1 Promote the downtown area as a destination point for entertainment, dining, civic, and other activities.

Program 1.2.2.2 Capitalize on existing pedestrian traffic generated in the Downtown area by the movie theaters, hotel, civic center and offices.

Program 1.2.2.3 Promote housing, mixed use housing, and other land uses that will generate nighttime pedestrian traffic in the Downtown.

Goal 1.3 Address changes in land use and zoning trends.

Program 1.3.1.5 Encourage land uses consistent with the area's designation as properties recycle.

Policy 1.3.2 Monitor and address changes in land use trends.

Program 1.3.2.2 Adjust the codes, policies, and regulations in response to changes in land use trends.

Program 1.3.2.3 Change the zoning of properties where inconsistent with general plan land use designations.

Program 1.3.2.6 Coordinate with and monitor actions by federal, state, regional, and other local agencies regarding issues that impact Downey.

Zoning Ordinance

The Comprehensive Zoning Ordinance of the City of Downey (Zoning Ordinance, Article IX of the Downey Municipal Code), as amended to October 11, 2008, was adopted to implement the General Plan. The Zoning Ordinance divides the City into 18 zones,[4] and several subzones. Most of these zones are presented in Table 3.1-1 and directly correspond to General Plan land use designations. Those zones that are not presented in Table 3.1-1 are the following:

- R-3-0 (Multi-Family Residential Ownership);
- C-3 (Central Business District);
- PUD (Planned Unit Development Overlay Zone); and
- D-P (Downtown Plan Overlay Zone).

The C-P (Commercial-Professional Office) zone is a commercial zoning that "is intended to provide for the development of integrated office and professional areas wherein related types of uses and facilities may also be located. The provisions of this zone are intended to encourage the most desirable relationship of permitted uses and to provide a transition between more intensive commercial activities and residential areas" (City of Downey, 2008). Under this zoning, restaurants, cafes and coffee establishments are permitted by right, along with financial services (no check cashing operations), business and professional offices, medical and dental offices, and blueprint and copy services. With only a few conditionally permitted uses, all other uses are prohibited.

[4] Although the Zoning Ordinance states that it divides the City into 17 zones, there are actually 18, including two overlay zones.

The C-3 (Central Business District) zone is a commercial zoning that, in general, applies to the downtown area covered by the Downtown Plan Overlay Zone for Downey's Historic Downtown District (see below). Among the uses permitted by right are new car sales, auto parts and auto paint shops when part of a new car dealership; bakeries and restaurants, cafes, and coffee establishments; and financial, professional services and office uses, along with most office support operations such as catering, janitorial supplies and services, and blueprint and photocopy services, mail and shipping services, and personal improvement services. Senior housing and public schools are also permitted, along with florist shops, drug stores, and retail sales.

D-P (Downtown Plan Overlay Zone) zoning overlays the downtown area and was specifically established to implement the Downtown Plan (see below). The Overlay Zone is the primary zoning in the downtown area, while all other zoning categories in the Downtown (as described in the Downtown Plan) are considered by the City to be subzones, or underlying zones.

Downtown Plan for Downey's Historic Downtown District

The Downtown Plan for Downey's Historic Downtown District (Downtown Plan) is a zoning document adopted in October 2000. According to the Downtown Plan:

> "*The Downtown Plan is intended to create a distinct area within Downey's historic central business district. It is intended to pull the downtown together, creating a distinct and inviting neighborhood. It would bring people back to the downtown, providing interesting and entertaining elements for the area drawing people to shop, eat and attend entertainment events.*"

The Downtown Plan area is bound by Fourth and Fifth Streets (north), Dolan Avenue and Brookshire Avenue (east), the Union Pacific Railroad right-of-way (south), and Myrtle Street (west). The Downtown Plan establishes permitted uses, development standards, parking standards, signage requirements and standards for outdoor seating and newspaper racks/vending machines. It leaves underlying zoning in place and defers to the underlying zoning when not addressed by the Downtown Plan. The Downtown Plan is implemented by the D-P (Downtown Plan Overlay Zone) zoning classification, as described in the Downey Municipal Code, Section 9326. In general, the Downtown Plan broadens the uses permitted by right in the downtown area by identifying specific retail operations that are allowed, such as art galleries and art supply stores, beauty and barber shops and salons, beer and wine sales (off-site), employment agencies, bookstores, etc.

Redevelopment Plan for the Downey Redevelopment Project

In August 8, 1978, the Downey Community Development Commission, acting as the Downey Redevelopment Agency, adopted the Redevelopment Plan for the Downey Redevelopment Project (Redevelopment Plan). The Redevelopment Plan identified four noncontiguous sites that constitute the Project Area. Site D is identified as the Downtown Area. Although originally smaller than the area covered by the Downtown Plan, this area was expanded in 1980 and again in 1987.) The Redevelopment Plan has been amended four times – in 1979, 1980, 1985

(invalidated by the Los Angeles Superior Court) and in 1987. Goals for the Redevelopment Plan are:

- To guide new development to meet the needs of the community as reflected in this Plan, the Annual Work Program and the General Plan of the City.
- To implement the land uses and concepts of the City's General Plan and the City's Zoning Ordinance as may be amended from time to time.
- To encourage cooperation and participation of residents, business persons, public agencies and community organizations in revitalizing the area.
- To encourage private sector investment in development of the Project Area.
- To promote the economic well-being of the Project Area by encouraging diversification of its . . . commercial base.
- To promote development of diverse local job opportunities.
- To eliminate blighting influences, including deteriorating buildings, incompatible and uneconomic land uses, obsolete structures, and other environmental, economic and social deficiencies; improve the overall appearance of existing buildings, streets, parking areas and other facilities, public and private; and assure that all buildings, new and old, are safe for persons and businesses to occupy.
- To provide adequate parcels and require public improvements so as to encourage new construction by private enterprise, thereby providing the City of Downey with an improved economic base with this Plan, Annual Work Programs and the General Plan of the city.
- To provide new or improved public improvements and facilities, the absence or inadequacy of which are impediments to development as contemplated in the General Plan of the City.
- To provide adequate public improvements, public facilities, open spaces, and utilities which cannot be remedied by private or governmental action without redevelopment.
- To provide construction and employment opportunities in the development of new facilities and by providing employment opportunities in the operation of new . . . and commercial facilities.
- To implement the construction or reconstruction of adequate streets, curbs, gutters, street lights, storm drains, and other improvements as necessary to maintain the Project Area as a master-planned development and to correct existing environmental deficiencies.
- To establish development criteria and controls for the permitted uses within the Project Area in accordance with modern and competitive development practices, thus assuring the highest design standards and environmental quality.
- To make provision for housing inside and outside the Project Area as is required to satisfy the needs and desires of various age, income, and ethnic groups of the community, maximizing opportunity for individual choice.

- To achieve a physical environment reflecting a high level of concern for architectural and urban design principles deemed important by the community.
- To provide a procedural and financial mechanism by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization and enhancement of the community.

The Redevelopment Plan allows for the acquisition of real property by purchase, gift, or any other lawful means, or by exercising the power of eminent domain[5] where it is deemed necessary. In addition, among other actions, the Agency is authorized to provide relocation assistance to displaced project occupants; demolish or remove buildings and improvements; dispose of property for uses in accordance with the Redevelopment Plan; combine parcels or properties; vacate streets; dedicate other areas for public streets; and replace housing destroyed or removed from the project area. The agency must provide 20 percent of tax increment funds[6] generated by the Redevelopment Plan for the purpose of "*increasing and improving the community's supply of affordable housing in accordance with the Downey General Plan*" (City of Downey, 1987).

3.1.3 Impacts and Mitigation Measures

Significance Criteria

In accordance with Appendix G of the *CEQA Guidelines*, the proposed project's impact on land use, plans and policies would be considered "significant" if it would:

(a) Physically divide an established community;

(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or

(c) Conflict with any applicable habitat conservation plan or natural community conservation plan.

Methodology

This analysis is based on the provisions of the Draft Specific Plan (see Appendix 3), and the provisions of the General Plan, Zoning Ordinance and Redevelopment Plan.

The following issue does not apply to the project and will not be discussed further in this Draft EIR:

5 In 2008, California voters approved Proposition 99, which prohibits state and local governments from acquiring an owner-occupied residence for the purpose of conveying it to another "private person" with certain exceptions. The exceptions are when state or local government exercises the power of eminent domain for the purpose of protecting public health and safety; preventing serious, repeated criminal activity; responding to an emergency; or remedying environmental contamination that poses a threat to public health and safety.

6 Tax increment funds are the revenues from property taxes attributed to the incremental increases in property values within the Redevelopment Plan area (generated from development activity) above a base amount. With some exceptions, tax increment funds can only be spent with the Redevelopment Plan area.

Conflict with an applicable habitat conservation plan or natural community conservation plan. The project site is located within a highly urbanized area in which there are no recorded occurrences of special-status species within the project site or its vicinity, nor are there any known rare or endangered species. There are no riparian habitats or other sensitive natural communities located in the vicinity of the project site. Moreover, the two river channels located adjacent to the City of Downey's westerly boundary (i.e., Rio Hondo, and Los Angeles) are cement lined and do not support limited, if any, vegetation. (The San Gabriel River, which serves as the City's easterly boundary is also concrete-lined but does have a few unlined recharge areas within its reach.) The proposed Specific Plan area is not located within a known habitat conservation plan or natural community plan. For these reasons, the proposed project would have no impact on a habitat conservation plan or natural community conservation plan.

Impacts and Mitigation Measures

Impact LU-1: The proposed project could physically divide an established community. (Less than Significant)

Downey's downtown has been in existence since the late 1800s. Some of the uses in the downtown have been in existence since the early 1900s. However, over time, the "edges" of the downtown have shifted as uses along the edge have become commercial, or become occupied by more dense residential development (multi-family). The Civic Center complex, including City Hall, the library, and the police station are public uses also located along the "edge" of Downey's downtown.[7] To incorporate the downtown edges, the proposed Specific Plan (see Appendix 3) divides the downtown into five districts that reflect existing uses or uses that complement existing uses. The five districts consist of the Paramount Boulevard Professional District, the Downtown Residential District, the Downtown Core District, the Civic Center District and the Firestone Boulevard Gateway District. As a result, in comparison to the Downtown Plan or the Redevelopment Plan, the proposed Specific Plan area is larger. Its proposed boundaries extend as far northward as Seventh Street (particularly along the eastern side of Paramount Boulevard), and more parcels are included along Fifth Street. The boundary extends to the western side of Paramount Boulevard to capture the historic Rives Mansion, located at Third Street and Paramount Boulevard. In addition, the proposed Specific Plan includes the Civic Center complex to the east. The proposed Downtown Residential District is already predominately residential (see Figure 3.1-1). The Downtown Core District is already mostly commercial. The Civic Center District is already the site of City Hall, the library and the police station.

These additional "edge" areas are physically linked to the downtown, and consist of existing office uses, higher density residential uses or commercial areas, and civic uses that support and integrate well with downtown uses. Workers in these edge areas naturally gravitate to the downtown for shopping and restaurants. Nearby residents can walk to the downtown area for coffee, entertainment, and shopping. These "edge" uses are buffered by existing uses outside of the Specific Plan area that allow uses in the Specific Plan area to transition from nearby residential areas in a controlled manner to the uses envisioned for the Specific Plan area.

7 In many cities, civic uses are often at the heart of the older downtowns.

Because the proposed Specific Plan area would expand to capture "edge" uses that complement downtown activities, because the Specific Plan would reflect existing downtown uses, and because the Specific Plan area reflects the existing downtown area by taking advantage of existing buffers between downtown uses and existing residential neighborhoods, the proposed Specific Plan would not physically divide an established community, but instead would result in a more integrated downtown and more controlled growth along the downtown edges. The proposed Specific Plan would have a less-than-significant potential to physically divide an established neighborhood near the downtown area.

Mitigation: None required.

Impact LU-2: The proposed project could potentially conflict with any applicable land use plan, policy or regulation of an agency over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental impact. (Less than Significant with Mitigation Incorporated)

Vision 2025 General Plan

The Vision 2025 General Plan fully supports the development of the downtown area in accordance with the proposed Specific Plan (see Appendix 3). The proposed project adjusts land uses to existing land use trends (see Policy 1.3.2.) and legislation that emphasizes sustainability (see Policy 1.2.1 and Programs 1.2.1.1. through 1.2.1.6.) by encouraging mixed-use residential development and mixed-use commercial development, thus encouraging the creation of jobs (Policy 1.1.3. and Program 1.1.3.1.) near residences, pedestrian modes of travel and the use of alternative modes of transportation.

For the most part, the land uses proposed in the Specific Plan conform with the Downtown Plan's Mixed Use General Plan land use designation. **Figure 3.1-2** also shows existing and proposed land use General Plan land use designations.

In general, the proposed Specific Plan would be consistent with existing land use designations under the General Plan. An amendment to the General Plan would be required for portions of the Specific Plan area that are outside of the current Downtown Plan area to change the land use designations for these areas to Mixed Use and the density ranges to reflect those identified in the Specific Plan. These two areas consist of portions of the Paramount Boulevard Professional District (the area along Paramount Boulevard, between Fifth and Seventh Streets and the Rives Mansion site). Adoption of the Specific Plan would result in an amendment to the General Plan. Mitigation Measure LU-1 would ensure that the General Plan is amended.

TABLE 3.1-2
LAND USES PROPOSED BY THE SPECIFIC PLAN VS. EXISTING GENERAL PLAN LAND USE DESIGNATIONS

Proposed Land Use Districts	Proposed New Uses	Proposed Density/FAR	Existing Land Use Designation	Existing Land Uses	Existing Density/FAR
Paramount Boulevard Professional District	Professional office environment with related services (quick lunch dining, coffee and juice bars); residential uses possible on the second and third floors	2.0 FAR 20 to 40 dwelling units per acre	Office Mixed Use	Professional and medical office uses	0.5:1 to 5:1 FAR
Downtown Residential District	Residential; neighborhood-serving commercial	1.5 FAR / maximum 0.5 commercial FAR	Mixed Use	Commercial and residential	24 dwelling units per acre; 5.0 FAR
Downtown Core District	Pedestrian-oriented downtown with a mix of uses, with the ground floor reserved for retail uses; and office and residential uses on the second and third floors	1.5 FAR 20 to 40 dwelling units per acre	Mixed Use	Commercial and residential	24 dwelling units per acre; 5.0 FAR
Civic Center District	Government facilities; public parks; transit center	No Restriction	Mixed Use	Public parks; utility easements; riverbed; parks; cemetery and golf courses	No Restriction
Firestone Boulevard Gateway	High-intensity/ density development with flexible retail, office and residential space; Entertainment uses such as bowling; sports bars; live music; and dancing; residential uses on the second floor and above; rental opportunities; creative residential products	3.0 FAR 40 to 75 units per acre	Mixed Use	Commercial and residential	24 dwelling units per acre; 5.0 FAR

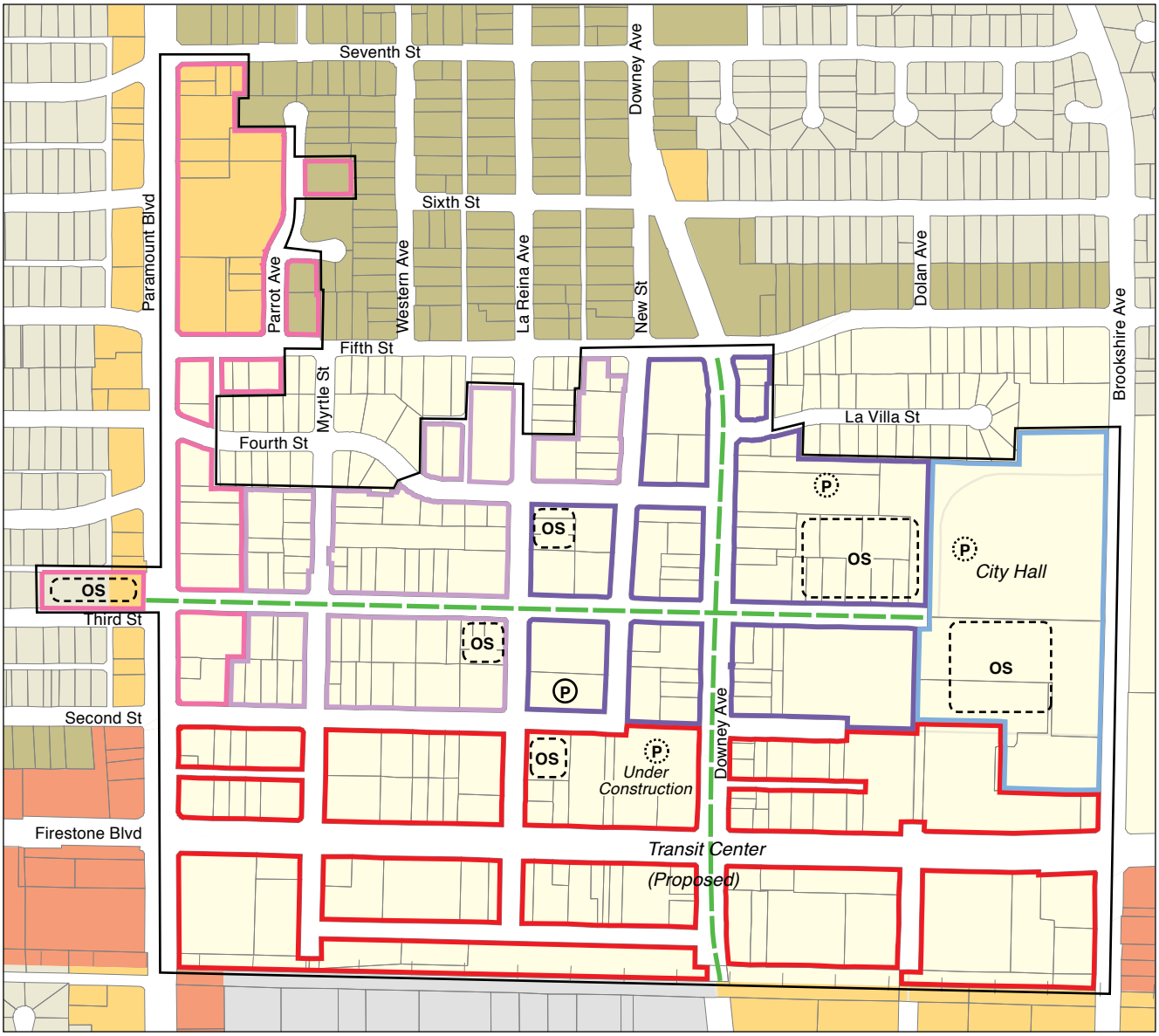
SOURCE: Hogle Ireland, 2010; City of Downey, 2005; ESA, 2010.

Measure LU-1: The City of Downey shall, in conjunction with the approval of the proposed Specific Plan, amend the General Plan so that the entire planning area is designated as Mixed Use and change the residential density ranges of the planning area are changes to reflect those in the proposed Specific Plan.

Significance After Mitigation: Less than significant.

Zoning Ordinance

The City's Zoning Ordinance relies predominantly on the Downtown Plan Overlay Zone for much of the Specific Plan area. However, the Specific Plan edge areas include a variety of zoning districts, which are not overlain by the Downtown Plan Overlay Zone. As a result, there are small



Proposed Land Use Districts

- Civic Center District
- Firestone Blvd Gateway
- Paramount Blvd Professional District
- Downtown Core District
- Downtown Residential District
- Green Pedestrian Corridor
- (P) Existing Parking Structure
- (P) Parking Structure Opportunities
- OS Open Space Opportunities

City of Downey General Plan Land Use Designations

LDR	Low Density Residential
MDR	Medium Density Residential
O	Office
GC	General Commercial
MU	Mixed Use
CM	Commercial Manufacturing

0 400 Feet

SOURCE: City of Downey, 2009.

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Figure 3.1-2
Proposed Land Use Districts and Existing General Plan Land Use Designations

areas with "stand alone" zoning that allow building heights and uses that could conflict with the Downtown Plan Overlay Zone. **Table 3.1-3** compares existing zoning to proposed zoning, and Figure 3.1-3 illustrates the proposed land use plan compared to existing zoning.

The Specific Plan would replace the planning area's existing zoning classifications and it is consistent with and would implement the City's General Plan goals for the area. These goals include concentrating growth in Downtown while respecting and preserving surrounding residential neighborhoods, introducing a variety of housing types to establish an active downtown environment; and preserving and enhancing "*the features that provide each district with its unique character, while simultaneously improving the liveliness and aesthetics of the overall Downtown area*" (Hogle Ireland, 2010). The impact of the proposed Specific Plan upon the zoning ordinance would be less-than-significant.

Mitigation: None required.

TABLE 3.1-3
LAND USES PROPOSED BY THE SPECIFIC PLAN VS. EXISTING ZONING

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
Paramount Boulevard Professional District	2.0 FAR 20 to 40 dwelling units per acre 4 stories/50 feet	Courtyard housing Daycare homes (small, 8 or fewer children) Eating establishment / coffee shop / bakery Financial services / banks / credit services General retail /specialized retail (New) Laboratories Office, business, professional Office, Medical and Dental	Banquet facilities Colleges and continuing education facilities Conference facilities / convention centers Daycare centers (adult) Fitness studio Hotels (less than 30 rooms)	C-P (Professional Office Zone)	2.0 FAR 75 feet or 5 stories, whichever is less (maximum)	Blueprint and copy services Business and professional offices Churches Financial services (no check cashing establishments) Office, business, professional Medical and dental offices Restaurants, cafes and coffee establishments	Restaurants, cafes and coffee establishments (with alcohol) Daycare center (adult and children) Taxicab stands Utility distribution stations
				C-1 (Neighborhood Commercial Zone)	0.25 FAR 20 feet or 1 story, whichever is less (maximum)	Animal feed and supplies Animal grooming Bakeries Business and Professional offices Financial services (no check cashing establishments) Firework stands Medical and dental offices Restaurants, cafes, coffee establishments	Daycare centers (adult and children) Liquor stores and other off-sale alcohol establishments Restaurants, cafes, coffee establishments (with alcohol sales or drive-thru) Service stations
				C-3 (Central Business District Zone)	3.0 FAR 105 feet or 7 stories, whichever is less (maximum)	Animal sales Auto sales (new) Auto parts Bakeries Catering companies Checking cashing	Animal boarding/kennels Auto sales (used) Auto rental agencies Auto repair Bars

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
						Financial services Firework stands Funeral services Janitorial supplies and services Offices, business and professional Medical and dental offices Passenger stations, bus and rail Plumbing, electrical, mechanical shops and services	Carwash Commercial recreation Day spa Hotels Massage therapy Mobile home sales / manufactured home sales Night clubs
				R-3	18 to 24 units per acre; 0.6 FAR 35 feet or three stories, whichever is less	Apartments Condominiums Duplex dwellings Family day care center (8 or fewer) Multi-family dwellings Prefabricated housing Senior housing development Single-family housing (detached) Special events Townhomes	Conversion of buildings to multiple ownership Mobile home/manufactured home parks Religious, fraternal, or service organizations Rooming house Private schools

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
Downtown Residential District	1.5 FAR / maximum 0.5 commercial FAR 4 stories/ 50 feet	Apartments Bookstores Condominiums Cultural institutions Duplex dwelling units Florist shops General retail (new) Live-work units Office, business and professional (2nd floor and above) Office, medical and dental (2nd floor and above) Outdoor patio seating or dining Single-family units (detached) Second unit development Tailor Services / Shoe Repair Shops	Alcoholic beverage sales, off-premises Catering services Daycare centers (adult) Daycare centers, large (9 to 14 children) Fitness studios Hotels (less than 30 rooms)	R-2 (Two-Family Residential Zone)	9 to 17 units per acre; 0.6 FAR 30 feet or two stories, whichever is less	Apartments Condominiums Duplex dwelling units Family daycare center (8 or fewer) Prefabricated housing Public schools Special events Temporary trailer Townhomes	Family daycare center (9 to 14 children) Private schools Small wind energy systems Wireless communication facilities
				R-3 (Multiple-Family Residential Zone)	18 to 24 units per acre; 0.6 FAR 35 feet or three stories, whichever is less	See Paramount Boulevard Professional District, above	See Paramount Boulevard Professional District, above
				C-2 (General Commercial Zone)	1.4 FAR 45 feet or 3 stories, whichever is less (maximum)		
				C-3 (Central Business District Zone)	3.0 FAR 105 feet or 7 stories, whichever is less (maximum)	See Paramount Boulevard Professional District (above)	See Paramount Boulevard Professional District (above)
				D-P (Downtown Plan Overlay Zone)	Total gross floor area of all buildings on any lot shall not exceed four times the buildable area of such lot	Antique and collectible stores (objects more than 40 yrs. old) Art supply stores Bakeries, donuts, breads, muffins, sales Banks and similar institutions Beer and wine sales, onsite (within 300 feet of residentially zoned and developed property) Billiard parlors	Arcades, 5 or more machines Auction houses Bed and breakfast Churches, temples Circuses Concert halls and theaters Exercise and fitness studios and gyms Farmers market Hotels Movie theaters

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
						Bookstores (new, used, rare) Bridal shops/formal wear Department stores Employment agencies Mailbox rentals Studios, radio, television, recording	Museums Valet parking
Downtown Core District	1.5 FAR 20 to 40 dwelling units per acre 3 stories/45 feet	Apartments (2nd floor and above) Antique and collectible stores Arts and crafts fairs (temporary) Bookstores (new and used) Condominiums (2nd floor and above) Convenience stores / markets Cyber cafes Cultural institutions Farmers markets (temporary) Live-Work units Medical and dental offices (2nd floor and above) Office, business and professional (2nd floor and above) Restaurants Tutoring facilities ; educational activity centers	Alcohol sales Catering services Commercial recreation facilities Daycare centers (large, 9 to 14 children) Fitness studios Kiosks (permanent and temporary)	C-1	0.25 FAR 20 feet or 1 story, whichever is less (maximum)	See Paramount Boulevard District, above	See Paramount Boulevard District, above
				C-3 (Central Business District)	3.0 FAR 105 feet or 7 stories, whichever is less (maximum)	See Paramount Boulevard District, above	See Paramount Boulevard District, above
				D-P (Downtown Plan Overlay Zone)	Total gross floor area of all buildings on any lot shall not exceed four times the buildable area of such lot	See Downtown Residential District, above	See Downtown Residential District, above

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
Civic Center District	No restrictions	Cultural institutions Office, business and professional Government facilities Open space Outdoor patio seating or dining Parks and recreational facilities Public utilities Transit centers	Conference facilities and convention centers Kiosks (permanent and temporary)	R-3 (Multiple-Family Residential Zone)	18 to 24 units per acre; 0.6 FAR 35 feet or three stories, whichever is less	See Paramount Boulevard Professional District, above	See Paramount Boulevard Professional District, above
				O-S (CC)	30 feet or two stories, whichever is less (maximum)	Agricultural Golf courses and driving ranges (public) Open space Parks and recreational facilities	Accessory uses and structures Campgrounds Commercial recreation Cemeteries Golf courses and driving ranges (private) Maintenance buildings and facilities Parking – surface and structure Public buildings and facilities Public utility uses
				C-3 (Central Business District)	3.0 FAR 105 feet or 7 stories, whichever is less (maximum)	See Paramount Boulevard District, above	See Paramount Boulevard District, above
Firestone Boulevard Gateway	3.0 FAR 40 to 75 units per acre 6 stories/75 feet	Apartments (2nd floor and above) Art galleries Bicycle sales and repair shopsBookstores (new and used) Catering services Condominiums (2nd floor and above) Financial services / banks / credit unions	Animal boarding facilities / doggie daycare Colleges and continuing education facilities Hotels (more than 30 rooms) Nurseries and garden supply stores	C-3 (Central Business District)	3.0 FAR 105 feet or 7 stories, whichever is less (maximum)	See Paramount Boulevard District, above	See Paramount Boulevard District, above
				M-1 (Light Manufacturing Zone)	No FAR stated 45 feet or 3 stories, maximum	Animal hospitals and veterinary Appliance repairs and service Carpet and rug cleaning Electronics Financial services Finished products	Adult business Animal boarding/kennels Ambulance service Automobile tow storage yards Electroplating Freight terminals (truck terminals)

Proposed Land Use	Proposed Density/ FAR / Building Height	Proposed Selected Uses	Proposed Selected Conditional Uses	Existing Underlying Zoning	Existing Density/ FAR / Building Height	Existing Selected Uses	Existing Selected Conditional Uses
		Grocery stores Laboratories (2nd floor or above) Medical or dental office (2nd floor or above) Office, business and professional (2nd floor or above) Open space Outdoor patio seating or dining Parks and recreational facilities Restaurants	Veterinary offices			Food products Laboratories Machine shops and tool repair Parcel delivery terminals Pest control operators and services Pharmaceuticals Public scales Refrigeration repairs and services Restaurants, cafes, coffee establishments Storage yards	Heavy manufacturing Medical and dental offices Recycling collection center
				M-2 (General Manufacturing Zone)	No FAR stated 45 feet or 3 stories, maximum	*Nearly the same uses as M-1, except for the following examples:* Cesspool manufacture and sales Cement bulk storage silos Dairy product manufacturing and warehousing Foundries, aluminum (electric or low pressure) Rubber processing Soft drink manufacture and bottling Tire retreading	*Nearly the same uses as M-1, except for the following examples:* Auto wrecking yards Blast furnaces Boiler shops or services Drop hammers Electrical generating stations Forges and foundries Granite and marble grinding Heavy manufacturing Junk yards Punch presses

SOURCE: Hogle Ireland, 2010; City of Downey, 2010; ESA, 2010.

Redevelopment Plan

The Specific Plan and the Redevelopment Plan would not conflict. Although the Redevelopment Plan area is smaller than the Specific Plan area, the Redevelopment Plan is primarily a vehicle for eliminating blight and for establishing a financing mechanism to support redevelopment. Although the City may at some time want to expand the Redevelopment Plan area to support the entire Specific Plan area, expansion of the plan is outside of the scope of this Draft EIR, and would not result in a conflict between the two plans.

SCAG's 2008 Regional Comprehensive Plan and the 2008 Regional Transportation Plan

Table 3.1-4 lists the policies from SCAG's *2008 Regional Comprehensive Plan* and the *2008 Regional Transportation Plan* that are relevant to the proposed Specific Plan, and provides a discussion of the Specific Plan's level of consistency with each policy. SCAG policies focus largely on achieving job and housing balance within individual communities throughout the region, encouraging development patterns and densities that reduce infrastructure costs and reliance on the automobile and promote public transit use, minimizing environmental impacts through the use of "green" building techniques and landscaping practices, providing affordable housing, and minimizing new development in open space and agricultural areas.

The Specific Plan would implement many of the SCAG policies related to high-density, infill development. The Specific Plan would involve the revitalization of an already developed urban area with some infill development and higher density/intensity development that would make use of the existing circulation and utility infrastructure. The Specific Plan would introduce high-density commercial uses that would create new, high-paying jobs and neighborhood-serving shopping and entertainment destinations. The Specific Plan would also introduce high-density residential uses, thus creating a mixed-use environment in which residents would benefit from nearby shopping and employment opportunities. New development would be within proximity of major regional transportation opportunities, including several major highways and the Metro Green Line. Therefore, the Specific Plan would be consistent with SCAG goals to reduce the prominence of the suburban development pattern that exists throughout the region. The City will also adopt a green ordinance by 2011. Because the proposed Specific Plan generally conforms to SCAG policies, the impact of the proposed Specific Plan upon SCAG policies would therefore generally be less than significant.

Mitigation: None required.

TABLE 3.1-4
CONSISTENCY OF PROPOSED PROJECT WITH SCAG POLICIES

Policy Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
2008 Regional Comprehensive Plan		
LU-4	Local governments should provide for new housing, consistent with State Housing Element law, to accommodate their share of forecast regional growth.	Consistent. At full build-out, the proposed Specific Plan would accommodate up to 735 additional housing units of varying housing types.
LU-5	Local governments should leverage federal and State and local funds to implement Compass Blueprint.	Not applicable. The proposed Specific Plan area is not within a Compass Blueprint Strategy Opportunity Area.
LU-6	Local governments should consider shared regional priorities, as outlined in the Compass Blueprint, Regional Transportation Plan, and this Regional Comprehensive Plan, in determining their own development goals and drafting local plans.	Consistent. The City of Downey has taken into consideration its centralized location within the region with immediate access to a number of major freeways as well as to the Metro Green Line when creating the proposed Specific Plan.
LU-6.3	Local governments and subregional organizations should develop ordinances and other programs, particularly in the older, more urbanized parts of the region, which will enable and assist in the cleanup and redevelopment of brownfield sites.	Not applicable. The proposed Specific Plan area does not include any brownfield sites.
LU-6.4	Local governments and subregional organizations should develop adaptive reuse ordinances and other programs that will enable the conversion of vacant or aging commercial, office, and some industrial properties to housing and mixed-use with housing.	Consistent. The Specific Plan proposes land use designations that seek to incorporate a variety of housing types, including mixed use commercial/residential buildings, into the Downtown area. In addition, the Specific Plan seeks to encourage new employment opportunities within Downtown Downey with new retail and office space.
OSC-7	Local governments should prepare a Needs Assessment to determine the adequate community open space levels for their areas.	Consistent. The City of Downey has identified a goal of 1.5 acres of open space per 1,000 residents and has calculated that the City falls short of this goal by approximately 50 acres. The proposed Specific Plan identifies open space opportunity sites, including sites ranging from large civic open space sites to pocket parks and smaller open space areas. The Specific Plan also includes a Parkland Acquisition Program that provides incentives to developers to include open space as part of their projects.
OSC-8	Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.	Consistent. The proposed Specific Plan area is located within the urbanized, built-out core of the City of Downey. The Specific Plan seeks to maximize use of the Downtown area through reuse and infill opportunities as well as proposing increased densities and intensities of development while at the same time preserving the unique character of existing structures. While the proposed Plan may require some upgrades to the existing infrastructure, the majority of the existing system is adequate to accommodate development that would occur under the Plan (see Section 3.12 of this EIR).
OSC-10	Developers and local governments should promote infill development and redevelopment to revitalize existing communities.	Consistent. The proposed Specific Plan seeks to encourage economic revitalization and create a lively center of activity within the existing downtown area.
OSC-11	Developers should incorporate and local governments should include land	Consistent. While the proposed Specific Plan does not contain any specific policies

Policy Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
	use principles, such as green building, that use resources efficiently, eliminate pollution and significantly reduce waste into their projects, zoning codes, and other implementation mechanisms.	regarding green building, the proposed Plan would result in the more efficient use of the existing downtown area, including reuse, where possible, of the existing structures. The Specific Plan would also promote walkability and increased pedestrian activity and proposes the introduction of a neighborhood electric vehicle (NEV) network within the City of Downey to serve downtown residents.
OSC-12	Developers and local governments should promote water efficient land use and development.	Consistent. The proposed Specific Plan would result in higher density development throughout the downtown area. Higher density development is typically associated with more efficient use of utilities in general, including water usage. **[** Recycled water would be used for new development in the Specific Plan area as facilities for recycled water are increased throughout the City of Downey. The Specific Plan would require the installation of dual plumbing for all new development, if feasible.
OSC-13	Developers and local governments should encourage multiple use spaces and encourage redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core.	Consistent. The proposed Specific Plan proposes the creation of a large civic open space area that would serve as an outdoor "living room" for the community. The Specific Plan also proposes a variety of open space opportunity sites for the creation of additional recreational uses. In addition, the City of Downey is located in proximity to seven regional parks within Los Angeles County that can provide access to natural areas (see Section 3.14, Public Services and Recreation, of this EIR).
OSA-5	Promote the availability of locally grown and organic food in the region. • Local governments should establish transfer of development rights (TDR) programs to direct growth to less agriculturally valuable lands (while considering the potential effects at the sites receiving the transfer) and ensure the continued protection of the most agriculturally valuable land within each county through the purchase of the development rights for these lands. • Local governments should consider other tools for the preservation of agricultural lands such as eliminating estates and ranchettes and clustering to retain productive agricultural land. • Local governments should ease restrictions on farmer's markets and encourage cooperative farming initiatives to increase the availability of locally grown food. • Local governments should consider partnering with school districts to develop farm-to-school programs.	Consistent. The proposed Specific Plan would increase the housing opportunities within Downtown Downey and would, therefore, help reduce the need for new housing to be constructed on existing farmland elsewhere in the region. In addition, the proposed Specific Plan would continue the existing weekly Farmers' Market in downtown Downey.
WA-11	Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.	Consistent. The proposed Specific Plan involves the intensification of Downey's existing downtown area and would make use of the existing infrastructure and would not result in extensive improvements to the existing infrastructure (see Section 3.13, Utilities and Service Systems, of this EIR).
WA-14	Local governments should amend building codes to require dual plumbing in new construction, and provide incentives for plumbing retrofits in existing development, to enable the safe and easy use of recycled water in toilets and for landscaping.	Consistent. The proposed Specific Plan would require the installation of dual plumbing for all new development, if feasible.

Policy Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
WA-15	Local governments should amend ordinances as necessary to allow municipal and private outdoor use of recycled water for all parks, golf courses, and construction needs.	Consistent. The City of Downey does allow the use of recycled water for parks and golf courses.
WA-23	Local governments should encourage Low Impact Development and natural spaces that reduce, treat, infiltrate, and manage runoff flows caused by storms and impervious areas.	Consistent. While the proposed Specific Plan does not specify any requirements or incentives for Low Impact Development, it would require increased amount of landscaping throughout Downtown Downey and seeks to increase the overall amount of park space throughout the downtown area, which could result in a reduced amount of impervious surface area upon build out of the Specific Plan.
WA-26	Local governments should integrate water resources planning with existing greening and revitalization initiatives, such as street greening, tree planting, and conversion of impervious surfaces, to maximize benefits and share costs.	Consistent. The proposed Specific Plan would implement street greening and tree planting programs, would result in a greater number of parks, would require the use of landscaping for new development, and provides incentives for developers to include open space areas as part of new development. These provisions could result in a reduced amount of impervious surface area throughout the Specific Plan area.
EN-8	Developers should incorporate and local governments should include the following land use principles that use resources efficiently, eliminate pollution and significantly reduce waste into their projects, zoning codes and other implementation mechanisms: • Mixed-use residential and commercial development that is connected with public transportation and utilizes existing infrastructure. • Land use and planning strategies to increase biking and walking trips.	Consistent. The proposed Specific Plan is being developed specifically with the intent of allowing mixed-use residential and commercial development within Downtown Downey. The Specific Plan area is serviced by Metro buses and is also near the Metro Green Line, which provides a regional public transit option. In addition, the Specific Plan seeks to create a pedestrian-friendly and walkable downtown and to implement a bike plan throughout Downtown Downey.
EN-11	Developers and local governments should submit projected electricity and natural demand calculations to the local electricity or natural gas provider, for any project anticipated to require substantial utility consumption. Any infrastructure improvements necessary for project construction should be completed according to the specifications of the energy provider.	Not applicable. The proposed Specific Plan would result in increased development within the downtown area; however, this development would generally be more efficient in terms of energy and natural gas consumption since it would provide for higher density/intensity mixed use buildings with residential and commercial components, which are generally more efficient than single-use buildings. Therefore, the Specific Plan would not result in a substantial increase in utility consumption over existing conditions.
EN-14	Developers and local governments should explore programs to reduce single occupancy vehicle trips such as telecommuting, ridesharing, alternative work schedules, and parking cash-outs.	Consistent. While the proposed Specific Plan does not include the creation of a specific program to reduce single occupancy vehicle trips, the Specific Plan seeks to reduce the reliance on automobiles throughout downtown by improving pedestrian and bicycle mobility, introducing higher density development in Downtown Downey, which would increase a residential population in proximity to regional transit opportunities as well as allowing these residents to potentially live closer to job opportunities and allowing residents and workers to walk to eateries, the post office, etc.
EN-10S	Local governments should employ land use planning measures, such as zoning, to improve jobs/housing balance and creating communities where people live closer to work, bike, walk, and take transit as a substitute for personal auto plaza.	Consistent. See response to EN-14, above.
2008 Regional Transportation Plan: Making the Connections[a]		

Policy Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent. The Specific Plan would improve pedestrian and bicycle connections and improved access to the existing regional Metro Green Line. In addition, the Specific Plan would encourage shared trips by providing housing close to goods and services.
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent. The Specific Plan would improve pedestrian and bicycle connections and improved access to the existing regional Metro Green Line. In addition, the Specific Plan would encourage shared trips by providing housing close to goods and services.
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent. The Specific Plan would result in an increased population within proximity to major highways and the regional Metro green line by providing new housing and commercial uses near the station, which would enable more people to use the Metrolink.
RTP G4	Maximize the productivity of our transportation system.	Consistent. The Specific Plan would construct high density and high intensity development near major highways and the Metro Green Line.
RTP G5	Protect the environment, improve air quality, and promote energy efficiency.	Consistent. The Specific Plan would result in the construction of mixed-use development within an existing downtown area. Housing would be within walking distance to businesses, commercial development, and public transportation, which would reduce reliance on the automobile.
RTP G6	Encourage land use and growth patterns that complement our transportation investments.	Consistent. The Specific Plan proposes a mixed-use development adjacent to existing highways and the Metro Green Line and transit lines to provide access to the Metro Green Line.
RTP G7	Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	Consistent: The Specific Plan would require that all proposed projects conform to all applicable city, county and state regulations. This would provide ongoing monitoring of the system, and coordination with other security agencies.

[a] Policies from SCAG's 2008 Regional Transportation Plan are marked RTP.

3.2 Population and Housing

This section evaluates the potential population and housing impacts of the proposed project. The section describes the local area's existing and projected population, housing, and employment conditions. It also evaluates the project's population and housing impacts in relationship to local plans and applicable population and household growth policies established for the project area.

3.2.1 Environmental Setting

Population, Housing and Employment Trends and Projections

This subsection summarizes current estimates, trends and projections of the population, housing stock and jobs in Los Angeles County, the City of Downey and the project site. Table 3.2-1, below, illustrates the historical and projected population, housing and employment growth from 2003 to 2025.

TABLE 3.2-1
POPULATION, HOUSING AND EMPLOYMENT TRENDS AND PROJECTIONS FOR LOS ANGELES COUNTY, THE CITY OF DOWNEY AND THE PROJECT SITE (2003 – 2025)

	Population	Housing Units	Jobs	Jobs/Housing Ratio
Los Angeles County				
2003	10,034,571	3,177,439	4,353,490	1.37
2010	10,615,730	3,357,798	4,552,398	1.36
2025	11,678,552	3,788,732	4,847,436	1.28
Percent Change 2003 to 2010	5.8 %	5.7 %	4.6 %	
Percent Change 2010 to 2025	10 %	12.8 %	6.5 %	
City of Downey				
2003	112,184	34,176	39,053	1.14
2010	115,973	34,767	40,580	1.17
2025	122,324	36,239	42,885	1.18
Percent Change 2003 to 2010	3.4 %	1.7 %	3.9 %	
Percent Change 2010 to 2025	5.5 %	4.2 %	5.7 %	

SOURCE: Southern California Association of Governments (SCAG), 2008.

In contrast to the period between 1990 and 2000, when the population growth in Downey significantly outpaced the population growth rate for Los Angeles County, since 2000, Downey has experienced a population growth rate below the County rate. As of 2008, Downey was occupied by approximately 1.09 percent of the Los Angeles County population and was ranked the 12th most populous of the 88 cities within the County (SCAG, 2009). According to the 2008 Regional Transportation Plan Growth Forecasts, the Southern California Association of Government's (SCAG's) population, housing, jobs and income projections for the six-county

region (see Regulatory Setting below), Downey's population is expected to continue to increase over the next 15 years by 5.5 percent (SCAG, 2008). SCAG estimates that Downey will have a population of approximately 122,324 by 2025 and 126,300 by 2035.

Similar to the population growth rate, Downey's increase in its housing stock (1.7 percent from 2003 to 2010) has been well below the Los Angeles County rate (5.7 percent for the same period). Although this rate is anticipated to increase, SCAG estimates that housing growth in Downey will remain below the County rate and below the rate of the City's population increase.

The total number of jobs in Los Angeles County, held either by county residents or non-residents, was about 4,353,490 in 2003 and 4,456,896 in 2008. There were approximately 39,055 jobs in the City of Downey in 2003 and approximately 40,232 jobs in the City in 2008 (SCAG, 2009). This indicates Downey's relatively constant 0.9 percent of the County total from 2003 to 2008. According to SCAG projections, the City is forecast to add almost 4,000 jobs, representing an increase of about 9.8 percent between 2003 and 2025. The rate of employment growth within Downey is slightly lower than the projected County growth rate of 11.3 percent over the same period.

Household Size

According to SCAG, the average household size in the City of Downey in 2008 was 3.3 persons per household, which was higher than the Los Angeles County and SCAG regional averages of 3.1 each (SCAG, 2009). The U.S. Census Bureau 2006-2008 American Community Survey 3-year Estimates for Downey lists a slightly higher household size of 3.36 persons per household (U.S. Census Bureau, 2008). SCAG projects that, within the City, the average household size will slightly increase to about 3.38 by 2025. The average household size within the County is expected to remain constant (SCAG, 2008). This EIR uses the U.S. Census Bureau average persons per household number of 3.36 as a suitably conservative population generation rate.

Jobs/Housing Balance

The concept of a jobs-to-housing balance is used to examine whether a region has a balance between its housing supply and its employment base. The primary function of such an analysis is to provide a generalized measure of employment or housing need in areas where the relationship between these two may be out of balance and to indicate the potential severity of such a condition on traffic and related effects to air quality and housing affordability. A region with too many jobs relative to housing is likely to experience escalation in housing prices (with a concurrent decline in affordability for the lower-income segments of the community) and intensified pressure for additional residential development. Conversely, a region that has relatively few jobs in comparison to employed residents may have many workers commuting to jobs elsewhere, which can lead to increased traffic congestion and adverse effects on both local and regional air quality.

Although Downey has a growing employment base, the City will likely continue to be a bedroom community for the workforce of other cities within the County. The current (2010) jobs–to–housing balance for Downey is approximately 1.17 jobs per housing unit. This relatively low jobs-to-housing ratio indicates that Downey residents currently commute to other areas for work.

The corresponding jobs-to-housing balance for Los Angeles County as a whole is 1.36 jobs per housing unit.

3.2.2 Regulatory Framework

Regional Southern California Association of Governments

SCAG is the federally-designated Metropolitan Planning Organization for the six-county Southern California region consisting of Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial counties. SCAG is responsible for developing regional plans for transportation, growth management, and hazardous waste management, and a regional growth forecast that is the foundation for these plans. SCAG is also responsible for the regional air quality plan developed by the South Coast Air Quality Management District (SCAQMD). SCAG prepares several plans to address regional growth, including the Regional Comprehensive Plan (RCP), the Southern California Compass Growth Vision, the Regional Housing Needs Assessment (RHNA), the Regional Transportation Plan (RTP), the Regional Transportation Improvement Program, and annual State of the Region reports to measure progress toward achieving regional planning goals and objectives.

Regional Comprehensive Plan

The most recent RCP, which was adopted by SCAG in 2008, serves as a framework to guide decision-making by local governments, assisting them in meeting federal and state mandates for growth management, mobility, and environmental standards, while maintaining consistency with regional goals. The RCP identifies voluntary best practices to approach growth and infrastructure challenges and includes goals and outcomes to measure progress toward a more sustainable region (SCAG, 2010). Local governments are encouraged by SCAG to use the RCP as the basis for their own plans and are required to discuss the consistency between the RCP and proposed development projects that are deemed to be of “regional significance.” The following Land Use and Housing Goals listed in the RCP are relevant to the proposed project:

- Focusing growth in existing and emerging centers and along major transportation corridors;
- Creating significant areas of mixed-use development and walkable, “people-scaled” communities;
- Providing new housing opportunities, with building types and locations that respond to the region’s changing demographics;
- Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations; and
- Injecting new life into under-used areas by creating vibrant new business districts, redeveloping old buildings and building new businesses and housing on vacant lots.

SCAG Regional Housing Needs Assessment

Assembly Bill 2853. Enacted in 1980, Assembly Bill 2853 (AB 2853) requires all governments to discuss their regional “fair share allocation” of regional housing need by income group in their General Plan Housing Element. SCAG is the council of governments authorized under California

law to identify existing and future housing needs for its six-county region. The SCAG Regional Housing Needs Allocation (RHNA) is a key tool for SCAG and its member governments to plan for growth. Downey's most recent RHNA was approved by the SCAG Regional Council in July 2007 and quantifies the need for housing within each jurisdiction between 2006 and 2014. Communities then plan, consider, and decide how they will address this need through the process of updating their housing element. The RHNA does not necessarily encourage or promote growth, but rather allows communities to anticipate growth, so that they can grow in ways that enhance the quality of life, and improve access to jobs and transportation and housing, without adversely impacting the environment. The RHNA is produced periodically by SCAG, as mandated by state law, to coincide with the region's schedule for preparing housing elements.

The existing needs assessment is based on data from the most recent U.S. Census to measure ways in which the housing market is not meeting the needs of current residents. These variables include the number of low-income households paying more than 30 percent of their income for housing, as well as severe overcrowding. The future need for housing is determined primarily by the forecasted growth in households in a community, based on historical growth patterns, job creation, household formation rates, and other factors to estimate how many households will be added to each community over the projection period. The housing need for new households is then adjusted to account for an ideal vacancy rate needed to promote housing choice, maintain price competition, and encourage acceptable levels of housing upkeep and repair. The RHNA also accounts for units anticipated to be lost due to demolition, natural disaster, or conversion to non-housing uses. The sum of these factors — household growth, vacancy need, and replacement need — form the "construction need" assigned to each community. The City of Downey was assigned a Regional Housing Need Allocation of 1,108 units for the 2006 to 2014 planning period, or an average of approximately 139 new units per year (SCAG, 2007).

Finally, the RHNA considers how each jurisdiction might grow in ways that will decrease the concentration of low-income households in certain communities. The need for new housing is distributed among income groups so that each community moves closer to the regional average income distribution. As such, the RHNA identified a need for new housing in Downey to be developed as 25 percent very low-income, 15.7 percent low-income, 16.8 percent moderate-income and 42.4 percent above moderate income households. This consists of a total of 227 units for very low-income households, 174 units for low-income households, 187 units for moderate-income households, and 470 units for above moderate-income households.

Local

City of Downey Vision 2025 General Plan

The City of Downey is currently in the process of updating the Housing Element for the *City of Downey Vision 20205 General Plan*, a draft of which was published in November of 2009 (City of Downey, 2009). The Final Housing Element establishes comprehensive, long-term objectives and implementation policies for housing within the City. Relevant goals and policies from the Housing Element Update are listed below. Please see Section 3.1, *Land Use, Plans and Policies*, for other policies in the *General Plan* applicable to the proposed project.

Goal 1 Encourage conservation of the housing stock and neighborhoods.

Policy 1.2 Continue to promote the repair, revitalization, and rehabilitation of residential structures which have fallen into disrepair.

Goal 2 Encourage a variety of housing types and adequate supply of housing to meet the existing and future needs of city residents.

Policy 2.1 Provide adequate sites and zoning to encourage and facilitate a range of housing to address the regional fair share allocations.

Policy 2.2 Encourage infill development and recycling of land to provide adequate residential sites.

Goal 4 Reduce the impact of potential governmental constraints on the maintenance, improvement, and production of housing.

Policy 4.2 Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.

3.2.3 Impacts and Mitigation Measures

Significance Criteria

In accordance with Appendix G of the *CEQA Guidelines*, the proposed project's impact on population and housing would be considered significant if it would:

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

(b) Displace a substantial number of existing housing, necessitating the construction of replacement housing elsewhere; or

(c) Displace a substantial number of people, necessitating the construction of replacement housing elsewhere.

Methodology and Assumptions

The focus of environmental analysis prepared under CEQA is to evaluate a project's potential to cause effects on the physical environment.[1] Accordingly, the *CEQA Guidelines* state that while economic or social information may be included in an EIR, or may be presented in whatever form the lead agency desires, social and economic effects shall not be treated as significant effects on the environment.[2] The *CEQA Guidelines* make very clear that there must be a physical change

1 "Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance (Pub. Res. Code § 21060.5).

2 *CEQA Guidelines* §§ 15131(a) and 15064(f); see also Public Resources Code §§ 21100 and 21151. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in the environment (Pub. Res. Code § 21068).

resulting from the proposed project directly or indirectly for an impact to be considered significant.[3]

Social and economic effects, including employment, are relevant CEQA issues to the extent that a chain of cause and effect can be traced from a proposed project, through anticipated social and economic changes resulting from the project to physical changes caused in turn by the economic and social changes (*CEQA Guidelines*, Sections 15131(a) and 15064(f)). If a project's physical impacts would cause social or economic effects, the magnitude of the social or economic effects may be relevant in determining whether a physical impact is "significant" (*CEQA Guidelines*, Section 15131(b)). If the physical change causes adverse economic or social effects on people, those adverse effects may be used as the basis for determining that the physical change is significant (*CEQA Guidelines*, Section 15064(f)).

Impacts and Mitigation Measures

Impact POP-1: The proposed project could induce substantial population growth in the City of Downey, either directly (by proposing new homes and businesses) or indirectly (for example, through extension of infrastructure). (Less than Significant)

The proposed project is located in an urbanized area currently served by existing roads and infrastructure. Indirect growth from extension of infrastructure would not be anticipated, as the proposed project would not add any new roadways and would be served by existing infrastructure with minor proposed upgrades and connections to accommodate the proposed project. As a result, the proposed project would not be expected to result in any indirect infrastructural-related population impacts.

Construction Impacts

Due to the employment patterns of construction workers in Southern California, and the operation of the market for construction labor, construction workers are not likely, to any significant degree, to relocate their households as a consequence of the job opportunities presented by the project. The construction industry differs from most other industry sectors in several important ways that are relevant to potential impacts on housing:

- There is no regular place of work. Construction workers commute to job sites that change many times in the course of a year. These often lengthy daily commutes are made possible by the off-peak starting and ending times of the typical construction work day.
- Many construction workers are highly specialized (e.g., crane operators, steel workers, masons), and move from job site to job site as dictated by the demand for their skills.
- The work requirements of most construction projects are also highly specialized and workers are employed on a job site only as long as their skills are needed to complete a particular phase of the construction process.

It is reasonable to assume that project-related construction workers would be drawn from the existing labor force in the surrounding area, and would not relocate their households' places of residence as a consequence of working on the project. As such, construction under the proposed

3 See discussion following *CEQA Guidelines* § 15131.

Specific Plan would not induce substantial population growth in the project area, and construction-related population and housing impacts to City of Downey would be less than significant.

Operational Impacts

The Specific Plan would consist of five districts that together would achieve a mix of 40 percent residential uses and 60 percent commercial uses. Implementation of the proposed project would result in a shift of uses between districts by increasing the amount of housing in the downtown area from 197 existing residential units to a total of 932 residential units (ultimately providing approximately 735 net new residential units in the project area). Implementation of the proposed project also would increase existing commercial uses from approximately 1,828,519 square feet to approximately 3,137,416 square feet – resulting in a net increase of 1,308,897 square feet of commercial uses.

Housing

Implementation of the proposed project would result in 735 net new residential units that would represent 49.9 percent of the anticipated growth in residential units in the City for the period between 2010 and 2025 (0.2 percent of the County's forecast growth for the same period). The new housing proposed for construction by the proposed project would be within the latest SCAG projections (2008) for the City.

Employment

Employment generated by the proposed project may also result in direct growth in the City's population. As described above, if fully built-out, the project would add a net total of 1,308,897 square feet of commercial space, which would generate up to 3,332 new jobs within the project site.[4] This is 8.2 percent of the estimated Citywide 2010 employment levels.

Currently, employment growth within the City of Downey between 2010 and 2025 is estimated by SCAG to be 2,305 jobs. The addition of 3,332 jobs would represent 144.5 percent of the currently anticipated employment growth in the City for the period between 2010 and 2025 (and 1.6 percent of the County's forecast growth for the same period). Consequently, employment generated by the proposed project would greatly exceed SCAG current projections for the City by adding approximately 2,410 unplanned jobs.

Based on the City's currently projected jobs-to-housing ratio for 2025 of 1.18, the project's total future employment could potentially induce up to 2,524 new homes in the city in excess of the currently anticipated housing growth. This would represent more than a 7 percent increase above

[4] Based on land use descriptions in the Downtown Downey Specific Plan, this EIR assumes a commercial space split of approximately 1/3 office and 2/3 retail. For purposes of analysis, this EIR assumes 1 employee per 250 square feet of office space and 1 employee per 550 square feet of retail space. Thus the net increase of approximately 436,299 square feet of office space would generate the need for 1,745 employees; the net increase of approximately 872,598 square feet of retail space would generate the need for 1,587 employees.

the current 2025 housing projections and as such would represent a significant housing increase impact.[5]

Although new local employment opportunities may have the potential to attract "future employees" (and their families) to relocate to the City, the new jobs will likely attract City residents who currently are commuting out of Downey. Since many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area.), it is difficult to estimate the number or percentage of these "future employees" who would be expected to relocate to the City of Downey.

Nonetheless, it is reasonable to assume that a portion of the project-generated jobs would be absorbed by the project-generated population. Using the SCAG 2025 estimated jobs-to-household ratio of 1.18 and an increase of 1,472 residential units for the City of Downey, approximately 1,737 jobs would be absorbed by new local residents.[6] Therefore, this EIR conservatively assumes that 2,099 of the 3,332 future employees would represent a net employment increase above the increase assumed to result from new residential development.[7] In the unlikely event that all of these new employees in fact choose to relocate to Downey, then based on the City 2025 jobs-to-housing balance, the new employment would induce up to 2,089 new houses. This new housing would be more than 142 percent increase over the currently expected housing growth for Downey between 2010 and 2025. The additional housing would also represent a 6 percent increase to the 36,239 total housing units currently projected to be within the City of Downey in 2025.

However, it may be assumed that the City of Downey's comparatively low jobs-to-housing ratio is historically due to an under supply of local employment opportunities. As shown in Table 3.2-1, between 2003 and 2010, the City of Downey's jobs-to-housing balance increased from approximately 1.14 to 1.17, but remained well below the Los Angeles County average of 1.365. This may indicate considerable unmet demand for local employment by current Downey residents, in which case, local employment growth could enable many residents currently commuting to work out of the City to instead work locally (thereby increasing Downey's jobs to housing balance). If the City's future jobs-to-housing balance were equivalent to the Los Angeles County projected average of 1.28 jobs per housing unit (for 2025), then Downey's projected 2025 housing levels of 36,239 homes would be sufficient for 46,365 employees within Downey. This level of local employment would be equivalent to 5,785 new jobs over the City's current 2010 employment levels and more than a 1,000 jobs greater than the total new employment projected to be potentially created by the Downtown Downey Specific Plan. Under County jobs-to-housing balance conditions, future 2025 employment levels would have 3,480 more jobs than the 2025 employment levels currently projected for Downey.

5 Based on 3,332 jobs requiring 2,824 homes (i.e., based on 2025 jobs to housing balance of 1.18 jobs per housing unit), the project could induce new housing growth of 2,089 housing units (i.e. 2,824 – 735 new homes) for the City of Downey by 2025.

6 SCAG projected 1,472 new units by 2025 multiplied by the 2025 jobs to housing ratio of 1.18 equals 1,737 jobs.

7 The estimate is conservative since it is also very possible that residents living elsewhere in the region may also commute to Downey to work at many of the new jobs which would reduce the actual housing and population impacts to the City.

In summary, it is conservatively assumed that the project could result in a net increase of up to 2,089 in additional unanticipated project-related housing growth. The potential also exists for local residents to absorb considerable local employment increases without inducing new population as existing local residents may, over time, relocate their employment to reduce their daily commute and Downey's jobs-to-housing balance could increase to be more comparable to the County-wide levels.[8]

Population

Based on the City of Downey's 2008 average household size of 3.36 persons per dwelling unit, the 735 net new units would represent a net population increase of approximately 2,470 residents.[9] In addition, the net increase of 1,308,897 square feet would generate approximately 3,332 new jobs within the City if and when full-build-out of the proposed project occurs.

Nonetheless, as discussed above, it is conservatively assumed the residential and commercial development associated with the Specific Plan could result in a net housing impact of up to 2,089 new homes to the City of Downey. Such new housing growth would add 7,016 net new City residents, which is approximately 665 new residents over the currently projected City growth for 2025. This population increase would represent approximately 10.5 percent of the population growth currently forecast for the City for the period between 2010 and 2025 (6,351) and would be a 111 percent increase over the City's 2025 population estimate of 122,324 (SCAG, 2008). However, this population growth would represent only approximately 6.6 percent of the County's forecast growth for the same period. Population generated by the proposed project would exceed the SCAG projections for the City.

On a local level, implementation of the project would substantially exceed the most recent (2008) SCAG projections for the population and employment in the City of Downey. However, estimates for growth are fluid and change over time depending on regional, state and nationwide housing and employment trends and other market factors. For example, in 2004, SCAG's employment projections for the City of Downey estimated approximately 56,767 jobs in 2010 and 54,908 jobs in 2025. These numbers are far higher than those published in 2009 but actually show a decline after an anticipated peak in 2010 (City of Downey, 2009). As stated in Downey's Housing Element Update (2010), the projected job totals in the most recent forecast are not as significant as the demonstrated recent trends. Therefore, although project-related growth would exceed the population, housing and employment totals listed in SCAG's latest projections, it would be consistent with trends of steady increases in population, housing and employment in the City of Downey as illustrated in those projections.

Furthermore, consideration of the Specific Plan in a regional context provides a clearer picture of the proposed project's potential contribution to Los Angeles County as a whole. Using the SCAG

8 In actuality, the realignment for local residents could also occur as new jobs attract workers choosing to relocate to Downey that in effect enables current residents to relocate closer to their current location of employment. Such "swapping" would in effect have the same net result as a change of employment location for the existing resident to Downey.

9 The estimated population increase is conservatively based on the average household size of 3.36 persons per dwelling unit shown in the U.S. Census Bureau 2006-2008 American Community Survey 3-year Estimates for Downey (U.S. Census Bureau, 2008a).

forecasts, development associated with the Specific Plan would represent 0.9 percent of the population increase, 0.3 percent of the housing increase and 1.6 percent of the employment increase Countywide for the period between 2010 and 2025 (SCAG, 2008). SCAG forecasting identifies a major countywide need to provide new jobs and housing for the anticipated population growth. Project-related growth would be inconsistent with the SCAG forecasts only in that it would result in a higher-than-anticipated concentration of the projected County growth within Downey's existing downtown.

As noted in the *Methodology and Assumptions* discussion above, the proposed project is analyzed to assess its potential to cause significant adverse effects on the physical environment. The proposed project would provide for dense and organized infill in an area that is already urbanized and well-served by existing infrastructure, thoroughfares and transit. Inasmuch as the proposed project would redevelop underutilized land and concentrate development in a compact and emerging urban core, the project-related population, housing and employment growth would not be considered to cause significant adverse environmental effects. As such, the impact with respect to population is considered to be less than significant.

Mitigation: None required.

Impact POP-2: The proposed project could displace existing housing, necessitating the construction of replacement housing elsewhere. (Less than Significant)

Implementation of the Specific Plan would result in a shift in uses between the five proposed districts and could result in some displacement. The following mitigation measure would ensure compliance with applicable provisions of State law to provide relocation assistance to persons, households and businesses that may be displaced by the proposed project.

> **Measure POP-1:** Provide relocation assistance to households and businesses consistent with the requirements of the California Relocation Assistance Act of 1970 (Govt. Code § 7260 *et seq*.), the State Relocation Guidelines (25 Cal. Code Regs § 6000, *et seq*.), and the California Redevelopment Law (Health & Safety Code § 33410 *et seq*.), as applicable. Provide replacement of any units removed as a result of the project that were formerly occupied by very low-, low- or moderate-income households, consistent with the California Redevelopment Law (Health & Safety Code § 33413).

Significance After Mitigation: Less than significant.

Impact POP-3: The proposed project could displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. (Less than Significant with Mitigation)

The proposed Specific Plan could eventually result in development in the Specific Plan area resulting in 735 net new residential units and approximately 1,308,897 net new commercial

square feet. Although the proposed project could result in demolition of existing commercial and residential uses, the proposed Specific Plan would replace them with new multi-family residential and new commercial and retail uses. Overall, the proposed project would provide a net increase in both housing and employment within the project area. Therefore there would be no net displacement of either the local residential population or local employment.

Furthermore, implementation of **Mitigation Measure POP-1** above would ensure compliance with applicable provisions of State law to provide relocation assistance to persons, households and businesses that may be displaced by the proposed project, as well as providing opportunities for property owner and business participation in the City of Downey. Impacts would be less than significant after mitigation.

Measure POP-2: Implement Mitigation Measure POP-1.

Significance After Mitigation: Less than significant.

Cumulative Impacts

Impact POP-4: The proposed project, in conjunction with past, present and reasonably foreseeable future projects, could have cumulative impacts to population and housing within the City of Downey. (Less than Significant)

The Downtown Downey Specific Plan, which would take place in a mostly urbanized area of the City, would result in a net increase in the City's residential population. As discussed above, at full project build-out the net new unanticipated population increase is estimated to exceed projections for additional residents from new housing required by new projected-related employment. A major proportion of the project's new population would be housed in new dwelling units proposed as part of the project, and served by existing infrastructure currently serving the project site and general area. Further, the proposed project is consistent with the City's adopted and proposed goals and policies for housing within the City of Downey. The proposed project is also consistent with the goals established in SCAG's 2008 RCP as listed above.

This analysis is based on the Cumulative Projects List provided in Appendix 4. The listed projects include various commercial and residential projects as well as development under the Downey Landing Specific Plan (approved) and the Tierra Luna Specific Plan located in the City of Downey that are currently under construction, approved but not built, or proposed for development.

The population increase in the region associated with the related projects would be substantial and, when combined, would exceed the SCAG projections for population, housing and employment by 2025. However, as established in the discussion under Impact POP-1, the Downey Downtown Specific Plan project would plan for organized urban infill and would result in a less-than-significant project-specific impact with respect to population and housing. Similarly, each related project from the Cumulative Project List is required to undergo environmental review and, where a project impact is identified, implement mitigation measures to

reduce their potential impacts to less-than-significant where feasible. Therefore, the proposed project, when considered in conjunction with past, present and reasonably foreseeable projects, would not result in a significant impact with respect to population, housing and employment growth.

Mitigation: None required.

3.3 Traffic and Circulation

This section presents the results of the transportation impact analysis conducted for the proposed project.[1] The analysis was prepared in consultation with the City of Downey Department of Public Works, and is consistent with traffic impact assessment guidelines set forth in the *2004 Congestion Management Program for Los Angeles County* (CMP).

This traffic analysis evaluates potential project-related impacts at 11 key study intersections that provide local and regional access to the project study area[2] and define the extent of the boundaries for this traffic impact investigation. The general location of the Specific Plan area in relation to the study locations and surrounding street system is presented in **Figure 3.3-1**. Level of Service (LOS) investigations at these key locations were used to evaluate potential traffic-related impacts associated with the proposed project. When necessary, this section of the Draft EIR recommends intersection improvements that may be required to accommodate future traffic volumes and/or mitigate the impacts of the Project.

This section includes a summary of the results of a Traffic Study completed for this project by Urban Crossroads (2010) and attached as Appendix 5 to this Draft EIR.

3.3.1 Environmental Setting

Regional Setting

Roadway Network

Regional vehicular access to the Specific Plan study area is provided by Interstate 5 (I-5) (Santa Ana Freeway), located northeast of the project study area; Interstate 710 (I-710) (Long Beach Freeway), located west of the Specific Plan study area; Interstate 605 (I-650) (San Gabriel River Freeway), located east of the Specific Plan study area; and Interstate 105 (I-105) (Glenn Anderson Freeway), located south of the Specific Plan study area, as described below.

I-5 (Santa Ana Freeway) is a major north-south oriented freeway connecting San Fernando Valley communities to the north and Orange County communities to the south. I-5 is connected to the Specific Plan study area via an interchange on Paramount Boulevard.

I-710 (Long Beach Freeway) is a major north-south oriented freeway connecting Long Beach to the south and East Los Angeles to the north. I-710 is connected to the Specific Plan study area via an interchange on Firestone Boulevard.

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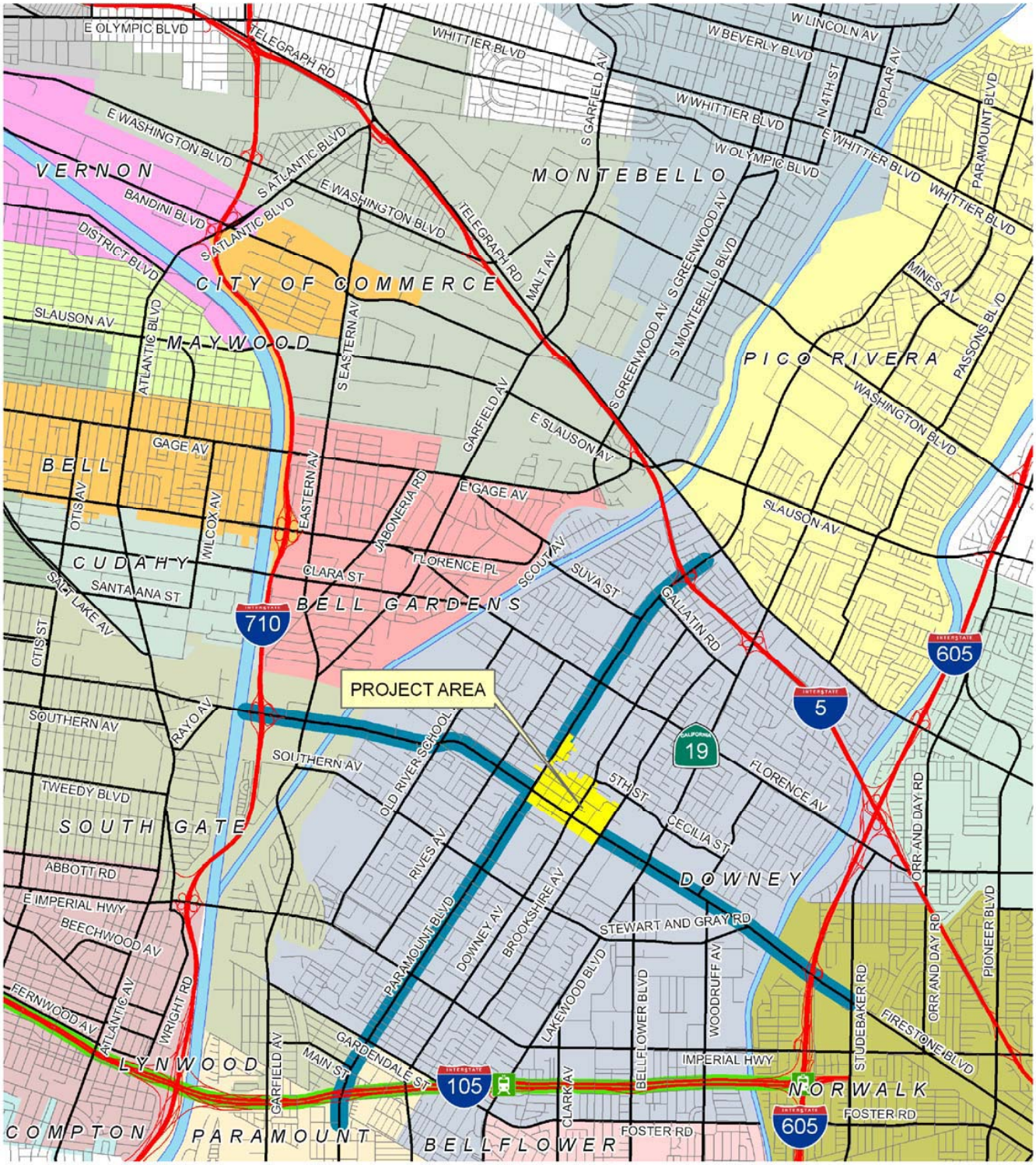
1 This section of the Draft EIR was prepared on the basis of information and analysis findings contained in a technical resource document (*Downtown Downey Specific Plan Traffic Study*, April 22, 2010, and revised on June 30, 2010, prepared by Urban Crossroads, Inc.). The Traffic Impact Study is attached as Appendix 5 and its technical documentation appendices are on-file and available at the City of Downey.

2 The "Project study area" refers to the area that encompasses all of the study intersections. This area therefore encompasses the Project site.



Regional Access Corridor
Metro Green Line
Green Line Station

N

SOURCE: Urban Crossroads, 2010

Figure 3.3-1
Regional Location Map

I-605 (San Gabriel River Freeway) is a major north-south oriented freeway connecting San Gabriel Valley communities to the north (via I-210) and to Long Beach to the south (via SR 22, I-5 and I-405). I-605 is connected to the Specific Plan area via an interchange on Firestone Boulevard.

I-105 (Glenn Anderson Freeway) is a major east-west oriented freeway connecting the western Los Angeles beach communities (via I-405) and the Specific Plan area. I-105 is connected to the study area via an interchange on Paramount Boulevard.

Transit Services

Metro Rail Green Line

The Los Angeles County Metropolitan Transportation Authority's Metro Green Line provides services between Redondo Beach and Norwalk. The Metro Green Line station nearest to the project area is the Lakewood Station, approximately 2.5 miles from the project site. To access the Lakewood Station from the project area, travelers would take Firestone Boulevard to Lakewood Boulevard. The Metro Green Line connects to the Metro Blue Line at the Imperial/Wilmington Station, which connects the southern Los Angeles communities to downtown Los Angeles.

Local Setting

Roadway Network

Immediate access to the Specific Plan area is via Firestone Boulevard and Paramount Boulevard. These roadways and other area roadways are described below. See **Figure 3.3-2** for a map of the project area that displays the traffic study intersections.

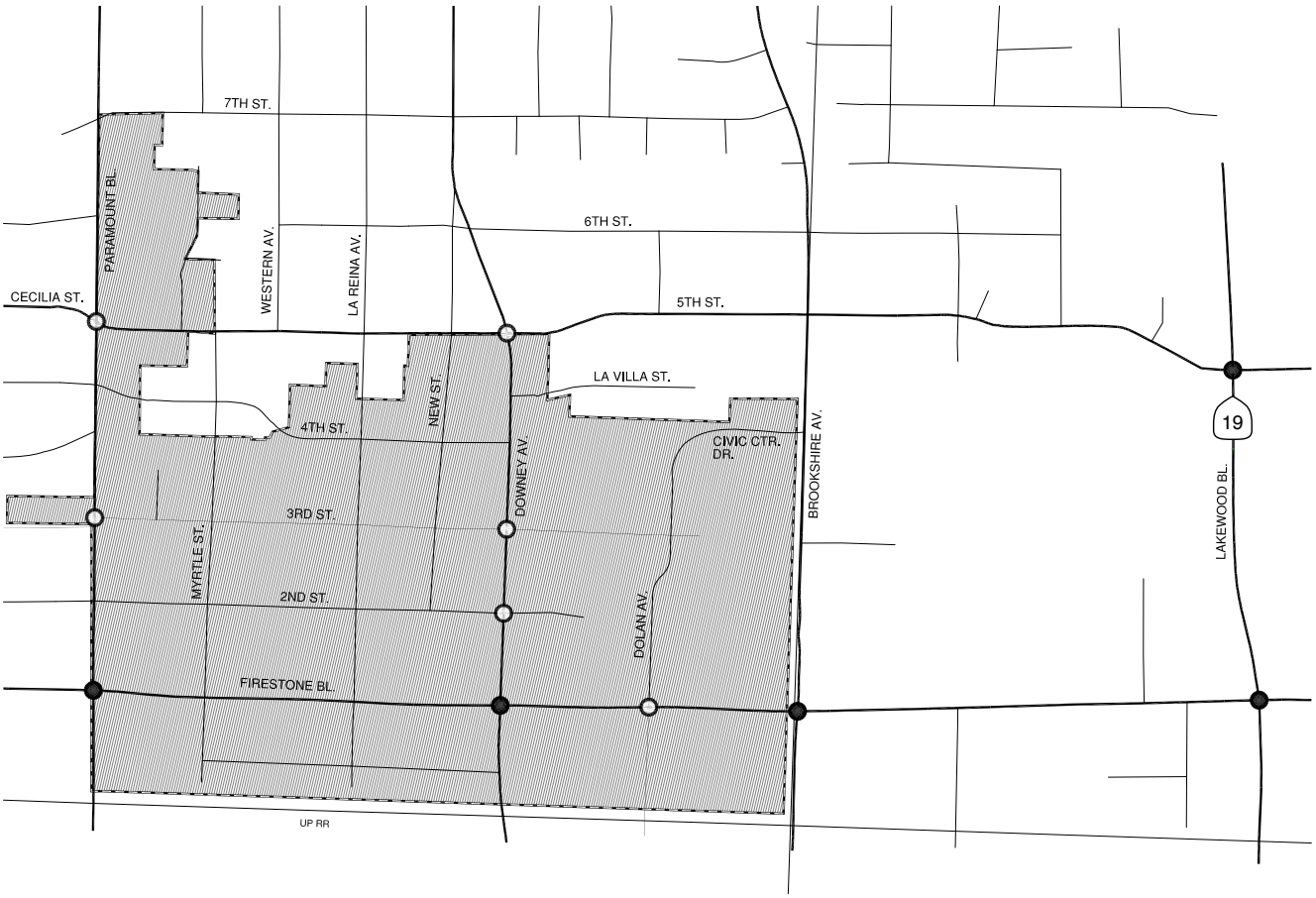
Firestone Boulevard is a divided four-to-six-lane east-west major arterial that connects with I-605 east of the Specific Plan area, extends through the project site, and connects with I-710 west of the project site.

Paramount Boulevard is a divided five-lane north-south major arterial that connects with I-5 north of the project site, extends through the Specific Plan area, and connects with I-105 south of the project site.

Lakewood Boulevard is a divided six-lane north-south major arterial that connects with I-5 to the north of the Specific Plan area and I-105 to the south. Lakewood Boulevard does not pass through the project study area, but connects the project area to the Metro Green Line Lakewood Station.

Downey Avenue is a two-lane north-south secondary arterial that extends south of Firestone Boulevard.[3]

[3] Dolan Avenue has been vacated north of Firestone Boulevard.



Analysis Location with 2010 Counts

Analysis Location with 2008 Counts

N

SOURCE: Urban Crossroads, 2010

Downey Downtown Specific Plan . 209167

Figure 3.3-2

Specific Plan Area Map

Dolan Avenue is a north-south collector street that connects Civic Center Drive in the eastern portion of the Speicfic Plan area to Firestone Boulevard in the southern portion of the project area.

Brookshire Avenue is a four-lane north-south secondary arterial that connects the I-5 to an area north of the Specific Plan area, extends through the project site and connects with the City of Paramount to the south.

Fifth Street is a two-lane east-west collector that connects Paramount Boulevard on the western border of the Specific Plan area and Lakewood Boulevard east of the project area.

Transit Services

Metro Bus Transit Services

Metro provides bus transit service along major roadways within the traffic analysis study area, including Paramount Boulevard, Firestone Boulevard and Downey Avenue, as well as along other roadways. Metro operates local and limited local transit routes in the immediate vicinity of the project site, with headways ranging from three buses per hour to as high as six buses per hour during the morning and afternoon peak commuter hours (i.e., the peak commuter hours from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM, respectively). See **Figure 3.3-3** for the area's Metro Bus routes and Metro Green Line station.

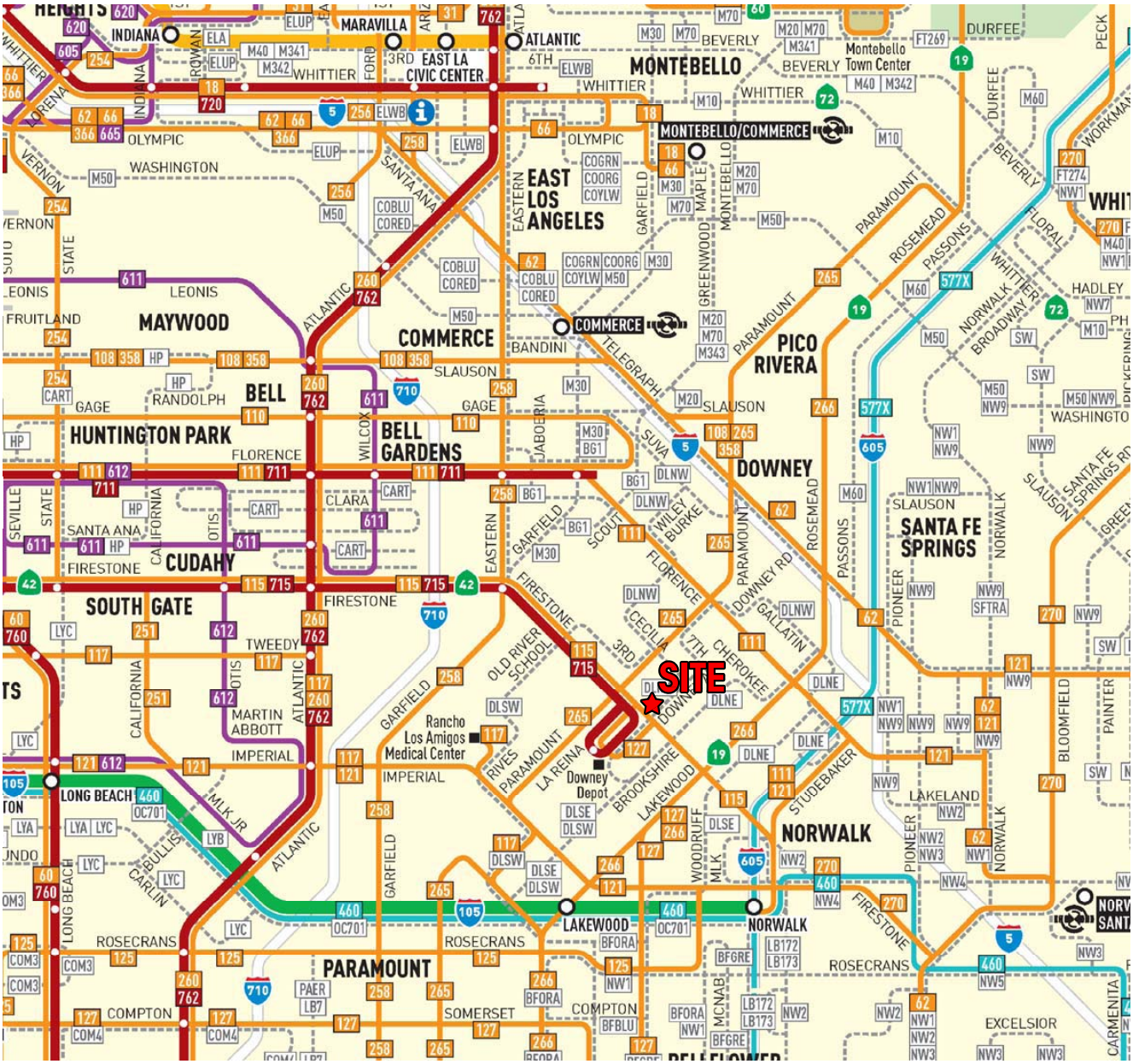
DowneyLINK Bus Services

The City of Downey operates four public bus routes from 6:30 AM to 6:30 PM daily. The four DowneyLink transit system routes begin at the Downey Depot on the corner of Downey Avenue and Nance Street and cover the entire city, including the Metro Station on Lakewood. The fare for DowneyLink is 25 cents, making it a very affordable option for travel within Downey. See **Figure 3.3-4** for the DowneyLINK bus routes.

Existing Traffic Conditions

Under existing traffic conditions, the Specific Plan study area produces 2,209 AM peak hour trips; 3,732 PM peak hour trips and 45,164 average daily trips (ADT). Downey Depot, which is the transit center for the DowneyLink bus services, is not included in the existing (or future) trip generation calculations as its trip generation characteristics are unique and are not anticipated to change substantially over time.

Under the currently adopted General Plan, the project area would generate approximately 5,316 AM peak hour trips; 11,516 PM peak hour trips and 116,082 ADT. **Table 3.3-1** displays the projected growth in traffic for the Downtown Specific Plan area from existing conditions to General Plan conditions.



SOURCE: Urban Crossroads, 2010

Figure 3.3-3
Metro Bus and
Metro Rail System Map

Northwest Route – Clockwise Loop
Northeast Route – Counterclockwise Loop
Southwest Route – Clockwise Loop
Southeast Route – Clockwise Loop

SOURCE: Urban Crossroads, 2010

Downey Downtown Specific Plan . 209167

Figure 3.3-4
DowneyLINK Bus Route Map

TABLE 3.3-1
DOWNTOWN DOWNEY TRAFFIC GROWTH
FROM EXISTING TO CURRENTLY ADOPTED GENERAL PLAN

	AM			PM			
Scenario	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**Daily**
Existing	1,620	589	2,209	1,644	2,088	3,732	45,164
Currently Adopted General Plan	3,940	1,376	5,316	4,689	6,828	11,516	116,082
Growth	2,320	787	3,107	3,045	4,740	7,784	70,918
Percent Growth	143	134	141	185	227	209	157

SOURCES: Urban Crossroads, *Draft Downtown Downey Specific Plan Traffic Study,* **April 22, 2010, revised June 30, 2010.**

Level of Service Analysis Methodologies

Traffic flow conditions are measured in terms of a grading system called LOS, which qualitatively characterizes traffic conditions associated with varying levels of vehicle traffic, ranging from LOS A (indicating excellent operating conditions with little delay to motorists) to LOS F (indicating congested conditions with excessive vehicle delay). LOS A, B, and C are generally considered satisfactory service levels, while the influence of congestion becomes more noticeable at LOS D. LOS E is typically defined as the operating capacity of a roadway. See **Table 3.3-2** for a description of the LOS classifications.

Intersections

The analysis of peak-hour intersection LOS is the primary indicator of circulation system performance. For this analysis, LOS at signalized intersections is based on the ICU methodology, which provides an output value that represents a volume-to-capacity (V/C) ratio. For the unsignalized (all-way stop-controlled and side-street stop-controlled) study intersections, LOS was evaluated using methodologies from the 2000 Highway Capacity Manual (HCM) (Transportation Research Board Special Report 209). For this methodology, LOS is related to the total delay per vehicle for the intersection as a whole (for all-way stop-controlled intersections), and for each stop-controlled movement or approach only (for side-street stop-controlled intersections). For the latter type of unsignalized intersection, the movement or approach with the highest delay is reported. Table 3.3-2 summarizes the relationship between LOS and V/C ratios (signalized) and vehicle delay (unsignalized).

The City of Downey's General Plan states that peak hour intersection operations of LOS D or better are generally acceptable. Any intersection operating at LOS E or F and/or a V/C ratio greater than 0.90, will be considered deficient. According to City staff, the standards and requirements of the Los Angeles Congestion Management Program (CMP) provide the basis for evaluating the potential for project traffic impacts in the City. The Los Angeles CMP establishes LOS E as the limit of acceptable traffic operations, and a project must contribute a 0.02 increase in Intersection Capacity Utilization (ICU) to an intersection operating at LOS F for the impact to be considered significant.

TABLE 3.3-2
DEFINITIONS FOR INTERSECTION LEVEL OF SERVICE

Unsignalized Intersections		Level of Service Grade	Signalized Intersections	
Description	**Average Total Vehicle Delay (Seconds)**		**Volume-to-Capacity (V/C) Ratio**	**Description**
No delay for stop-controlled approaches.	≤10.0	A	≤0.60	Excellent: No vehicle waits longer than one Red light, and no approach phase is fully used.
Operations with minor delay.	>10.0 and ≤15.0	B	>0.60 and ≤0.70	Very Good: An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.
Operations with moderate delays.	>15.0 and ≤25.0	C	>0.70 and ≤0.80	Good: Occasionally, drivers may have to wait through more than one Red light; backups may develop behind turning vehicles.
Operations with increasingly unacceptable delays.	>25.0 and ≤35.0	D	>0.80 and ≤0.90	Fair: Delays may be substantial during portions of the rush hours, but enough lower-volume periods occur to permit clearing of developing queues, preventing excessive backups.
Operations with high delays, and long queues.	>35.0 and ≤50.0	E	>0.90 and ≤1.00	Poor: Represents the most vehicles that intersection approaches can accommodate; can have long lines of waiting vehicles through several signal cycles.
Operations with extreme congestion, and with very high delays and long queues unacceptable to most drivers.	>50.0	F	>1.00	Failure: Backups from nearby intersections or on cross streets may restrict or prevent movements of vehicles out of the intersection approaches. Lengthy delays with continuously increasing queue lengths.

SOURCES: Transportation Research Board, *Highway Capacity Manual*, updated 2000; Transportation Research Board, *Transportation Research Circular No. 212, Interim Materials on Highway Capacity*, 1980.

Existing Traffic Operating Conditions

Peak hour and daily traffic count data have been compiled, collected, or estimated for the project area. Counts were either obtained from the Traffic Study prepared for this Draft EIR (see Appendix 5), the *Traffic Study for the Tierra Luna Specific Plan Project* (Raju Associates, August 2008), or collected by Urban Crossroads, Inc. in January 2010 (also part of the Draft Traffic Study). The existing AM and PM peak-hour traffic volumes of vehicle movements at the study intersections are summarized in **Table 3.3-3**.

As indicated in Table 3.3-3, 9 of the 11 existing study intersections are currently operating at LOS D or better during the weekday AM and PM peak hours, and the other two existing study intersections are currently operating at LOS E during the weekday PM peak hours. The existing conditions ICU data worksheets (for all analysis scenarios) are presented in the appendices of the Traffic Impact Study (Urban Crossroads, 2010), on-file and available for review at the City of Downey's offices.

TABLE 3.3-3
EXISTING CONDITIONS – INTERSECTION ANALYSIS SUMMARY

Intersection	Traffic Control[b]	ICU (V/C) or Delay[a]		Level of Service	
		AM	PM	AM	PM
Paramount Blvd. (NS) at:					
5th Street (EW)	TS	0.524	0.605	A	B
3rd Street (EW)	TS	0.523	0.576	A	A
Firestone Blvd. (EW)	TS	0.861	0.979	D	E
Downey Ave. (NS) at:					
5th Street (EW)	TS	0.429	0.440	A	A
3rd Street (EW)	AWS	12.4	12.5	B	B
2nd Street (EW)	AWS	11.7	13.7	B	B
Firestone Blvd. (EW)	TS	0.591	0.790	A	C
Dolan Ave. (NS) at:					
Firestone Blvd. (EW)	TS	0.466	0.520	A	A
Brookshire Ave. (NS) at:					
Firestone Blvd. (NS)	TS	0.561	0.793	A	C
Lakewood Ave. (NS) at:					
5th Street (EW)	TS	0.829	0.901	D	E
Firestone Blvd. (EW)	TS	0.798	0.847	C	D

[a] ICU (V/C), delay, and level of service calculated using the following analysis software: Traffix 7.9 R4 (2008). The overall average intersection delay and level of service are shown for intersections with all way stop control.
[b] TS = Traffic Signal, AWS = All Way Stop

SOURCES: Urban Crossroads, Draft Downtown Downey Specific Plan Traffic Study, April 22, 2010.

3.3.2 Regulatory Framework

City of Downey General Plan

Congestion Management

Many roadways within the Specific Plan study area are classified as major arterials, secondary arterials, or collector roadways by the City of Downey General Plan Circulation Element. However, most of these roadways are not built to the standard set by the General Plan. Widening the streets to the full right-of-way outlined in the General Plan Circulation Element is a large component of meeting the LOS goals set by the General Plan. The congestion management goals and policies regarding traffic congestion in Downey are as follows:

Goal 2.1 Increase the capacity of the existing street system.

Policy 2.1.1 Maintain a street system that provides safe and efficient movement of people and goods.

Program 2.1.1.1 Maintain intersections and street segments at acceptable service levels and not worsen those intersections and street segments currently operating at unacceptable levels.

Program 2.1.1.2 Establish a street improvement master plan prioritizing areas to be included in annual updates of the capital improvement program.

Program 2.1.1.3 Develop a signal system master plan to promote state-of-the-art intelligent transportation system (ITS) improvements to better service on-going traffic conditions.

Program 2.1.1.4 Prohibit on-street parking on major, primary, and secondary streets to increase roadway capacity and improve safety.

Program 2.1.1.5 Widen street rights-of-ways as necessary and consistent with providing an adequate level of service.

Program 2.1.1.6 Encourage appropriate turn lanes and other operational improvements at major arterial intersections identified as congested.

Program 2.1.1.7 Review and implement applicable standards for parking of vehicles on public streets in the city.

Policy 2.1.2 Promote improvements in the street system through the development process.

Program 2.1.2.1 Establish a development recovery fee program to require new developments and expansions of existing developments to pay the cost of circulation improvements.

Program 2.1.2.2 Ensure the mitigation of off-site traffic impacts by development projects to the maximum extent feasible, including the installation or upgrade of traffic signals at intersections and/or contribution of its fair share towards mitigating impacts.

Program 2.1.2.3 Reduce the number of driveway access points on streets.

Program 2.1.2.4 Promote site designs, street patterns, and street signalization that discourage the use of local streets as through routes.

Program 2.1.2.5 Discourage projects that generate high amounts of traffic onto local and collector streets.

Program 2.1.1.6 Identify and concentrate land uses with high traffic generation near major transportation corridors and public transit facilities.

Travel Alternatives

The General Plan promotes a multi-modal strategy for improving congestion management within the City of Downey. The modes of transportation the General Plan encourage include pedestrian, bicycling, inter- and intra-city bus transit, light rail, and carpooling. The City also encourages work schedule flexibility as a means for lessening traffic during peak hours. Goals and policies regarding travel alternatives to driving include:

Goal 2.2 Promote the use of alternative modes of travel, other than single-occupant vehicles, to relieve traffic congestion.

Policy 2.2.1 Promote walking as an attractive alternative to vehicular transportation.

Program 2.2.1.1 Promote site development design that is safe and convenient to pedestrians.

Program 2.2.1.2 Provide sidewalks in new development and major remodeling consistent with the sidewalk Master Plan.

Program 2.2.1.3 Promote street intersection design and signalization that are safe and convenient to pedestrians.

Policy 2.2.2 Promote bicycling as an attractive alternative to vehicular transportation.

Program 2.2.2.1 Encourage the use of bicycling as a form of transportation for employment commuting and business purposes, in addition to recreational purposes.

Program 2.2.2.2 Establish a bikeway master plan to link employment centers, recreational facilities, and bikeways along the Rio Hondo River, the San Gabriel River, Union Pacific Railroad Line, and those of neighboring communities via a network of bike routes, lanes, and paths.

Program 2.2.2.3 Promote the provision of bicycle racks at retail service and other businesses for use by customers and employees.

Program 2.2.2.4 Encourage the provision of showers, changing rooms, and bicycle storage areas at retail, office, industrial, and other businesses for use by employees.

Policy 2.2.3 Reduce the number and length of vehicle trips generated by land uses in Downey.

Program 2.2.3.1 Promote the development of park-and-ride facilities.

Program 2.2.3.2 Promote ridesharing through provision of information to the public.

Program 2.2.3.3 Promote on-site child-care facilities at major employment centers.

Program 2.2.3.4 Promote home-based businesses.

Program 2.2.3.5 Encourage efforts to shift the time of day of trips away from peak commuter hours through the use of flex-time, staggered working hours, and other means.

Program 2.2.3.6 Promote mixed commercial and residential use projects in proximity to employment centers.

Policy 2.2.4 Promote public transit as an attractive alternative to vehicular transportation.

Program 2.2.4.1 Promote bus shelters and bus benches at key transit transfer stops.

Program 2.2.4.2 Maintain the intra-community transit service (DowneyLlNK) at a minimal fare amount for users.

Program 2.2.4.3 Maintain the intracommunity transit service (DowneyLlNK) with fixed routes covering most sections of the City.

Program 2.2.4.4 Evaluate providing a transit stop for the intra-community transit service (DowneyLlNK) at the Green Line Metro Rail Stations at Lakewood Boulevard and the 1-105 Freeway and at Studebaker Road in the City of Norwalk to provide added convenience for transfer passengers to MT A routes.

Program 2.2.4.5 Evaluate providing transit stops for the intra-community transit service (DowneyLlNK) at transit stops of intra-community transit services of adjacent communities.

Program 2.2.4.6 Promote and maintain the appearance, cleanliness, and maintenance of transit stops.

Program 2.2.4.7 Coordinate and evaluate with MT A and other public transit authorities to assure their planning efforts will meet the changing and increasing public transit needs of the City, especially along Lakewood Boulevard.

Program 2.2.4.8 Encourage Downey business to provide employee information to public transit authorities to assist in their planning for public transit services.

Program 2.2.4.9 Review projected development and redevelopment of land with public transit authorities to determine whether alterations to service will be required.

Regional Traffic

The City of Downey recognizes that to improve traffic within City limits, coordination with regional entities is necessary. The City of Downey coordinates and will continue to coordinate with the Southern California Association of Governments (SCAG), the Metropolitan Transportation Authority (MTA), California's Department of Transportation (CalTrans), and the Gateway Cities Council of Governments (COG) to achieve Downey's congestion management goals. The General Plan's goals and policies regarding regional traffic include:

Goal 2.4 Reduce adverse impacts onto city streets from traffic traveling through the region.

Policy 2.4.1 Discourage the use of city streets as through routes for traffic traveling through the region.

Program 2.4.1.1 Coordinate with CalTrans, MTA, SCAG, Gateway Cities COG and other agencies to promote multi-modal improvement strategies to improve the regional transportation network.

Program 2.4.1.2 Coordinate with 1-5 Joint Power Authority regarding increasing capacity of the 1-5 Freeway in a method that minimizes impacts on private properties.

Program 2.4.1.3 Support efforts to upgrade the 1-710 freeway to address and restrict container truck traffic.

Program 2.4.1.4 Comply with provisions of the Congestion Management Plan, adopted by Los Angeles County.

Program 2.4.1.5 Support regional efforts to develop high-speed trains and other modes of regional travel other than single-occupant vehicles.

Parking

The City of Downey's General Plan Circulation Element addresses the lack of parking in certain areas of the City, especially off-street parking. The lack of off-street parking can decrease ROW for roadways as lanes are taken up by on-street parking. This can cause major roadways to become congested. Goals and policies regarding parking in the City of Downey are as follows.

Goal 2.5 Minimize the impacts from the lack of parking.

Policy 2.5.1 Provide for adequate parking supply to meet parking demands.

Program 2.5.1.1 Periodically review the adequacy of parking standards in regards to vehicle ownership patterns and vehicle sizes.

Program 2.5.1.2 Update standards for residential housing units to provide additional parking spaces and driveway areas that may also be used for parking of vehicles.

Program 2.5.1.3 Balance the need for parking with not creating other secondary negative impacts.

Program 2.5.1.4 Maximize off-street parking to minimize demands on on-street parking.

Program 2.5.1.5 Minimize parking demand spillover effects onto adjacent streets and properties.

Program 2.5.1.6 Promote joint use, shared, and off-site parking where appropriate.

Program 2.5.1.7 Promote the consolidation of parking areas and driveways where possible.

Program 2.5.1.8 Promote safe and efficient design for parking areas.

Program 2.5.1.9 Provide adequate on-site loading areas so that parking areas are not impacted by loading activities.

Railroad Delays

There are 12 at-grade railroad crossings within the City of Downey. The City has formulated policies and goals for the reduction of at-grade crossings which can be a safety hazard and can cause traffic congestion on local roads. The policies and goals are as follows:

Goal 2.6 Eliminate traffic delays caused by railroad crossings.

Policy 2.6.1 Provide for the grade separation or abandonment of the Union Pacific Railroad Line, parallel to Firestone Boulevard.

Program 2.6.1.1 Document traffic delays caused by railroad line crossings and/or faulty signals by quantifying cost of traffic delays by number of vehicle hours and life loss due to delay to paramedics getting across.

Program 2.6.1.2 Evaluate the cost and feasibility of a grade separation of the railroad line.

Program 2.6.1.3 Establish a development recovery fee program to require new developments and expansions of existing developments to contribute towards an eventual grade separation and other railroad-related improvements.

City of Downey General Plan EIR

Contained within the General Plan EIR were strategies to achieve the congestion management goals of the General Plan. The overarching strategy put forth by the General Plan is to widen the roads to their full classification. Within the project area, Paramount Boulevard, Firestone Boulevard, Downey Avenue, and Brookshire Avenue would need to be widened to achieve their full ROW as outlined in the General Plan. The General Plan also includes Traffic System Management (TSM) as a strategy for increasing the flow of traffic and decreasing congestion. TSM programs include strategies such as adding a timing system to traffic signals on major arterials to optimize flow. TSM programs also include strategies that are simply improving upon what is already in place, like making sure all traffic detectors on traffic signals are working properly or restriping intersections that are unclear.

The General Plan EIR includes mitigation measures for multiple intersections to insure that their performance meets the standard set by the General Plan. The improvements recommended for Specific Plan area intersections are as follows:

Paramount Boulevard (NS) at Firestone Boulevard (EW)

- Construct one additional northbound approach lane (total of five approach lanes) and stripe the northbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.

- Construct one additional southbound approach lane (total of five approach lanes) and stripe the southbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.

- Construct one additional eastbound approach lane (total of five approach lanes) and stripe the eastbound approach to provide two left turn lanes, two through lanes, and one right turn lane.

- Construct one additional westbound approach lane (total of five approach lanes) and stripe the westbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.

Downey Avenue (NS) at Firestone Boulevard (EW)

- For the northbound approach, provide left turn protected and permitted phasing.
- For the southbound approach, provide left turn protected and permitted phasing.
- Construct one additional eastbound approach lane (total of five approach lanes) and stripe the eastbound approach to provide one left turn lane with protected and permitted phasing, three through lanes, and one right turn lane.
- For the westbound approach, provide left turn protected and permitted phasing.

Brookshire Avenue (NS) at Firestone Boulevard (EW)

- Construct two additional northbound approach lanes (total of five approach lanes) and stripe the northbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.
- Construct one additional southbound approach lane (total of five approach lanes) and stripe the southbound approach to provide two left turn lanes, two through lanes, and one right turn lane.
- Construct two additional eastbound approach lanes (total of six approach lanes) and stripe the eastbound approach to provide two left turn lanes, three through lanes, and one right turn lane.
- Construct two additional westbound approach lanes (total of six approach lanes) and stripe the westbound approach to provide two left turn lanes, three through lanes, and one right turn lane.

Lakewood Boulevard (NS) at Firestone Boulevard (EW)

- Construct one additional northbound approach lane (total of five approach lanes) and stripe the northbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.
- Construct one additional southbound approach lane (total of five approach lanes) and stripe the southbound approach to provide two left turn lanes, two through lanes, and one shared through-right lane.
- Construct two additional eastbound approach lanes (total of six approach lanes) and stripe the eastbound approach to provide two left turn lanes, three through lanes, and one right turn lane.

- Construct one additional westbound approach lane (total of six approach lanes) and stripe the westbound approach to provide two left turn lanes, three through lanes, and one right turn lane.

3.3.3 Impacts and Mitigation Measures

Significance Criteria

Based on the *CEQA Guidelines* Appendix G, implementation of the proposed project would have a significant adverse traffic impact if it would:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

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

- Result in inadequate emergency access.

- Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Methodology and Assumptions

Analysis Scenarios

Long Range with Currently Adopted General Plan

For the Long Range with Currently Adopted General Plan scenario, traffic analysis covers the development outlined in the currently adopted General Plan at build-out. The traffic analysis assumes 5,437 TSF of general retail use, 2,703 TSF of general office use, 699 dwelling units (DUs). The 309 TSF of institutional use (churches), a 112 TSF civic center, and 25 TSF post office would remain as an existing condition. A comparison of existing conditions to currently adopted General Plan conditions is provided in Table 3.3-1.

Long Range with Proposed Specific Plan Scenario

For the Long Range with Proposed Specific Plan scenario, traffic analysis assumes the maximum development assumed under the proposed project. Under this scenario, the project area would

include 2,207 TSF of general retail use, 930 TSF of general office use, 1130 DUs. The 309 TSF of institutional use (churches), a 112 TSF civic center, and 25 TSF post office would remain as in existing conditions. The Specific Plan does not include hotel uses within the project area. Under the proposed Specific Plan, the project area would generate 3,417 AM peak hour trips, 6,287 PM peak hour trips, and 69,667 ADT. **Table 3.3-4** compares the projected growth in traffic for the Specific Plan area from existing conditions to Specific Plan conditions.

TABLE 3.3-4
DOWNTOWN DOWNEY TRAFFIC GROWTH –
EXISTING CONDITIONS AND PROPOSED SPECIFIC PLAN

	AM Peak Hour			PM Peak Hour			
Scenario	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**Daily**
Existing	1,620	589	2,209	1,644	2,088	3,732	45,164
Proposed Specific Plan	2,309	1,114	3,417	2,802	3,482	6,287	69,667
Growth	689	525	1,208	1,158	1,394	2,555	24,503
Percent Growth	43	89	55	70	67	68	54

SOURCES: Urban Crossroads, *Draft Downtown Downey Specific Plan Traffic Study,* April 22, 2010, revised June 30, 2010.

Project Trip Generation

As noted above, the City of Downey has indicated that the standards and requirements of the Los Angeles County CMP are the basis for evaluating the potential project impacts within the City. The Los Angeles CMP indicates that LOS E is the limit of acceptable traffic operations, and a project must contribute a 0.02 increase in the volume to capacity (v/c) ratio to an intersection operating at LOS F for the impact to be considered significant. The v/c ratio measures the volume of vehicles to the capacity of the intersection.

Project Trip Distribution/Assignment

Project trip distribution is determined by taking into account many factors including:

- The geographical location of the project site;
- The location of commercial, employment and recreation opportunities;
- The proximity of the project site to the regional freeway system; and
- The existing traffic volumes.

The directional orientation of traffic was determined by evaluating existing and proposed land uses and highways in the surrounding areas in conjunction with existing traffic volumes. Retail trips are the most evenly distributed, as the proposed retail uses are expected to draw customers (not internally captured) from the surrounding residential, office, and even other retail uses. Approximately five to 10 percent of the project area retail traffic is expected to utilize each of the arterial and local streets providing access to the downtown area.

External traffic (traffic originating outside the Specific Plan area) from residential and office use is expected to travel longer distances on average, and a correspondingly higher percentage of traffic (10 percent to 15 percent) is anticipated to utilize the major roadways (Firestone Boulevard and Paramount Boulevard). Less traffic from the residential and office land uses within the downtown area is expected to utilize the local and collector streets that also provide access to the downtown area. Overall, trips associated with the project area are expected to exhibit the following overall trip distribution characteristics:

- North—30 percent of all traffic;
- South—40 percent of all traffic;
- East—15 percent of all traffic; and
- West—15 percent of all traffic.

Impacts and Mitigation Measures

Impact TRAF-1: The proposed project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. (Less than Significant)

For the Long Range with Currently Adopted General Plan scenario, all study area intersections would operate at or above LOS E with improvements during peak hour. Without improvements, all would fall below LOS E during the PM peak hour, and three intersections would fall below LOS E during the AM peak hour. The improvements discussed in the General Plan would be sufficient to mitigate the increase in vehicular traffic that would occur as the General Plan approaches full build-out. See **Table 3.3-5** for intersection analysis for the long range General Plan conditions. General Plan conditions assume the all project area roadways are built to their full classifications, a TSM program is implemented, and the intersection improvements outlined in the General Plan EIR have been developed.

The proposed Specific Plan would increase the amount of retail, office, and other uses within the project area, but not by as much as the currently adopted General Plan. With improvements proposed by the Specific Plan, all study intersections would perform at or above LOS E during peak hours. Without Specific Plan improvements, three intersections would fall below the standard set by the City of Downey during the PM peak hour.

All intersections perform at the same LOS or better when comparing the proposed Specific Plan to the adopted General Plan. Still, three intersections would perform at LOS F without improvements. Improvements to these roadways, however, are not necessarily consistent with the overall goal of creating a vibrant, pedestrian- and bicycle-friendly downtown area. **Mitigation Measure TRAF-1** would require the proposed Specific Plan to implement a program to monitor conditions at the three failing intersections and to fund alternative improvements, if necessary. **Mitigation Measure TRAF-2** would require all new development to meet the City's LOS standard.

TABLE 3.3-5
LONG RANGE WITH CURRENTLY ADOPTED GENERAL PLAN CONDITIONS – INTERSECTION ANALYSIS SUMMARY

		ICU (V/C) or Delay[a]		Level of Service	
Intersection	**Traffic Control[b]**	**AM**	**PM**	**AM**	**PM**
Paramount Blvd. (NS) at:					
5th Street (EW)	TS	0.706	0.977	C	E
3rd Street (EW)	TS	0.745	0.919	C	E
Firestone Blvd. (EW)	TS	1.104	1.329	F	F
--With Improvements	TS	0.823	0.971	D	E
Downey Ave. (NS) at:					
5th Street (EW)	TS	0.722	1.084	C	F
--With Improvements	TS	0.666	0.835	B	D
3rd Street (EW)	AWS	1.469	2.329	F	F
--With Improvements	TS	0.575	0.943	A	E
2nd Street (EW)	AWS	1.294	2.510	F	F
--With Improvements	TS	0.741	0.955	C	E
Firestone Blvd. (EW)	TS	0.854	1.600	D	F
--With Improvements	TS	0.643	0.995	B	E
Dolan Ave. (NS) at:					
Firestone Blvd. (EW)	TS	0.635	1.065	B	F
--With Improvements	TS	0.589	0.895	A	D
Brookshire Ave. (NS) at:					
Firestone Blvd. (NS)	TS	0.898	1.271	D	F
--With Improvements	TS	0.653	0.996	B	E
Lakewood Ave. (NS) at:					
5th Street (EW)	TS	0.896	1.147	D	F
--With Improvements	TS	0.799	0.987	C	E
Firestone Blvd. (EW)	TS	0.957	1.084	E	F
--With Improvements	TS	0.821	0.930	D	E

a ICU (V/C), delay, and level of service calculated using the following analysis software: Traffix 7.9 R4 (2008). The overall average intersection delay and level of service are shown for intersections with all way stop control.

b TS = Traffic Signal, AWS = All Way Stop

– = Delay High or V/C Ratio exceeding 1.0. Intersection Unstable, Level of Service "F"

SOURCES: Urban Crossroads, *Draft Downtown Downey Specific Plan Traffic Study,* April 22, 2010, revised June 30, 2010.

The project area is currently served by MTA Metro bus and DowneyLINK bus service. Both bus services connect the Specific Plan area to the Metro Green Line. All locations within the Specific Plan area are within walking distance of either a Metro bus stop or DowneyLINK bus stop. The project would not conflict with policy promoting the use of mass transit.

Included within the Specific Plan are curb extensions and raised crosswalks for the benefit of pedestrians, and Class II and Class III Bikeways to accommodate bicyclists. Curb extensions shorten the distance crossed by pedestrians and narrow the roadways, which slows vehicles, making roadways safer for pedestrians. Raised crosswalks bring more attention to the crosswalk, letting pedestrians know the area in which they should travel, and enhancing awareness of the letting pedestrians know the area in which they should travel, and enhancing awareness of the crosswalk for drivers. Class II Bikeways are striped lanes within roadways and Class III Bikeways provide for bicycle travel within the roadway that is identified solely by signage and allow for bicyclists to use streets jointly with motor vehicle traffic.

TABLE 3.3-6
LONG RANGE WITH PROPOSED SPECIFIC PLAN CONDITIONS – INTERSECTION ANALYSIS SUMMARY

		ICU (V/C) or Delay[a]		Level of Service	
Intersection	**Traffic Control[b]**	**AM PEAK**	**PM PEAK**	**AM PEAK**	**PM PEAK**
Paramount Blvd. (NS) at:					
5th Street (EW)	TS	0.604	0.745	B	C
3rd Street (EW)	TS	0.617	0.707	B	C
Firestone Blvd. (EW)	TS	0.988	1.169	E	F
--With No Dual LTs	TS	0.900	1.074	D	F
--With Improvements	TS	0.869	0.963	D	E
--With Improvements Alt. 2	TS	0.814	0.972	D	E
Downey Ave. (NS) at:					
5th Street (EW)	TS	0.525	0.595	A	A
3rd Street (EW)	AWS	20.1	39.3	C	E
2nd Street (EW)	AWS	16.5	1.030	C	F
--With Improvements	TS	0.558	0.711	A	C
Firestone Blvd. (EW)	TS	0.718	1.059	C	F
--With Improvements	TS	0.682	0.930	B	E
Dolan Ave. (NS) at:					
Firestone Blvd. (EW)	TS	0.542	0.780	A	C
Brookshire Ave. (NS) at:					
Firestone Blvd. (NS)	TS	0.684	0.999	B	E
Lakewood Ave. (NS) at:					
5th Street (EW)	TS	0.891	0.998	D	E
Firestone Blvd. (EW)	TS	0.875	0.980	D	E

[a] ICU (V/C), delay, and level of service calculated using the following analysis software: Traffix 7.9 R4 (2008). The overall average intersection delay and level of service are shown for intersections with all way stop control.
[b] TS = Traffic Signal, AWS = All Way Stop

– = Delay High or V/C Ratio exceeding 1.0. Intersection Unstable, Level of Service "F"

SOURCES: Urban Crossroads, *Draft Downtown Downey Specific Plan Traffic Study,* April 22, 2010, revised June 30, 2010.

The Specific Plan also proposes a network for Neighborhood Electric Vehicles (NEVs). NEVs are similar in size and shape to a golf cart and travels at a maximum speed of 25 miles per hour. The proposed NEV network would provide for electrical charging stations, parking areas, and travelling lanes. A resident in downtown Downey could travel from home to the Downey Depot to take advantage of mass transit. Encouraging use of NEVs could remove traditional vehicles from the roadways and, therefore, lessen congestion and gas emissions.

The Specific Plan includes a section on parking that outlines strategies for achieving the overall goal of decreasing on-street parking. On-street parking decreases the ROW for travel-lanes. Strategies to meet the City of Downey's parking requirements include longrange planning and property acquisition efforts to provide for additional parking structures, encouraging employees to park in less convenient locations to allow visitors access to the most convenient parking, provisions for NEV parking including charging facilities, and a well-designed pedestrian system.

The Specific Plan area would not conflict with policy on congestion, mass transit, bicycle facilities, parking, or pedestrian facilities. The proposed project is designed to promote alternative forms of transportation and be a walkable community. However, all development in the project

area must conform to the City's traffic standards and intersections that are near capacity should be monitored throughout the implementation of the Specific Plan. Implementation of Mitigation Measures TRAF-1 and TRAF-2 would result in less than significant impacts.

Measure TRAF-1: The proposed Specific Plan shall implement a program for monitoring conditions at the following intersections:

- Paramount Boulevard at Firestone Boulevard;
- Downey Avenue at 2nd Street; and
- Downey Avenue at Firestone Boulevard.

Should conditions continue to deteriorate at these intersections, the program shall fund alternative improvements, such as Transportation Systems Management (traffic signal coordination, traffic incident management, etc.), Transportation Demand Management (ridesharing, transit information kiosks, etc.), or improvements to the infrastructure for alternative modes of transport (walking, bicycling, NEVs).

Measure TRAF-2: All new development within the Specific Plan area shall be required to conform to the City's traffic standards.

Impact TRAF-2: Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. (Less than Significant)

As shown in Table 3.3-5, above, the proposed project would result in intersections falling below LOS E, the standard set by the City of Downey and the County of Los Angeles CMP. However, as mentioned above, roadway improvements at these intersections are not necessarily consistent with the overall goal of creating a vibrant, pedestrian- and bicycle-friendly downtown area. **Measure TRAF-1** would establish a program to monitor the failing intersections and would fund alternative means of mitigation should operations at these intersections continue to deteriorate.

Measure TRAF-3: Implement Measure TRAF-2.

Significance After Mitigation: Less than significant.

Impact TRAF-3: The proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. (No Impact)

The proposed project would not result in a change in air traffic patterns as the nearest airport is the Compton/Woodley Airport, which is approximately 7.5 miles southwest of the project site. The project site would not necessitate any change in air patterns, nor would project development result in and increase in air traffic levels. Project impacts to air traffic would be less than significant.

Mitigation: None required.

Impact TRAF-4: The proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (Less than Significant)

For the proposed project, the existing roadways would remain in place; however, pedestrian and bicycle facilities would be improved to promote alternative forms of transportation and increase safety. Extending curbs and raising pedestrian crossings would make pedestrians more apparent to vehicles, and striping lanes for Class II Bike Lanes and providing signage for Class III Bikeways would provide safer routes for bicyclists. Thus, instead of increasing hazards, the project would be designed to accommodate multi-modal transportation.

Mitigation: None required.

Impact TRAF-5: The proposed project would not result in inadequate emergency access. (Less than Significant)

The Specific Plan area includes a circulation system that allows larger vehicles to easily maneuver into and out of the Specific Plan area and does not include narrow streets or other roadway design features that would make it difficult for emergency vehicles to reach any portion of the project area. The City's design review and permitting process would further ensure that streets and site access are adequate to allow emergency access. Therefore, the proposed project would result in less than significant impacts related to emergency access.

Mitigation: None required.

Impact TRAF-6: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less than Significant)

The proposed project would further the public transit, bicycle, and pedestrian goals outlined in the City of Downey General Plan and Los Angeles County CMP. As mentioned above, the goal of

the Specific Plan is to provide a network of roadways, bicycle lanes, recommended NEV lanes, and pedestrian facilities that would allow all modes of transit to co-exist safely. The proposed Project does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation: None required.

3.4 Air Quality

This section provides an overview of the existing air quality at the project site and surrounding region, the regulatory framework, an analysis of potential impacts to air quality that would result from implementation of the proposed project, and identification of mitigation measures.

3.4.1 Setting

Regional Climate

The project site is located within the South Coast Air Basin (SCAB), an approximately 6,745-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, in addition to the San Gorgonio Pass area in Riverside County. This air basin encompasses a coastal plain with connecting broad valleys and low hills, and its terrain and geographical location determine its distinctive climate. The climate around the project site, as with all of Southern California, is controlled largely by the strength and position of the subtropical high pressure cell over the Pacific Ocean. This climate is characterized by moderate temperatures and comfortable humidity. The Pacific high pressure zone dominates the local weather patterns and creates a repetitive pattern of frequent early morning cloudiness, hazy afternoon sunshine, daytime onshore breezes, and little temperature change throughout the year. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, and Santa Ana winds.

Factors such as wind, sunlight, temperature, humidity, rainfall, and topography all affect the accumulation and dispersion of pollutants throughout the Basin, making it an area of high pollution potential. This condition is generally attributed to the large amount of pollutant emissions, light winds, and shallow vertical atmospheric mixing. Vertical dispersion of air pollutants in the SCAB is hampered by the presence of persistent temperature inversions. High-pressure systems, such as the semi-permanent high-pressure zone in which the SCAB is located, are characterized by an upper layer of dry air that warms as it descends, restricting mobility in the formation of subsidence inversions. Such inversions restrict the vertical dispersion of air pollutants released into the marine layer and, together with strong sunlight, can produce worst-case conditions for the formation of smog.

Temperatures in Downey average a very comfortable 63 degrees year-round. Summer afternoons are typically in the middle 80s, and winter mornings may drop to the low- to mid-40s. Significant extremes of temperature are rare. Rainfall in Downey averages 14 inches of rain during a normal year. Almost all the rainfall comes from the fringes of mid-latitude storms from late November to early April with summers often completely dry.

Winds in the Downey area blow primarily from southwest to northeast by day and from northeast to the southwest at night in response to the regional pattern of onshore flow by day and offshore

flow at night. Average wind speeds are 5 mph, reaching 8 to 10 mph in the afternoon, but dropping to near-calm conditions at night. In the late afternoon, the winds from the southwest are replaced by a marine air "push" from the South Bay around the northern side of the Palos Verdes Peninsula. Strongest onshore flow across Downey in the late afternoon is, therefore, more from the west-northwest.

Existing Air Quality in the Project Vicinity

The South Coast Air Quality Management District (SCAQMD) maintains monitoring stations within district boundaries that monitor air quality and compliance with associated ambient standards. The closest station to the proposed Specific Plan area is the Pico Rivera Monitoring Station (4144 San Gabriel). The following pollutants are monitored at this station: ozone (O_3), particulate matter less than 2.5 microns (PM2.5). The nearest station that monitors particulate matter less than 10 microns (PM10) is located in North Long Beach. The most recent published data for the monitoring stations are presented in **Table 3.4-1**. In addition, air pollutants of interest to the regulatory agencies for their potential adverse impacts on sensitive receptors are described below.

Criteria Air Pollutants

Ozone

Short-term exposure to O_3 can irritate the eyes and cause constriction of the airways. Besides causing shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

O_3, the main component of photochemical smog, is primarily a summer and fall pollution problem. O_3 is not emitted directly into the air but is formed through a complex series of chemical reactions involving other compounds that are directly emitted. These directly emitted pollutants (also known as ozone precursors) include reactive organic gases (ROG) and nitrogen oxides (NOx). The time period required for O_3 formation allows the reacting compounds to spread over a large area, producing a regional pollution problem. O_3 problems are the cumulative result of regional development patterns rather than the result of a few significant emission sources.

Once formed, O_3 remains in the atmosphere for one or two days. O_3 is then eliminated through reaction with chemicals on the leaves of plants, attachment to water droplets as they fall to earth ("rainout") and absorption by water molecules in clouds that later fall to earth with rain ("washout").

TABLE 3.4-1
AIR QUALITY DATA SUMMARY (2006–2008)

		Monitoring Data by Year		
Pollutant	**Standard[a]**	**2006**	**2007**	**2008**
Ozone – Pico Rivera				
Highest 1 Hour Average (ppm)[b]	0.09	**0.128**	**0.135**	**0.107**
Days over State Standard		9	6	7
Highest 8 Hour Average (ppm)[b]	0.070	**0.094**	**0.100**	**0.093**
Days over National Standard	0.075	4	5	5
Particulate Matter (PM10) – Pico Rivera				
Highest 24 Hour Average ($\mu g/m^3$)[b]	50	**78**	**232**	**61**
Est. Days over State Standard[c]		5	6	1
Highest 24 Hour Average ($\mu g/m^3$)[b] – National Measurement	150	78	**232**	62
Est. Days over National Standard[c]		0	1	0
State Annual Average ($\mu g/m^3$)[b]	20	**30.9**	NA	NA
Particulate Matter (PM2.5) – North Long Beach				
Highest 24 Hour Average ($\mu g/m^3$)[b]	35	**72.2**	**63.6**	**47.2**
Estimated Days over National Standard		22.1	NA	12.5
State Annual Average ($\mu g/m^3$)[b]	12	**16.6**	NA	NA

[a] Generally, state standards and national standards are not to be exceeded more than once per year.
[b] ppm = parts per million; μg/m3 = micrograms per cubic meter.
[c] PM10 is not measured every day of the year. Number of estimated days over the standard is based on 365 days per year.

NOTES: Values in **bold** are in excess of at least one applicable standard. NA = Not Available.

SOURCE: California Air Resources Board, 2009a; *Summaries of Air Quality Data*, 2006, 2007, 2008; http://www.arb.ca.gov/adam.

Carbon Monoxide

Ambient carbon monoxide (CO) concentrations normally are considered a local effect and typically correspond closely to the spatial and temporal distributions of vehicular traffic. Wind speed and atmospheric mixing also influence carbon monoxide concentrations. Under inversion conditions, CO concentrations may be distributed more uniformly over an area that may extend some distance from vehicular sources. When inhaled at high concentrations, CO combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of the blood. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease, or anemia, as well as for fetuses.

CO concentrations have declined dramatically in California due to existing controls and programs and most areas of the state, including the region in which the proposed project is located, have no problem meeting the state and federal CO standards. CO measurements and modeling were important in the early 1980s when CO levels were regularly exceeded throughout California. In more recent years, CO measurements and modeling have not been a priority in most California air districts due to the retirement of older polluting vehicles, fewer emissions from new vehicles and improvements in fuels. The clear success in reducing CO levels is evident in the first paragraph of the executive summary of the California Air Resources Board *2004 Revision to the California State Implementation Plan for Carbon Monoxide Updated Maintenance Plan for Ten Federal Planning Areas* (CARB, 2004), shown below:

> "*The dramatic reduction in carbon monoxide (CO) levels across California is one of the biggest success stories in air pollution control. Air Resources Board (CARB or Board) requirements for cleaner vehicles, equipment and fuels have cut peak CO levels in half since 1980, despite growth. All areas of the State designated as non-attainment for the federal 8-hour CO standard in 1991 now attain the standard, including the Los Angeles urbanized area. Even the Calexico area of Imperial County on the congested Mexican border had no violations of the federal CO standard in 2003. Only the South Coast and Calexico continue to violate the more protective State 8-hour CO standard, with declining levels beginning to approach that standard.*"

Respirable Particulate Matter (PM10 and PM2.5)

PM10 and PM2.5 consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively. (A micron is one-millionth of a meter). PM10 and PM2.5 represent fractions of particulate matter that can be inhaled into the air passages and the lungs and can cause adverse health effects. Some sources of particulate matter, such as wood burning in fireplaces, demolition, and construction activities, are more local in nature, while others, such as vehicular traffic, have a more regional effect. Very small particles of certain substances (e.g., sulfates and nitrates) can cause lung damage directly, or can contain adsorbed gases (e.g., chlorides or ammonium) that may be injurious to health. Particulates also can damage materials and reduce visibility. Large dust particles (diameter greater than 10 microns) settle out rapidly and are easily filtered by human breathing passages. This large dust is of more concern as a soiling nuisance rather than a health hazard. The remaining fraction, PM10 and PM2.5, are a health concern particularly at levels above the federal and state ambient air quality standards. PM2.5 (including diesel exhaust particles) is thought to have greater effects on health, because these particles are so small and thus, are able to penetrate to the deepest parts of the lungs. Scientific studies have suggested links between fine particulate matter and numerous health problems including asthma, bronchitis, acute and chronic respiratory symptoms such as shortness of breath and painful breathing. Recent studies have shown an association between morbidity and mortality and daily concentrations of particulate matter in the air. Children are more susceptible to the health risks of PM10 and PM2.5 because their immune and respiratory systems are still developing.

Mortality studies since the 1990s have shown a statistically significant direct association between mortality (premature deaths) and daily concentrations of particulate matter in the air. Despite important gaps in scientific knowledge and continued reasons for some skepticism, a comprehensive evaluation of the research findings provides persuasive evidence that exposure to fine particulate air pollution has adverse effects on cardiopulmonary health (Dockery and Pope, 2006). CARB has estimated that achieving the ambient air quality standards for PM10 could reduce premature mortality rates by 6,500 cases per year (CARB, 2002).

Nitrogen Dioxide

Nitrogen dioxide (NO_2) is a reddish brown gas that is a by-product of combustion processes. Automobiles and industrial operations are the main sources of NO_2. Aside from its contribution to O_3 formation, nitrogen dioxide can increase the risk of acute and chronic respiratory disease and reduce visibility. NO_2 may be visible as a coloring component of a brown cloud on high pollution days, especially in conjunction with high O_3 levels.

Toxic Air Contaminants

Toxic Air Contaminants (TACs) are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

Diesel particulate matter (DPM) is the most complex of diesel emissions. Diesel particulates, as defined by most emission standards, are sampled from diluted and cooled exhaust gases. This definition includes both solids and liquid material that condenses during the dilution process. The basic fractions of DPM are elemental carbon, heavy hydrocarbons derived from the fuel and lubricating oil and hydrated sulfuric acid derived from the fuel sulfur. DPM contains a large portion of the polycyclic aromatic hydrocarbons (PAH) found in diesel exhaust. Diesel particulates include small nuclei mode particles of diameters below 0.04µm and their agglomerates of diameters up to 1µm. Ambient exposures to diesel particulates in California are significant fractions of total TAC levels in the state.

Odorous Emissions

Though offensive odors from stationary sources rarely cause any physical harm, they still remain unpleasant and can lead to public distress generating citizen complaints to local governments. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, wind speed and direction, and the sensitivity of receptors.

3.4.2 Regulatory Framework

Federal Regulations

The Federal Clean Air Act (FCAA) requires the U.S. Environmental Protection Agency (USEPA) to identify National Ambient Air Quality Standards (NAAQS or national standards) to protect public health and welfare. National standards have been established for O_3, CO, nitrogen dioxide, sulfur dioxide, PM10, PM2.5, and lead. **Table 3.4-2**, below, shows current national and state ambient air quality standards and provides a brief discussion of the related health effects and principal sources for each pollutant.

Pursuant to the 1990 Federal Clean Air Act Amendments, USEPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for each criteria air pollutants, based on whether or not the NAAQS had been achieved. **Table 3.4-3**, below, shows the current attainment status of the Project area.

The Federal Clean Air Act (FCAA) requires each state to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The FCAA Amendments (FCAAA) added requirements for states containing areas that violate the NAAQS to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is a living document that is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. USEPA has responsibility to review all state SIPs to determine if they conform to the mandates of the FCAAA and will achieve air quality goals when implemented. If the USEPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and may impose additional control measures. Failure to submit an approvable SIP or to implement the plan within mandated timeframes can result in sanctions being applied to transportation funding and stationary air pollution sources in the air basin.

State Regulations

CARB manages air quality, regulates mobile emissions sources, and oversees the activities of county Air Pollution Control Districts and regional Air Quality Management Districts. CARB establishes state ambient air quality standards and vehicle emissions standards.

California has adopted ambient standards that are more stringent than the federal standards for the criteria air pollutants. These are shown in Table 3.4-2. Under the CCAA patterned after the federal Clean Air Act (FCAA), areas have been designated as attainment or nonattainment with respect to the state standards. Table 3.4-3 summarizes the attainment status with California standards in the Specific Plan area.

California state law defines TACs as air pollutants having carcinogenic effects. A total of 243 substances have been designated as TACs under California law; they include the 189 (federal) Hazardous Air Pollutants (HAPs) adopted in accordance with AB 2728. The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) seeks to identify and

TABLE 3.4-2
STATE AND NATIONAL CRITERIA AIR POLLUTANT STANDARDS, EFFECTS, AND SOURCES

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone (O_3)	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when ROG and NOx react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial / industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, CO interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide (NO_2)	1 hour	0.18 ppm	0.100 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Avg.	0.030 ppm	0.053 ppm		
Sulfur Dioxide	1 hour	0.25 ppm	---	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.5 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Avg.	---	0.03 ppm		
Respirable Particulate Matter (PM10)	24 hours	50 μg/m3	150 μg/m3	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Avg.	20 μg/m3	---		
Fine Particulate Matter (PM2.5)	24 hours	---	35 μg/m3	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NOx, sulfur oxides, and organics.
	Annual Avg.	12 μg/m3	15 μg/m3		
Lead	Monthly Ave.	1.5 μg/m3	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction.	Present sources includes lead smelters, battery manufacturing & recycling facilities. Past sourcs include: the combustion of leaded gasoline.
	Quarterly	---	1.5 μg/m3		
Hydrogen Sulfide	1 hour	0.03 ppm	No National Standard	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal Power Plants, Petroleum Production and refining
Sulfates	24 hour	25 μg/m3	No National Standard	Breathing difficulties, aggravates asthma, reduced visibility	Produced by the reaction in the air of sulfur dioxide.
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	No National Standard	Reduces visibility, reduced airport safety, lower real estate value, discourages tourism.	See PM2.5.

NOTE: ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter.

SOURCE: California Air Resources Board (ARB), 2010. *Ambient Air Quality Standards,* available at http://www.arb.ca.gov/research/aaqs/aaqs2.pdf Standards last updated February 16, 2010. California Air Resources Board, 2009b. *ARB Fact Sheet: Air Pollution Sources, Effects and Control,* http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm, page last reviewed December 2009.

TABLE 3.4-3
LOS ANGELES COUNTY ATTAINMENT STATUS

	Designation/Classification	
Pollutant	**Federal Standards**	**State Standards**
Ozone – one-hour	No Federal Standard[a]	Nonattainment
Ozone – eight-hour	Serious Nonattainment	Unclassified
PM10	Serious Nonattainment	Nonattainment
PM2.5	Nonattainment	Nonattainment
CO	Attainment	Attainment
NO_2	Unclassified/Attainment	Attainment
SO_2	Attainment	Attainment
Lead	No Designation	Attainment

[a] Federal One Hour Ozone National Ambient Air Quality Standard was revoked on June 15, 2005.

SOURCES: California Air Resources Board, 2009c. *Area Designation Maps,* http://www.arb.ca.gov/desig/adm/adm.htm,

evaluate risk from air toxics sources but AB 2588 does not regulate air toxics emissions. TAC emissions from individual facilities are quantified and prioritized. Depending on the risk levels, emitting facilities are required to implement varying levels of risk reduction measures. The proposed project would not include developing facilities that may be categorized as "high-priority," which would be required to perform a health risk assessment.

In August 1998, CARB identified particulate emissions from diesel-fueled engines (DPM) as TACs. CARB developed the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles* (CARB, 2000). The document represents a proposal to reduce DPM emissions, with the goal to reduce emissions and the associated health risk by 75 percent in 2010 and by 85 percent in 2020. The program aims to require the use of state-of-the-art catalyzed diesel particulate filters and ultra low sulfur diesel fuel on diesel-fueled engines.

CARB published the *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB, 2005). The primary goal in developing the handbook was to provide information that will help keep California's children and other vulnerable populations out of harm's way with respect to nearby sources of air pollution. The handbook highlights recent studies that have shown that public exposure to air pollution can be substantially elevated near freeways and certain other facilities. However, the health risk is greatly reduced with distance. For that reason, CARB provided some general recommendations aimed at keeping appropriate distances between sources of air pollution and sensitive land uses, such as residences.

Local Regulations

Regional Comprehensive Plan and Guide

The Southern California Association of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and addresses regional issues relating to transportation, the economy, community development, and the environment. SCAG is the federally-designated metropolitan planning organization (MPO) for the majority of the southern California region and is the largest MPO in the nation. As the designated MPO, SCAG is mandated by the federal government to develop and implement regional plans that address transportation, growth management, hazardous waste management, and air quality issues. With respect to air quality planning, SCAG has prepared the Regional Comprehensive Plan and Guide (RCPG) for the Los Angeles County region, which includes Growth Management and Regional Mobility chapters that form the basis for the land use and transportation components of the Air Quality Management Plan (AQMP) and are utilized in the preparation of air quality forecasts and the consistency analysis that is included in the AQMP.

South Coast Air Quality Management District

SCAQMD has jurisdiction over an area of approximately 10,743 square miles. This area includes all of Orange County, all of Los Angeles County except for the Antelope Valley, the non-desert portion of western San Bernardino County, and the western and Coachella Valley portions of Riverside County. The previously discussed SCAB is a subregion of the SCAQMD's jurisdiction. While air quality in this area has improved, the SCAB requires continued diligence to meet air quality standards. The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. These plans require control technology for existing sources, control programs for area sources and indirect sources, a SCAQMD permitting system designed to allow no net increase in emissions from any new or modified permitted emission sources, and transportation control measures.

The SCAQMD adopted a comprehensive AQMP update, the 2007 AQMP for the Basin, on June 1, 2007. The 2007 AQMP outlines the air pollution control measures needed to meet federal health-based standards for ozone (8-hour standard) by 2024, and PM2.5 by 2015. This revision to the AQMP also addresses several state and federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes and new air quality modeling tools. The 2007 AQMP is consistent with and builds upon the approaches taken in the 2003 AQMP for the attainment of the federal ozone air quality standard but highlights the significant amount of reductions needed and the urgent need to identify additional strategies, especially in the area of mobile sources, to meet all federal criteria pollutant standards within the timeframes allowed under FCAA (SCAQMD, 2007).

The SCAQMD adopts rules and regulations to implement portions of the AQMP. Several of these rules may apply to construction or operation of the proposed project. For example, SCAQMD Rule 403 requires the implementation of best available fugitive dust control measures during active operations capable of generating fugitive dust emissions from on-site earth-moving

activities, construction/demolition activities, and construction equipment travel on paved and unpaved roads. As another example, SCAQMD Regulation XIII ensures that the operation of new facilities do not interfere with progress in attainment of the NAAQS.

The SCAQMD has published a *CEQA Air Quality Handbook* (SCAQMD, 1993) that is intended to provide local governments with guidance for analyzing and mitigating project-specific air quality impacts. This handbook provides standards, methodologies and procedures for conducting air quality analyses and was used in the preparation of this analysis.

Sensitive Receptors

Land uses such as schools, children's daycare centers, hospitals, and convalescent homes are considered to be more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality.

Residential areas are considered more sensitive to air quality conditions than commercial and industrial areas, because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Sensitive receptors are spread throughout the proposed specific plan site. Sensitive receptors abutting the specific plan area include; Downey High School, Kirkwood Christian School, Downey Community Health Center, and numerous residences.

3.4.3 Impacts and Mitigation Measures

Significance Criteria

According to *CEQA Guidelines* Appendix G, the proposed project would have a significant effect on air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any nonattainment pollutant (including releasing emissions that exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

The City of Downey has not developed specific air quality thresholds for air quality impacts. However, because of the SCAQMD's regulatory role in the Basin, the significance thresholds and analysis methodologies in the SCAQMD's *CEQA Air Quality Handbook* are used in evaluating Project impacts.

Construction

The proposed project would result in a significant construction air quality impact if emissions from the proposed Project exceed the significance thresholds set forth in **Table 3.4-5**.

TABLE 3.4-5
AIR QUALITY SIGNIFICANCE THRESHOLDS

Pollutant	Construction	Operation
NOx	100 lbs/day	55 lbs/day
VOC (ROG)	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
CO	550 lbs/day	550 lbs/day

SOURCE: SCAQMD, 1993.

Operations

The proposed Specific Plan would result in a significant operational air quality impact if either of the following occur:

- Emissions exceed the significance thresholds set forth in Table 3.4-5.
- The proposed project would not be compatible with SCAQMD air quality goals and policies.

Toxic Air Contaminants

The proposed project would result in a significant operational air quality impact if any of the following occur:

- On-site stationary sources emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million or an acute or chronic hazard index of 1.0. (SCAQMD, 2005a).
- Hazardous materials associated with on-site stationary sources result in an accidental release of air toxic emissions or acutely hazardous materials posing a threat to public health and safety.

Methodology

Construction Impacts

Daily construction emissions were forecast by using default values from the air quality emissions model URBEMIS 2007 version 9.2.4. URBEMIS 2007 output sheets are provided in Appendix 6 of this document.

Operational Impacts

URBEMIS 2007 was also used to estimate the operational emissions of the proposed project. The proposed project would not include any substantial stationary or area sources of TAC emissions.

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. (Less than Significant)

The SCAQMD has designated two key indicators of consistency with air quality policies. The first criterion requires that the proposed project not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emission reductions specified in the AQMP. The second criterion requires that the proposed project not exceed the growth assumptions made in preparing the AQMP.

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis include forecasts of project emissions in a regional context during construction and operation. As described below in Impact AIR-2, with mitigation measures the proposed project would result in significant and unavoidable construction emissions. As described below in Impact AIR-3, operation of the proposed project would result in significant and unavoidable emissions associated with vehicle traffic and operation of the plan. The AQMP identifies construction activities as contributing factors to the overall emissions sources and provides source control measures to reduce this contribution, but does not conclude that individual projects would delay the attainment of air quality standards for the basin. Compliance with the rules established by the SCAQMD to reduce construction emissions, including fugitive dust control measures and vehicle maintenance measures, would ensure that the proposed project would not conflict with the current AQMP.

The second consistency criterion requires that the project not exceed the assumptions in the AQMP. A project is consistent with the AQMP if it is consistent with the population, housing and employment assumptions that were used in the development of the AQMP. The 2007 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates, in part, SCAG's 2004 RTP socioeconomic forecast projections of regional population and employment growth. The 2004 RTP is based on growth assumptions through 2030 developed by each of the cities and counties in the SCAG region. The proposed project is consistent with growth assumptions included in the AQMP because it is consistent with the City General Plan and SCAG goals, which are consistent with the RTP. As such, the impact would be less-than-significant.

Mitigation: None required.

Impact AIR-2: Project construction could violate air quality standards or contribute substantially to an existing or projected air quality violation during the short-term duration of construction. (Significant and Unavoidable)

Construction-Related Impacts

Construction-related emissions would occur intermittently for approximately 15 years. Project construction activities would include demolition, site preparation, earthmoving, and general construction. Site preparation includes activities such as general land clearing and grubbing. Earthmoving activities include cut-and-fill operations, trenching, soil compaction, and grading. General construction includes adding improvements such as structures and facilities. The emissions generated from these construction activities include:

- Dust (including PM10 and PM2.5) primarily from "fugitive" sources (i.e., emissions released through means other than through a stack or tailpipe) such as soil disturbance;
- Combustion emissions of criteria air pollutants (ROG, NOx, CO, CO_2, PM10, and PM2.5) primarily from operation of heavy off-road construction equipment (primarily diesel-operated), portable auxiliary equipment, and construction worker automobile trips (primarily gasoline-operated); and
- Evaporative emissions (ROG) from asphalt paving and architectural coatings.

Construction-related fugitive dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. In the absence of mitigation, construction activities may result in significant quantities of dust, and as a result, local visibility and PM10 concentrations may be adversely affected on a temporary and intermittent basis during construction. In addition, the fugitive dust generated by construction would include not only PM10, but also larger particles, which would fall out of the atmosphere within several hundred feet of the site and could result in nuisance-type impacts.

It is mandatory for all construction projects in the SCAB to comply with SCAQMD Rule 403 for fugitive dust (SCAQMD, 2005b). Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas.

NOx, ROG, PM10, PM2.5, CO, and CO_2 construction emissions were estimated for a worst-case day based on default crew, truck trip, and equipment. Emissions are based on criteria pollutant emission factors from URBEMIS 2007. The results of this analysis are summarized in **Table 3.4-6**.

Although implementation of Mitigation Measures AIR-2a through AIR-2e would provide help reduce construction-related emissions, as shown in Table 3.4-6, construction emissions of NOx would exceed SCAQMD thresholds of significance and would therefore be ***significant without mitigation***.

TABLE 3.4-6
MITIGATED EMISSIONS FROM PROPOSED SPECIFIC PLAN AMENDMENT CONSTRUCTION (pounds per day)[a]

Project Data	ROG	NOx	CO	PM10[2]	PM2.5[b]	CO_2
2011	53	**204**	459	55	19	68,897
2015	44	**142**	351	52	16	68,878
2020	37	**89**	257	50	14	68,867
2026	33	**74**	170	50	14	68,869
SCAQMD Thresholds of Significance	75	100	550	150	55	NA
Significant (Yes or No)?	No	Yes	No	No	No	NA

[a] Project construction emissions estimates for off-road equipment were made using URBEMIS2007, version 9.2.4. See Appendix 6 of this Draft EIR for more details.
[b] PM10 and PM2.5 emission estimates are based on compliance with SCAQMD Rule 403 requirements for fugitive dust suppression, which require that no visible dust be present beyond the site boundaries.

NOTE: Values in **bold** are in excess of the applicable SCAQMD significance threshold. NA = Not Available
SOURCE: ESA, 2009.

Measure AIR-2a: The City shall ensure that a fugitive dust control program is implemented pursuant to the provision of SCAQMD Rule 403 for all new development.

Measure AIR-2b: Prior to grading and construction, the developer/applicant shall be responsible for compliance with the following:

A. During clearing, grading, earth moving, or excavation, maintain equipment engines in proper tune.
B. After clearing, grading, earth moving, or excavation:
    1. Wet the area down, sufficient enough to form a crust on the surface with repeated soakings, as necessary, to maintain the crust and prevent dust pick up by the wind.
    2. Spread soil binders.
    3. Implement street sweeping as necessary.
C. During construction:
    1. Use water trucks or sprinkler systems to keep all areas where vehicles move damp enough to prevent dust raised when leaving the site.
    2. Wet down areas in the late morning and after work is completed for the day.
    3. Use low sulfur fuel (0.05 percent by weight) for construction equipment.
D. Discontinue construction during second stage smog alerts.

Measure AIR-2c: Prior to grading and construction, the developer/applicant shall be responsible for compliance with the following:

A. Require a phased schedule for construction activities to minimize daily emissions.

B. Schedule activities to minimize the amount of exposed excavated soil during and after the end of work periods.

C. Treat unattended construction areas with water (disturbed lands which have been, or are expected to be, unused for four or more consecutive days).

D. Require the planting of vegetative ground cover as soon as possible on construction sites.

E. Install vehicle wheel-washers before the roadway entrance at construction sites.

F. Wash off trucks leaving the site.

G. Require all trucks hauling dirt, sand, soil, or other loose substances and building materials to be covered, or to maintain a minimum freeboard of two feet between the top of the load and the top of the truck bed sides.

H. Use vegetative stabilization, whenever possible, to control soil erosion from stormwater, especially on super pads.

I. Require enclosures or chemical stabilization of open storage piles of sand, dirt, or other aggregate materials.

J. Control off-road vehicle travel by posting driving speed limits on these roads, consistent with City standards.

K. Use electricity from power poles rather than temporary diesel or gasoline power generators.

Measure AIR-2d Prior to issuance of grading permits, the developer/applicant shall be responsible for assuring that construction vehicles are equipped with proper emission control equipment to substantially reduce emissions.

Measure AIR-2e: Prior to issuance of grading permits, the developer/applicant shall be responsible for the incorporation of measures to reduce construction related traffic congestion into the project grading permit. Measures, subject to the approval and verification by the Building and Safety Division, shall include, as appropriate:

A. Provision of rideshare incentives.

B. Provision of transit incentives for construction personnel.

C. Configuration of construction parking to minimize traffic interference.

D. Measures to minimize obstruction of through traffic lanes.

E. Use of a flagman to guide traffic when deemed necessary.

Significance After Mitigation: Though mitigation measures would reduce construction emissions, the impact would remain ***significant and unavoidable***.

Toxic Air Contaminants

The greatest potential for TAC emissions would be related to diesel particulate emissions associated with heavy equipment operations during grading and excavation. According to

SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. “Individual cancer risk” is the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. The proposed project would not result in a long-term (i.e., 70 year) substantial source of TAC emissions. In addition, there would be no residual emissions after construction and corresponding individual cancer risk. As such, project-related toxic emission impacts during construction would be less than significant.

Mitigation: None required.

Impact AIR-3: Project operations could violate air quality standards or contribute substantially to an existing or projected air quality violation during long-term operations. (Significant and Unavoidable)

Operational emissions for the proposed project would be generated primarily from on-road vehicular traffic, area sources (such as landscaping equipment), and indirectly by the energy consumption of the buildings proposed under the proposed Specific Plan. Because power is provided to the City of Downey via an integrated electricity grid, indirect emissions from the use of electricity could occur at any of the fossil-fueled power plants in California or neighboring states, or from hydroelectric or nuclear plants or renewable energy sources. For all power plants, it can be assumed that the emissions are reviewed as part of the permitting process before the power plant is built or expanded.

Operational emissions for mobile and area sources are based on criteria pollutant emission factors from URBEMIS 2007. The results of this analysis are summarized in **Table 3.4-7**. The following mitigation measures would be required to reduce the impact of operational emissions, although, as shown in Table 3.4-7, build-out of the proposed Specific Plan would exceed all SCAQMD thresholds of significance and would therefore be significant.

> **Measure AIR-3a:** Construct on-site or off-site bus turnouts, passenger benches, and shelters.
>
> **Measure AIR-3b:** Coordinate traffic lights on streets impacted by development.
>
> **Measure AIR-3e:** Set up resident worker training programs to improve job/housing balance.

Significance after Mitigation: Though mitigation measures would reduce operational emissions, the impact would remain ***significant and unavoidable***.

TABLE 3.4-7
PROPOSED SPECIFIC PLAN BUILD-OUT OPERATIONAL EMISSIONS
(pounds per day)[a]

Project Data	ROG	NOx	CO	PM10	PM2.5	CO_2
Area Sources	**104**	**50**	39	<1	<1	61,375
Mobile Sources	**1,087**	**1,599**	**14,144**	**2,603**	**464**	1,548,101
Total	**1,191**	**1,649**	**14,183**	**2,603**	**464**	1,609,477
SCAQMD Thresholds of Significance	55	55	550	150	55	NA
Significant (Yes or No)?	Yes	Yes	Yes	Yes	Yes	NA

[a] Project emissions estimates were made using URBEMIS2007, version 9.2.4. See Appendix 6 of this Draft EIR for more details.

NOTE: Values in bold are in excess of the applicable SCAQMD significance threshold. NA = Not Available

SOURCE: ESA, 2009.

Impact AIR-4: The proposed project would not create objectionable odors affecting a substantial amount of people. (Less than Significant)

According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

During the short-term impact from construction, exhaust from equipment and paint could be odiferous, but would not affect a substantial number of people. Therefore, potential odor impacts would be less than significant.

Mitigation: None required.

Impact AIR-5: Increased localized carbon monoxide would be generated from vehicular traffic during operation.

Traffic generated by the project would result in CO emissions based on the total volume of traffic and congestion along streets and intersections. CO emissions in future years are expected to decline due to reductions in the predicted CO emission factors resulting from a cleaner future mix of vehicles.

Traffic generated by the project was analyzed to determine its potential to affect CO concentrations in the project area. The modeling method included background CO concentration

levels obtained from the Pico Rivera Monitoring Station, and traffic projections prepared for the project.

Residents on these intersections would be the most affected by project-related traffic. It was assumed that if CO concentrations on these roadway segments would not exceed the ambient air quality standards, the project's contribution to impacts at other intersections affected by project traffic to a lesser extent would be less substantial.

As shown in **Table 3.4-8**, the analysis demonstrated that no exceedances of the CO one-hour or eight-hour standard would occur. Furthermore, future years would have even lower background concentrations and vehicle emission factors. Thus, project-related traffic would have a less-than-significant impact on local CO concentrations.

TABLE 3.4-8
ESTIMATED CARBON MONOXIDE CONCENTRATIONS

		Concentrations (ppm)[a]				
Receptor location	**Averaging Time (hrs.)**	**State Standard**	**Existing**	**Existing plus project**	**Cumulative**	**Cumulative Plus Project**
50 feet NE of the intersection of Paramount Blvd and 3rd St.	1	20	4.32	4.49	3.996	4.32
	8	9	2.6	2.7	2.4	2.6
50 feet SE of the intersection of Paramount Blvd and 3rd St.	1	20	4.32	4.49	3.996	4.32
	8	9	2.6	2.7	2.4	2.6
50 feet SW of the intersection of Downey Ave and Firestone Blvd.	1	20	4.32	4.66	4.16	4.49
	8	9	2.6	2.8	2.5	2.7

a The CO analysis focuses on the average daily traffic. Carbon monoxide estimates shown above include background concentrations of 2.1 parts per million.
Note: more information can be found in the Appendix 6 of this Draft EIR.

SOURCE: ESA, 2010.

Mitigation: None required.

Impact AIR-6: Air pollutant emissions associated with the project would result in an adverse cumulative impact to air quality. (Significant and Unavoidable)

A cumulative impact arises when two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant impacts, meaning that the project's incremental effects must be viewed in connection with the effects of past, current, and probable future projects. Notably, any project that would individually have a significant air quality impact would also be considered to have a significant cumulative impact.

Construction

Construction activity associated with other projects in the SCAB would generally involve the use of similar equipment and may overlap with the construction schedule of the project. Because the project has a significant and unavoidable impact, the project would also have a significant and unavoidable cumulative impact.

Operation

The SCAQMD's approach for assessing cumulative operational impacts is based on the SCAQMD's AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the FCAA and CCAA. This forecast also takes into account SCAG's forecasted future regional growth. As such, the analysis of cumulative impacts (see Chapter 4) focuses on determining whether the project is consistent with forecasted future regional growth. As presented in Impact 3.4-1, the project would be consistent with AQMP forecasts and would result in a less-than-significant cumulative impact.

As discussed in Impact 3.4-2, project TAC emissions would not substantially have a significant impact on community health. However, cumulative sources from projects throughout the Basin would emit substantial amounts of TACs. The estimated carcinogenic risk in the Basin is currently about 1,400 per million people (SCAQMD, 2005a). The impact of TACs to community health within the Basin is a regional concern that has been addressed by the SCAQMD. The SCAQMD has published an Air Toxics Control Plan designed to limit TAC emissions in an equitable and cost-effective manner (SCAQMD, 2000b). In addition, the SCAQMD addressed health risk in the Basin and TAC emissions reduction measures in the 2007 AQMP.

While the total TAC emissions from all projects in the region would be significant, the TAC emissions from the project are minimal for both construction and operations and would not be a cumulatively considerable contribution to the overall cumulative impact. Therefore the project would have a less-than-significant cumulative impact with regard to TACs.

Significance after Mitigation: ***Significant and unavoidable*** (no additional mitigation measures are available).

3.5 Greenhouse Gases and Global Warming

This section provides an analysis of the current environmental and regulatory framework related to climate change in California. Impacts related to greenhouse gases (GHGs) and climate change are analyzed and mitigation measures are provided for any potentially significant impacts.

3.5.1 Environmental Setting

Greenhouse Gases

Gases that trap heat in the atmosphere are referred to as greenhouse gases because they capture heat radiated from the sun as it is reflected back into the atmosphere, similar to a greenhouse. The accumulation of GHGs has been implicated as a driving force for Global Climate Change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere. Both natural processes and human activities emit GHGs.

Global Climate Change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between the increased emission of GHGs and long-term global temperature. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

The accumulation of GHGs in the atmosphere regulates the earth's temperature; however, emissions from human activities such as electricity production and motor vehicles have elevated the concentration of GHGs in the atmosphere. GHGs include but are not limited to carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (California Health and Safety Code Section 38505(g)). CO_2 is the reference gas for climate change because it gets the most attention and is considered the most important GHG. To account for the warming potential of different GHGs, GHG emissions are quantified and reported as CO_2 equivalents (CO_2e). The effects of GHG emission sources (i.e., individual projects) are reported in metric tons/year of CO_2e.

Some of the potential resulting effects in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Globally, climate change has the potential to impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and

climate are likely to vary regionally, but are expected to include the following direct effects (Intergovernmental Panel on Climate Change, 2001):

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas;
- Increase of heat index over land areas; and
- More intense precipitation events.

There are many secondary effects that are projected to result from global warming, including global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. While the possible outcomes and the feedback mechanisms involved are not fully understood, and much research remains to be done, the potential for substantial environmental, social, and economic consequences over the long-term may be great.

Historical Context

As noted in the Climate Action Team Report to Governor Schwarzenegger and the Legislature ("CAT Report") (Climate Action Team, 2006), the Earth's climate has always changed and evolved. This is most clearly exemplified in the 100,000-year ice-age cycles that have occurred. As described in the CAT Report, the last 10,000 years, and more specifically the last millennium, has been warm and one of the most stable climates observed (CAT, 2006). Yet the CAT Report states that during the 20th century a rapid change in the climate and climate change pollutants has occurred and these changes are attributable to human activities. Climate change is described by the CAT Report as a "*shift in the 'average weather' that a given region experiences*" (CAT, 2006), and that this can be measured by changes in temperature, wind patterns, precipitation, and storms.

According to the CAT Report, human activities including the burning of coal, oil, and natural gas, and the destruction of forests have contributed to an increase in CO_2 in the atmosphere by approximately 30 percent since the late 1800s, and that the increase in CO_2 and other GHGs, and change in land surface has had a major influence on some of the "key factors that govern climate change…"

Baseline Conditions

The California Energy Commission (CEC) estimated that in 2004, California produced 492 million gross metric tons of CO_2e GHG emissions (CEC, 2006). The CEC found that transportation is the source of 41 percent of the state's GHG emissions; followed by electricity generation at 22 percent and industrial sources at 21 percent.

3.5.2 Regulatory Framework

Federal

As of yet, there are no federal regulations, plans or programs to prevent global climate change that would apply to the project.

State

Executive Order S-3-05

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of GHG would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Assembly Bill 32 (AB 32)

In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill No. 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires that CARB design and implement emission limits, regulations, and other measures, such that statewide greenhouse gas emissions will be reduced to 1990 levels by 2020.

In December 2007, CARB approved the 2020 emissions limit of 427 million metric tons of CO_2e of GHGs. The 2020 target of 427 million metric tons of CO_2e requires the reduction of 169 million metric tons of CO_2e, or approximately 30 percent, from the state's projected 2020 emissions of 596 million metric tons of CO_2e (business-as-usual).

Also in December 2007, CARB adopted mandatory reporting and verification regulations pursuant to AB 32. The regulations became effective January 1, 2009, with the first reports covering 2008 emissions. The mandatory reporting regulations require reporting for certain types of facilities that make up the bulk of the stationary source emissions in California. Currently, the draft regulation language identifies major facilities as those that generate more than 25,000 metric tons/year of CO_2e. Cement plants, oil refineries, electric-generating facilities/providers, cogeneration facilities, and hydrogen plants and other stationary combustion sources that emit more than 25,000 metric tons/year CO_2e, make up 94 percent of the point source CO_2e emissions in California (CARB, 2007).

In June, 2008, CARB published its *Climate Change Draft Scoping Plan* (CARB, 2008). The *Climate Change Draft Scoping Plan* reported that CARB met the first milestones set by AB 32 in 2007: developing a list of early actions to begin sharply reducing GHG emissions; assembling an inventory of historic emissions; and establishing the 2020 emissions limit. After consideration of public comment and further analysis, CARB released the *Climate Change Scoping Plan* in

December, 2008 (CARB, 2008). The Scoping Plan proposes a comprehensive set of actions designed to reduce overall carbon emissions in California. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;
- Establishing targets for transportation-related greenhouse gas emissions for regions throughout California, and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing state laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the state's long-term commitment to AB 32 implementation. (CARB, 2008)

The *Climate Change Scoping Plan* notes that "*[a]fter Board approval of this plan, the measures in it will be developed and adopted through the normal rulemaking process, with public input*" (CARB, 2008).

CARB has not yet determined what amount of GHG emissions reductions it recommends; however, the Scoping Plan does state that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions. CARB further acknowledges that decisions on how land is used will have large effects on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emission sectors. The Scoping Plan states that the ultimate assignment to local government operations is to be determined (CARB 2008).

The *Climate Change Scoping Plan* also includes recommended measures that were developed to reduce GHG emissions from key sources and activities while improving public health, promoting a cleaner environment, preserving our natural resources, and ensuring that the impacts of the reductions are equitable and do not disproportionately impact low-income and minority communities. These measures, shown below in **Table 3.5-1** by sector, also put the state on a path to meet the long-term 2050 goal of reducing California's GHG emissions to 80 percent below 1990 levels. These measures were presented to and approved by CARB on December 11, 2008.

TABLE 3.5-1
LIST OF RECOMMENDED ACTIONS BY SECTOR

Measure No.	Measure Description	GHG Reductions (Annual Million Metric Tons CO_2e)
Transportation		
T-1	Pavley I and II – Light Duty Vehicle Greenhouse Gas Standards	31.7
T-2	Low Carbon Fuel Standard (Discrete Early Action)	15
T-3[1]	Regional Transportation-Related Greenhouse Gas Targets	5
T-4	Vehicle Efficiency Measures	4.5
T-5	Ship Electrification at Ports (Discrete Early Action)	0.2
T-6	Goods Movement Efficiency Measures. • Ship Electrification at Ports • System-Wide Efficiency Improvements	3.5
T-7	Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	0.93
T-8	Medium- and Heavy-Duty Vehicle Hybridization	0.5
T-9	High Speed Rail	1
Electricity and Natural Gas		
E-1	Energy Efficiency (32,000 GWh of Reduced Demand) • Increased Utility Energy Efficiency Programs • More Stringent Building & Appliance Standards Additional Efficiency and Conservation Programs	15.2
E-2	Increase Combined Heat and Power Use by 30,000 GWh (Net reductions include avoided transmission line loss)	6.7
E-3	Renewables Portfolio Standard (33% by 2020)	21.3
E-4	Million Solar Roofs (including California Solar Initiative, New Solar Homes Partnership and solar programs of publicly owned utilities) • Target of 3000 MW Total Installation by 2020	2.1
CR-1	Energy Efficiency (800 Million Therms Reduced Consumptions) • Utility Energy Efficiency Programs • Building and Appliance Standards • Additional Efficiency and Conservation Programs	4.3
CR-2	Solar Water Heating (AB 1470 goal)	0.1
Green Buildings		
GB-1	Green Buildings	26
Water		
W-1	Water Use Efficiency	1.4†
W-2	Water Recycling	0.3†
W-3	Water System Energy Efficiency	2.0†
W-4	Reuse Urban Runoff	0.2†
W-5	Increase Renewable Energy Production	0.9†
W-6	Public Goods Charge (Water)	TBD†
Industry		
I-1	Energy Efficiency and Co-Benefits Audits for Large Industrial Sources	TBD
I-2	Oil and Gas Extraction GHG Emission Reduction	0.2
I-3	GHG Leak Reduction from Oil and Gas Transmission	0.9
I-4	Refinery Flare Recovery Process Improvements	0.3
I-5	Removal of Methane Exemption from Existing Refinery Regulations	0.01

TABLE 3.5-1
LIST OF RECOMMENDED ACTIONS BY SECTOR

Measure No.	Measure Description	GHG Reductions (Annual Million Metric Tons CO_2e)
Recycling and Water Management		
RW-1	Landfill Methane Control (Discrete Early Action)	1
RW-2	Additional Reductions in Landfill Methane • Increase the Efficiency of Landfill Methane Capture	TBD†
RW-3	High Recycling/Zero Water • Commercial Recycling • Increase Production and Markets for Compost • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9†
Forests		
F-1	Sustainable Forest Target	5
High Global Warming Potential (GWP) Gases		
H-1	Motor Vehicle Air Conditioning Systems: Reduction of Refrigerant Emissions from Non-Professional Services (Discrete Early Action)	0.26
H-2	SF_6 Limits in Non-Utility and Non-Semiconductor Applications (Discrete Early Action)	0.3
H-3	Reduction of Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	0.15
H-4	Limit High GWP Use in Consumer Products Discrete Early Action (Adopted June 2008)	0.25
H-5	High GWP Reductions from Mobile Sources • Low GWP Refrigerants for New Motor Vehicle Air Conditioning Systems • Air Conditioner Refrigerant Leak Test During Vehicle Smog Check • Refrigerant Recovery from Decommissioned Refrigerated Shipping Containers • Enforcement of Federal Ban on Refrigerant Release during Servicing or Dismantling of Motor Vehicle Air Conditioning Systems	3.3

H-6	High GWP Reductions from Stationary Sources
	• High GWP Stationary Equipment Refrigerant Management Program:
	  o Refrigerant Tracking/Reporting/Repair Deposit Program
	  o Specifications for Commercial and Industrial Refrigeration Systems
	• Foam Recovery and Destruction Program
	• SF Leak Reduction and Recycling in Electrical Applications
	• Alternative Suppressants in Fire Protection Systems
	• Residential Refrigeration Early Retirement Program
		10.9

H-7	Mitigation Fee on High GWP Gases	5
Agriculture		
A-1	Methane Capture at Large Dairies	1.0†

[1] This is not the SB 375 regional target. CARB will establish regional targets for each MPO region following the input of the regional targets advisory committee and a consultation process with MPO's and other stakeholders per SB 375
† GHG emission reduction estimates are not included in calculating the total reductions needed to meet the 2020 target.

The total reduction for the recommended measures is 174 million metric tons/year of CO_2e, slightly exceeding the 169 million metric tons/year of CO_2e of reductions estimated to be needed in the *Draft Scoping Plan*. The measures in the Scoping Plan approved by the Board will be developed over the next two years and will be in place by 2012.

Senate Bill 97

The provisions of Senate Bill (SB) 97, enacted in August 2007 as part of the State Budget negotiations, direct the Office of Planning and Research (OPR) to propose CEQA Guidelines "*for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions*." SB 97 directed OPR to develop such guidelines by July 2009, and directed the State Resources Agency, the agency charged with adopting the CEQA Guidelines, to certify and adopt such guidelines by January 2010. These changes have been made and have been incorporated into this Draft EIR, as further described below.

Governor's Office of Planning and Research Technical Advisory, CEQA and Climate Change

On June 19, 2008, the Governor's Office of Planning and Research (OPR) published a technical advisory on CEQA and Climate Change. The advisory provides OPR's perspective on the emerging role of CEQA in addressing climate change and GHG emissions, while recognizing that approaches and methodologies for calculating GHG emissions and addressing environmental impacts through CEQA review are rapidly evolving. The advisory recognizes that OPR will develop, and the Resources Agency will adopt amendments to the CEQA Guidelines pursuant to SB 97. In the interim, the technical advisory "*offers informal guidance regarding the steps lead agencies should take to address climate change in their CEQA documents*" (OPR, 2008).

The technical advisory points out that neither CEQA nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. "*This is left to lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable*" (OPR, 2008). OPR recommends that "*the global nature of climate change warrants investigation of a statewide threshold of significance for GHG emissions*" (OPR, 2008). Until such a standard is established, OPR advises that each lead agency should develop its own approach to performing an analysis for projects that generate greenhouse gas emissions (OPR, 2008).

Agencies should then assess whether the emissions are "cumulatively considerable" even though a project's GHG emissions may be individually limited. OPR states: "*Although climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment*" (OPR, 2008). Individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice (OPR, 2008).

Finally, if the lead agency determines emissions are a cumulatively considerable contribution to a significant cumulative impact, the lead agency must investigate and implement ways to mitigate the emissions (OPR, 2008). OPR states: "*Mitigation measures will vary with the type of project being contemplated, but may include alternative project designs or locations that conserve energy and water, measures that reduce vehicle miles traveled (VMT) by fossil-fueled vehicles, measures that contribute to established regional or programmatic mitigation strategies, and measures that sequester carbon to offset the emissions from the project*" (OPR, 2008). OPR concludes that "*A lead agency is not responsible for wholly eliminating all GHG emissions from*

a project; the CEQA standard is to mitigate to a level that is 'less than significant'" (OPR, 2008). The technical advisory includes a list of mitigation measures that can be applied on a project-by-project basis.

OPR Proposed Amendments to the CEQA Guidelines

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for GHG emissions, as required by Public Resources Code section 21083.05 (Senate Bill 97) (OPR, 2009). The CEQA Guidelines amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in draft CEQA documents. The Natural Resources Agency adopted the CEQA Guidelines Amendments with minor, non-substantial changes on December 31, 2009 and transmitted the Adopted Amendments and the entire rulemaking file to the Office of Administrative Law (OAL). The adopted guidelines became effective on March 18, 2010.

The amendments suggest relatively modest changes to various portions of the existing CEQA Guidelines. Modifications address those issues where analysis of GHG emissions may differ in some respects from more traditional CEQA analysis.

Amendments include a Section 15064.4 (newly added) to assist lead agencies in determining the significance of the GHG impacts. This section urges lead agencies to quantify, where possible, the GHG emissions of proposed projects. In addition to quantification, this section recommends consideration of several other qualitative factors that may be used in determination of significance including: (1) the extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether the GHG emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

The amendments include a new subdivision 15064.7(c) to clarify that in developing thresholds of significance, a lead agency may appropriately review thresholds developed by other public agencies, or recommended by other experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.

The amendments include a new Section 15183.5 that provides for tiering and streamlining the analysis of GHG emissions. Project-specific environmental documents may rely on an EIR containing a programmatic analysis of GHG emissions in the region over a specified time period.

In addition, the amendments add a new set of environmental checklist questions (VII. Greenhouse Gas Emissions) to the CEQA Guidelines Appendix G. The new set includes the following two questions:

Would the project:

a) Generate GHG 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?

California Air Pollution Control Officers Association (CAPCOA)

In January 2008, the California Air Pollution Control Officers Association (CAPCOA) issued a "white paper" on evaluating and addressing GHGs under CEQA (CAPCOA, 2008). This resource guide was prepared to support local governments as they develop their programs and policies around climate change issues. The paper is not a guidance document. It is not intended to dictate or direct how any agency chooses to address GHG emissions. Rather, it is intended to provide a common platform of information about key elements of CEQA as they pertain to GHG, including an analysis of different approaches to setting significance thresholds.

The paper notes that for a variety of reasons local agencies may decide not to have a CEQA threshold. Local agencies may also decide to assess projects on a case-by-case basis when the projects come forward. The paper also discusses a range of GHG emission thresholds that could be used. The range of thresholds discusses includes a GHG threshold of zero and several non-zero thresholds. Non-zero thresholds include percentage reductions for new projects that would allow the state to meet its goals for GHG emissions reductions by 2020 and perhaps 2050. These would be determined by a comparison of new emissions versus business as usual emissions and the reductions required would be approximately 30 percent to achieve 2020 goals and 90 percent (effectively immediately) to achieve the more aggressive 2050 goals. These goals could be varied to apply differently to new project, by economic sector, or by region in the state.

Other non-zero thresholds are discussed in the paper include:

- 900 metric tons/year CO_2e (a market capture approach);
- 10,000 metric tons/year CO_2e (potential CARB mandatory reporting level with Cap and Trade);
- 25,000 metric tons/year CO_2e (the CARB mandatory reporting level for the statewide emissions inventory);
- 40,000 to 50,000 metric tons/year CO_2e (regulated emissions inventory capture – using percentages equivalent to those used in air districts for criteria air pollutants);
- Projects of statewide importance (9,000 metric tons/year CO_2e for residential, 13,000 metric tons/year CO_2e for office project, and 41,000 metric tons/year CO_2e for retail projects); and
- Unit-based thresholds and efficiency-based thresholds that were not quantified in the report.

CARB Draft GHG Significance Thresholds

On October 24, 2008, CARB released its *Preliminary Draft Staff Proposal on Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act* for review and public comment (CARB, 2008c). The *Proposal* includes benchmarks or standards that assist lead agencies in the significance determination for industrial, residential, and commercial projects. The *Proposal* currently focuses

on two sectors for which local agencies are typically the CEQA lead agency: industrial projects; and residential and commercial projects. Future proposals will focus on transportation projects, large dairies and power plant projects.

In summary, the *Proposal* recommends:

- In general, categorical exemptions will continue to apply.
- If GHGs are adequately addressed at the programmatic level (i.e., consistent with regional GHG budgets), the impact of certain individual projects can be found to be insignificant.
- Industrial projects below the operational emissions level (7,000 metric tons/year CO_2e) that also meet performance standards for construction can be found to be less than significant.
- Residential and commercial projects below the operational emissions level (unspecified as of December 2008) that also meet performance standards for construction, energy, water, waste and transportation can be found to be less than significant.
- If a project cannot meet the above requirements, it should be presumed to have significant impacts related to climate change and all feasible GHG mitigation measures (i.e., carbon offsets) should be implemented.

For residential and commercial projects, CARB staff's objective is to develop a threshold on performance standards that will substantially reduce the GHG emissions from new projects and streamline the permitting of carbon-efficient projects. Performance standards will address the five major emission sub-sources for the sector: energy use, transportation, water use, waste, and construction. Projects may alternatively incorporate mitigation equivalent to these performance standards, such as measures from green building rating systems.

Local

South Coast Air Quality Management District (SCAQMD)

On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for projects for which SCAQMD is the lead agency. The interim threshold consists of five tiers of standards that could result in a finding of less than significant impact. The tiers include CEQA exemptions, consistency with regional GHG budgets, less than significant screening levels for industrial projects (10,000 metric tons/year CO_2e) and commercial/residential projects (3,000 metric tons/year CO_2e), performance standards (i.e., 30 percent less than Business As Usual [BAU]), and carbon offsets (SCAQMD, 2008).

3.5.3 Impacts and Mitigation Measures

Significance Criteria

According to Appendix G of the CEQA *Guidelines*, a project would have a significant effect on air quality if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG (including AB 32, the California Global Warming Solutions Act of 2006, and the AB 32 Scoping Plan).

Methodology

At this time, few if any local governments statewide have adopted anything beyond a case-by-case significance criterion for evaluating a project's contribution to climate change. OPR has asked CARB to "*recommend a method for setting thresholds of significance to encourage consistency and uniformity in the CEQA analysis of GHG emissions*" throughout the state because OPR has recognized that "*the global nature of climate change warrants investigation of a statewide threshold for GHG emissions*" (OPR, 2008). CARB began the public process of addressing significance thresholds in October 2008, but many decisions need to be made to have a final set of criteria (CARB, 2008c).

The informal guidelines in OPR's technical advisory and CARB's proposed thresholds provide a general basis for determining a proposed project's contribution of GHG emissions and the project's contribution to global climate change. In the absence of adopted statewide thresholds, OPR recommends the following approach for analyzing GHG emissions:

1. Identify and quantify the project's GHG emissions;
2. Assess the significance of the impact on climate change; and
3. If the impact is found to be significant, identify alternatives and/ or mitigation measures that would reduce the impact to less-than-significant levels.

OPR's technical advisory states that "*the most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide*." The calculation presented below includes annual CO_2e GHG emissions from direct and indirect sources including increased off-road equipment and vehicular traffic during construction, and energy consumption during operations.

As discussed above, at this time there are no adopted statewide guidelines for GHG emission impacts, but this is being addressed through the provisions of Senate Bill 97 (SB 97). In the interim, local agencies must analyze the impact of GHGs. For this project, the proposed Specific Plan would be considered to have a significant impact if the Specific Plan would be in conflict with the AB 32 State goals for reducing GHG emissions. It is assumed that AB 32 will be successful in reducing GHG emissions and reducing the cumulative GHG emissions statewide by

2020. It is important that the state has taken these measures, because no project individually could have a major impact (either positively or negatively) on the global concentration of GHG. The project will be reviewed to make sure it does not conflict with the goals of AB 32 and the policies of SCAQMD.

Impacts and Mitigation Measures

Impact GHG-1: Construction and implementation of the project could result in a cumulatively considerable increase in GHG emissions. The project would not potentially conflict with the state goal of reducing GHG emissions in California to 1990 levels by 2020, as set forth by the timetable established in AB 32, California Global Warming Solutions Act of 2006. (Significant and Unavoidable)

The proposed project would contribute to global climate change as a result of emissions of GHGs, primarily CO_2, emitted by construction and operational activities. GHG impacts are considered to be exclusively cumulative impacts; there are no non-cumulative GHG emissions impacts from a climate change perspective (CAPCOA, 2008). Thus, the analysis of GHG emissions is to determine whether the proposed project impact is cumulatively considerable.

Four types of analyses are used to determine whether the proposed Specific Plan could be cumulatively considerable and potentially conflict with the state goals for reducing GHG emissions. The analyses are as follows:

A. Any potential conflicts with the CARB's thirty-nine (39) recommended actions in California's AB 32 Climate Change Scoping Plan.

B. The relative size of the project. The project's GHG emissions will be compared to the size of major facilities that are required to report GHG emissions (25,000 metric tons/year of CO_2e)[1] to the state. The project size will also be compared to the SCAQMD GHG threshold, as well as the California GHG emissions limit of 427 million metric tons per year of CO_2e emissions by 2020. In reaching its goals the CARB will focus upon the largest emitters of GHG emissions.

C. The basic energy efficiency parameters of a project to determine whether its design is inherently energy efficient.

D. Any potential conflicts with applicable City of Downey plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs.

With regard to Item A, the proposed project does not pose any apparent conflict with the most recent list of the CARB early action strategies.

[1] As noted above, the 25,000 metric ton annual limit identifies the large stationary point sources in California that make up approximately 94 percent of the stationary emissions. If the project's total emissions are below this limit, its total emissions are equivalent in size to the smaller projects in California that as a group only make up 6 percent of all stationary emissions. It is assumed that the activities of these smaller projects would generally not conflict with State's ability to reach AB 32 overall goals.

With regard to Item B, proposed project construction GHG emissions would be approximately 8,156 metric tons of CO_2e/yr. The proposed Specific Plan build-out operational GHG emissions from vehicle trips and space heating would be approximately 258,543 metric tons of CO_2e/yr, indirect operation emissions from electricity generation would be approximately 17,226 metric tons of CO_2e/yr, indirect operation emissions from increase in water conveyance would be approximately 43,469, totaling 319,251 metric tons of CO_2e/yr. The proposed project would be classified as a major source of GHG emissions (total emissions would exceed the lower reporting limit, which is 25,000 metric tons of CO_2e/yr).

When compared to the overall state emissions limit of approximately 427 million metric tons CO_2e/yr, the proposed Specific Plan at build-out (319,251 metric tons CO_2e/yr) would be 0.07 percent of the state goal. However, since the project would result in GHG emissions that would exceed the major source threshold (25,000 metric tons CO_2e/yr) and the SCAQMD GHG screening threshold (3,000 metric tons CO_2e/yr), the project would potentially conflict with the state's ability to meet the AB 32 goals. For GHG calculations see Appendix 6.

With regard to Item C, the project would introduce high-density residential uses, thus creating a mixed-use environment in which residents would benefit from nearby shopping and employment opportunities, which would reduce the community's reliance on automobiles.

With regard to Item D, the City of Downey does not have any plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs, therefore the project would not pose a conflict.

The review of Items A, B, C, and D indicate that the project would potentially conflict with the State goals in AB 32 and, therefore, this impact would be significant without mitigation.

The State of California Attorney General's office has compiled a list of GHG reduction measures that could be applied to a diverse range of projects (State of California Department of Justice, 2008) where practicable; many of these measures are included in Mitigation Measure GHG-1, below.

> **Measure GHG-1:** The applicant shall require implementation of all feasible energy efficiency and GHG reduction measures, including but not limited to the following where practicable:
>
> **Energy Efficiency**
>
> - Design buildings to be energy efficient.
> - Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings.
> - Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use.
> - Install light colored "cool" roofs, cool pavements.
> - Provide information on energy management services for large energy users.

- Install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Provide education on energy efficiency.

Renewable Energy

- Install solar and tankless hot water heaters, and energy-efficient heating ventilation and air conditioning. Educate consumers about existing incentives.
- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Use reclaimed water for landscape irrigation in new developments and on public property. Install the infrastructure to deliver and use reclaimed water.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Provide education and publicity about reducing waste and available recycling services.

Land Use Measures

- Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.
- Educate the public about the benefits of well-designed, higher density development.
- Incorporate public transit into project design.
- Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.
- Develop “brownfields” and other underused or defunct properties near existing public transportation and jobs.
- Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).
- Encourage the development of facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Promote “least polluting” ways to connect people and goods to their destinations.
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking.
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.
- Institute a telecommute and/or flexible work hours program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.
- Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

Depending on the feasibility and level of implementation as applied to individual development projects consistent with the Specific Plan, the inclusion of additional trip reduction measures identified above, would help to reduce vehicle-related CO_2 emissions. Future project-specific compliance with SCAQMD permitting would also help to reduce air quality emissions associated with individual projects. However, even with implementation of all measures that are feasible from Mitigation Measure GHG-1, development of the Specific Plan area would be considered a major source of GHGs and would exceed the SCAQMD GHG screening threshold. Thus, the increase in GHGs by the proposed Specific Plan of 0.06 percent of the State AB 32 goal places the proposed project in conflict with the goal of the State to reduce up to 169 million metric tons CO_2e/yr. Therefore, as a conservative determination, this impact would remain significant. Implementation of the proposed Specific Plan, including the implementation of feasible GHG reduction measures listed above, would still result in a significant and unavoidable impact.

Significance after Mitigation: Significant and unavoidable.

3.6 Noise

This section provides an overview of the existing noise environment at the proposed project site and surrounding area, the regulatory framework, an analysis of potential noise impacts that would result from implementation of the proposed project, and mitigation measures where appropriate.

3.6.1 Setting

Noise Principles and Descriptors

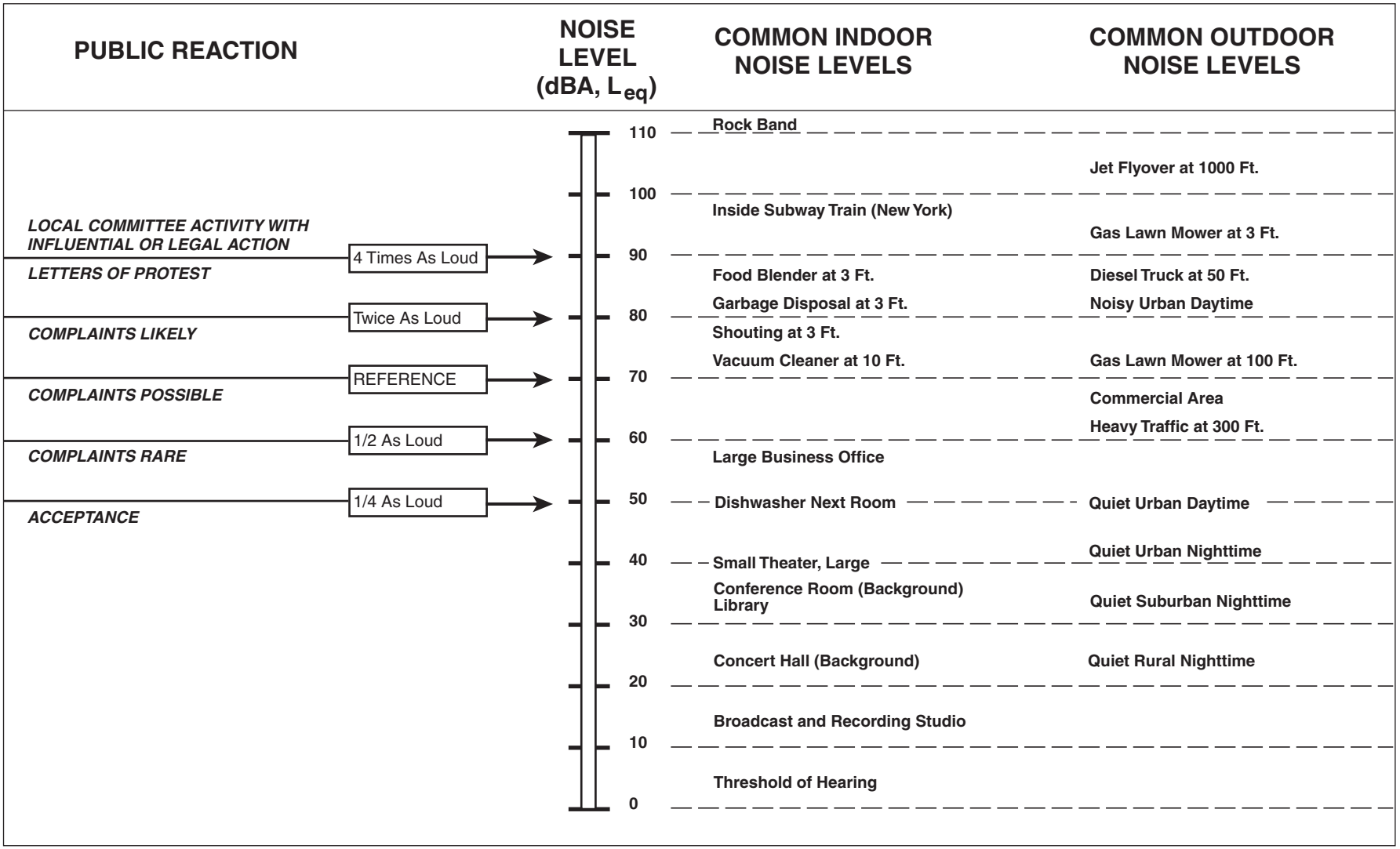
Noise is defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. Pressure waves traveling through air exert a force registered by the human ear as sound.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude (sound power). When all the audible frequencies of a sound are measured, a sound spectrum is plotted consisting of a range of frequencies spanning 20 to 20,000 Hz. The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the sound frequency/sound power level spectrum.

The typical human ear is not equally sensitive to all frequencies of the audible sound spectrum. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ears decreased sensitivity to extremely low and extremely high frequencies. This method of frequency weighting is referred to as A-weighting and is expressed in units of A-weighted decibels (dBA). Frequency A-weighting follows an international standard methodology of frequency de-emphasis and is typically applied to community noise measurements. Some representative noise sources and their corresponding A-weighted noise levels are shown in **Figure 3.6-1**.

Noise Exposure and Community Noise

An individual's noise exposure is a measure of noise over a period of time. A noise level is a measure of noise at a given instant in time. The noise levels presented in **Figure 3.6-1** are representative of measured noise at a given instant in time; however, they rarely persist consistently over a long period of time. Rather, community noise varies continuously over a period of time with respect to the contributing sound sources of the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources such as traffic



SOURCE: ESA, 2010

Downey Downtown Specific Plan . 209167

Figure 3.6-1
Effect of Noise on People

and atmospheric conditions. What makes community noise constantly variable throughout a day, besides the slowly changing background noise, is the addition of short duration single-event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual.

These successive additions of sound to the community noise environment varies the community noise level from instant to instant requiring the measurement of noise exposure over a period of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts. This time-varying characteristic of environmental noise is described using statistical noise descriptors. The most frequently used noise descriptors are summarized below:

Leq: The equivalent sound level is used to describe noise over a specified period of time, typically one hour, in terms of a single numerical value. The Leq is the constant sound level that would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period).

Lmax: The instantaneous maximum noise level for a specified period of time.

L50: The noise level that is equaled or exceeded 50 percent of the specified time period. The L50 represents the median sound level.

L90 The noise level that is equaled or exceeded 90 percent of the specified time period. The L90 is sometimes used to represent the background sound level.

Ldn: Also termed the DNL, the Ldn is the 24-hour day and night A-weighted noise exposure level, which accounts for the greater sensitivity of most people to nighttime noise by weighting noise levels at night ("penalizing" nighttime noises). Noise between 10:00 PM and 7:00 AM is weighted (penalized) by adding 10 dBA to take into account the greater annoyance of nighttime noises.

CNEL: Similar to the Ldn, the Community Noise Equivalent Level (CNEL) adds a 5-dBA "penalty" for the evening hours between 7:00 PM and 10:00 PM in addition to a 10-dBA penalty between the hours of 10:00 PM and 7:00 AM.

As a general rule, in areas where the noise environment is dominated by traffic, the Leq during the peak-hour is generally equivalent to the Ldn at that location (within +/- 2 dBA) (Caltrans, 1998).

Effects of Noise on People

The effects of noise on people can be placed into three categories:

- Subjective effects of annoyance, nuisance, dissatisfaction;
- Interference with activities such as speech, sleep, learning; and
- Physiological effects such as hearing loss or sudden startling.

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise, or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so called "ambient noise" level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- A change in level of at least 5-dBA is required before any noticeable change in human response would be expected; and
- A 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause adverse response.

These relationships occur in part because of the logarithmic nature of sound and the decibel system. The human ear perceives sound in a non-linear fashion, hence the decibel scale was developed. Because the decibel scale is based on logarithms, two noise sources do not combine in a simple additive fashion, rather logarithmically. For example, if two identical noise sources produce noise levels of 50 dBA the combined sound level would be 53 dBA, not 100 dBA.

Noise Attenuation

Stationary point sources of noise, including stationary mobile sources such as idling vehicles, attenuate (lessen) at a rate between 6 dBA for hard sites and 7.5 dBA for soft sites for each doubling of distance from the reference measurement. Hard sites are those with a reflective surface between the source and the receiver such as parking lots or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the changes in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface such as soft dirt, grass or scattered bushes and trees. In addition to geometric spreading, an excess ground attenuation value of 1.5 dBA (per doubling distance) is normally assumed for soft sites. Line sources (such at traffic noise from vehicles) attenuate at a rate between 3 dBA for hard sites and 4.5 dBA for soft sites for each doubling of distance from the reference measurement (Caltrans, 1998).

Fundamentals of Vibration

As described in the Federal Transit Administration's (FTA's) *Transit Noise and Vibration Impact Assessment* (FTA, 2006), ground-borne vibration can be a serious concern for nearby neighbors of a transit system route or maintenance facility, especially vibration that causes buildings to shake and rumbling sounds to be heard. In contrast to airborne noise, ground-borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground-borne vibration are trains, buses on rough roads, and construction activities such as blasting, pile-driving and operating heavy earth-moving equipment.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings. The root mean square (RMS) amplitude is most frequently used to describe the affect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (Vdb) is commonly used to measure RMS. The decibel notation acts to compress the range of numbers required to describe vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors for vibration include structures (especially older masonry structures), people (especially residents, the elderly and sick), and vibration sensitive equipment.

The effects of ground-borne vibration include movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. In extreme cases, the vibration can cause damage to buildings. Building damage is not a factor for most projects, with the occasional exception of blasting and pile-driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance will be well below the damage threshold for normal buildings. The FTA measure of the threshold of architectural damage for conventional sensitive structures is 0.2 in/sec PPV and the FTA threshold of human annoyance to ground-borne vibration is 80 RMS (FTA, 2006).

Existing Noise Environment

The noise environment within and surrounding the project site is influenced primarily by traffic on local roadways. Noise levels away from these noise sources can be quite low depending on the amount of nearby human activity.

A Metrosonics Model db3080 sound level meter was used to measure the existing ambient noise levels at various locations within the project site. The meter was calibrated to ensure the accuracy of the measurements. Two short-term noise level measurements were conducted near the project site in the Downey Vision 2025 General Plan Update. The noise measurement results are presented below in **Table 3.6-1**.

TABLE 3.6-1
EXISTING NOISE ENVIRONMENTS AT PROJECT LOCATION

Location	Time Period	Leq (dBA)
Downey Civic Center Pedestrian Plaza, Between City Hall and Library	06/11/04 12:25 – 12:40	62
5th and Brookshire, approximately 100 yards west of intersection.	06/28/04 14:45 - 1500	63

SOURCE: City of Downey, Downey Vision 2025 General Plan Update, 2005.

Sensitive Receptors

Some land uses are considered more sensitive to ambient noise levels than others because of the amount of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities typically involved. Residences, hotels, schools, rest homes, and hospitals are generally more sensitive to noise than commercial and industrial land uses. Sensitive receptors are located throughout the proposed specific plan area. Sensitive receptors abutting the specific plan area include Downey High School, Kirkwood Christian School, Downey Community Health Center, and numerous residences.

3.6.2 Regulatory Framework

Federal

Federal regulations establish noise limits for medium and heavy trucks (more than 4.5 tons, gross vehicle weight rating) under 40 Code of Federal Regulations (CFR), Part 205, Subpart B. The federal truck pass-by noise standard is 80 dBA at 15 meters from the vehicle pathway centerline. These controls are implemented through regulatory controls on truck manufacturers.

State

The State of California establishes noise limits for vehicles licensed to operate on public roads. For heavy trucks, the state pass-by standard is consistent with the federal limit of 80 dB. The state pass-by standard for light trucks and passenger cars (less than 4.5 tons, gross vehicle rating) is also 80 dBA at 15 meters from the centerline. These standards are implemented through controls on vehicle manufacturers and by legal sanction of vehicle operators by state and local law enforcement officials.

The state has also established noise insulation standards for new multi-family residential units, hotels, and motels that would be subject to relatively high levels of transportation-related noise. These requirements are collectively known as the California Noise Insulation Standards (Title 24, California Code of Regulations). The noise insulation standards set forth an interior standard of DNL 45 dBA in any habitable room. They require an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard where such units are proposed in areas subject to noise levels greater than DNL 60 dBA. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

Local

City of Downey General Plan Noise

The following sections of the Downey General Plan are relevant to the proposed Project:

Goal 6.1 Protect Person from exposure to excessive noise.

Policy 6.1.1 Minimize noise impacts onto noise-sensitive uses.

Program 6.1.1.1 Enforce noise standards

Program 6.1.1.2 Ensure that new developments within areas with exterior noise at unacceptable levels are designed to maintain interior noise levels at acceptable levels.

Program 6.1.1.3 Continue to enforce provisions prohibiting construction activities during noise-sensitive hours.

Program 6.1.1.4 Encourage the use of different construction methods, including insulation, for new developments to reduce noise impacts generated by other land uses and traffic.

Program 6.1.1.5 Discourage the establishment of noise-sensitive land uses within areas where noise cannot be mitigated.

Program 6.1.1.6 Consider the establishment of a program to retrofit to acceptable noise levels, noise-sensitive land uses within areas with exterior noise are at unacceptable levels.

Goal 6.2 Protect persons from exposure to excessive noise generated by various modes of transportation.

Policy 6.2.1 Reduce noise `generated by vehicular traffic.

Program 6.2.1.2 Enforce regulations to require truck traffic to use designated truck routes in the City.

Program 6.2.1.3 Continue to work with the Metropolitan Transportation Authority and other transit agencies towards minimizing noise impacts by discouraging the use of local residential streets as transit routes.

Program 6.2.1.5 Review City operations to ensure that noise from its own actions, such as refuse collection, street cleaning, and transit, are reduced to the lowest possible level and lessen the contribution to noise pollution.

Program 6.2.1.7 Promote the use of alternate fuel vehicles that result in reduced noise generation than standard gasoline vehicles.

Goal 6.3 Minimize noise impacts on noise-sensitive land uses.

Policy 6.3.1 Minimize the amount of noise generated by land uses.

Program 6.3.1.1	Discourage proposed land uses from generating noise at unacceptable levels.
Program 6.3.1.2	Ensure that existing land uses that are generating noise beyond the acceptable levels reduce noise levels to acceptable levels.
Program 6.3.1.3	Concentrate land uses that generate high amount of traffic at locations where local residential streets will not be used as through traffic routes, thus creating more traffic-related noise.
Program 6.2.1.5	Discourage loading doors, windows, and other openings on buildings from facing residential and other noise-sensitive land uses.
Program 6.3.1.6	Discourage the placement of air conditioning equipment, electric generators, or other noise-generating equipment in close proximity to adjacent properties.
Program 6.3.1.7	Encourage that activities are maintained indoors to reduce noise impacts onto adjacent properties.
Program 6.3.1.8	Amend the code to expanding the list of land uses prohibited from locating adjacent to residential zones and those that require a conditional permit to be established adjacent to residential zones based on the potential of increasing ambient noise levels.
Program 6.3.1.9	Concentrate construction activities producing the most noise during midday hours to minimize impacts onto nearby residents.
Program 6.3.1.10	Encourage the use of noise-suppression equipment.

City of Downey Municipal Code

The following sections of the City of Downey Municipal Code are relevant to the proposed Project:

4606.3 Maximum Permissible Noise Levels by Sound Sources Across Property Boundaries. All activities to which this chapter is applicable shall be conducted in such a manner that any noise produced shall not create a disturbance. The maximum permissible sound pressure level measured at the property boundary of any land use in **Table 3.6-2** from any noise source not operating on a public right-of-way shall constitute prima facie evidence of a public nuisance

TABLE 3.6-2
CITY OF DOWNEY NOISE STANDARDS

Land Use	7:00 am to 10:00 pm (dBA)	10:00 pm to 7:00 am (dBA)
Residential[a]	55[b,c]	45
Commercial	65	65
Manufacturing	70	70

[a] If any parcel of real property is developed for multiple land uses, the lower land use noise level standard shall apply.
[b] In the hours between 7:00 am and 10:00 pm, the noise standards may be adjusted by +5 dBA when a noise source is operated 12 minutes per hour or less, +10 dBA when a noise source is operated 3 minutes per hour or less, or + 15 dBA when a noise level is operated 1 minute per hour or less.
[c] Impulsive sounds, pure tone, or sounds with cyclically varying amplitude shall be considered a public nusance when such noises are at a sound pressure level of 5 dBA less than the noise standards.

SOURCE: City of Downey Municipal Code, 2010.

when such noise level exceeds 5 dBA above the ambient noise level at any period during the course of a twenty-four hour day.

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 in Table 3.6-2 may be less, but not greater than:

4606.4 Exemptions

The standards established shall not apply to any of the following noise sources:

- Any activity to the extent preempted from regulation by State of Federal Law;
- Bells, chimes, or carillons while being used in conjunction with religious services;
- Emergency energy release devices;
- Emergency work authorized by the City;
- Special events authorized by the City;
- The unamplified human voice; and
- Warning systems used to protect the public health, safety, or welfare.

4606.5 Construction Projects

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 PM and 7:00 AM, and no repair or remodeling shall exceed 85 dBA across any property boundary at any time during the course of a twenty-four hour day.

3.6.4 Impacts and Mitigation Measures

Methodology

Noise impacts are assessed based on a comparative analysis of the noise levels resulting from the Project and the noise levels under existing conditions. Analysis of temporary construction noise effects is based on typical construction phases and equipment noise levels and attenuation of those noise levels due to distances, and any barriers between the construction activity and the sensitive receptors near the sources of construction noise.

Reference noise levels and attenuation for operational equipment, as well as the use of the Federal Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108) to find how much noise the proposed Project would contribute to the area due to an increase in traffic volumes along local roadways, were used to analyze operational noise impacts.

Significance Criteria

Based on the *CEQA Guidelines*, a project may be deemed to have a significant effect on the environment with respect to noise and/or ground-borne vibration if it would result in:

- Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- Exposure of people residing or working in the project area to excessive noise levels (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); or
- Exposure of people residing or working in the project area to excessive noise levels (for a project within the vicinity of a private airstrip).

The following analysis discusses the first three criteria; the fourth and fifth are not discussed because the site lies outside a two-mile radius of a public airport or private airstrip. The sixth significance criterion is not discussed further since project construction would not involve activities that are typically associated with significant ground-borne vibration (i.e., pile driving, blasting, rock drilling).

Construction Noise

Noise impacts from short-term construction activities could exceed noise thresholds and could result in a significant construction impact if short-term construction activity occurred outside of the daytime hours permitted by the City's noise ordinance. However, project construction would be

temporary in duration and only occur in short intervals (i.e., as long as the particular piece of construction machinery is running).

Stationary Noise

A resulting off-site noise level at residences from stationary non-transportation sources that exceed an exterior maximum of 55 dBA at a residence or 65 dBA at a commercial property would result in a significant noise impact.

Traffic Noise

The significance of project-related noise impacts can be determined by comparing estimated project-related noise levels to existing no-project noise levels. An increase of at least three dBA is usually required before most people will perceive a change in noise levels, and an increase of five dBA is required before the change will be clearly noticeable. A common practice has been to assume that minimally perceptible to clearly noticeable increases of three to five dBA represent a significant increase in ambient noise levels. A sliding scale is commonly used to identify the significance of noise increases, allowing greater increases at lower absolute sound levels than at higher sound levels. This approach is based on research that relates changes in noise to the percentage of individuals that would be highly annoyed by the change. The significance criteria for changes in noise from project operations is as follows:

> A three dBA CNEL increase in noise as a result of project operations if the existing noise level already exceeds the “normally acceptable range” for the land use (60 dBA CNEL or less for residential uses).

3.6.3 Impacts and Mitigation Measures

Impact NOI-1: Project construction could expose persons to or generate noise levels in excess of standards. (Less than Significant)

Construction activity noise levels at and near construction areas would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction-related material haul trips would raise ambient noise levels along haul routes, depending on the number of haul trips made and types of vehicles used. In addition, certain types of construction equipment generate impulsive noises (such as pile driving), which can be particularly annoying. Pile driving, however, is not proposed for project development. **Table 3.6-3** shows typical noise levels during different construction stages. **Table 3.6-4** shows typical noise levels produced by various types of construction equipment.

TABLE 3.6-3
TYPICAL CONSTRUCTION NOISE LEVELS

Construction Phase	Noise Level (dBA, Leq)[a]
Ground Clearing	84
Excavation	89
Foundations	78
Erection	85
Finishing	89

[a] Average noise levels correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given phase of construction and 200 feet from the rest of the equipment associated with that phase.

SOURCE: U.S. Environmental Protection Agency, *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*, 1971.

TABLE 3.6-4
TYPICAL NOISE LEVELS FROM CONSTRUCTION EQUIPMENT

Construction Equipment	Noise Level (dBA, Leq at 50 feet)
Dump Truck	88
Portable Air Compressor	81
Concrete Mixer (Truck)	85
Scraper	88
Jack Hammer	88
Dozer	87
Paver	89
Generator	76
Backhoe	85

SOURCE: Cunniff, Environmental Noise Pollution, 1977.

Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling distance. Based on the proposed Project site layout and terrain, an attenuation of 6 dBA will be assumed. Construction could occur adjacent to sensitive receptors. Table 3.6-3 states that excavation is 89 dBA at 50 feet, if sensitive receptors were located at this distance; and therefore, construction noise at these levels would be substantially greater than existing noise levels at nearby sensitive receptor locations. 89 dBA would also exceed the City of Downey construction threshold of 85 dBA across a property boundary. These construction noise levels would be potentially significant. Subsequent exposure to construction noise by individual sensitive receptors could be lessened over time due to attenuation of noise by project structures built in the interim.

The City of Downey noise ordinance states that no person shall conduct construction activity between the hours of 9:00 PM and 7:00 AM, and no repair or remodeling shall exceed 85 dBA across any property boundary at any time during the course of a twenty-four hour day. Daytime construction is commonly exempt from noise ordinances because background noise is typically louder during the day than at night, and sleep disturbance is typically considered to be a nighttime impact. However, even daytime noise levels from construction can exceed daytime ambient levels and be a substantial annoyance to nearby residential units. The following mitigation measures would reduce nighttime and daytime construction noise levels to a less-than-significant level.

> **Measure NOI-1a:** Applicants/developers shall be required to secure a construction permit for exemption of the noise standards (Section 4606.5) prior to project implementation.
>
> **Measure NOI-1b:** As specified in City of Downey Ordinance No. 4606, no construction will occur between the hours of 9:00 PM and 7:00 AM.
>
> **Measure NOI-1c**: All construction equipment shall use properly operating mufflers.
>
> **Measure NOI-1d**: All construction staging shall be performed as far as possible from occupied dwellings.
>
> **Measure NOI-1e:** Signs shall be posted at all construction sites within the Specific Plan area that include permitted construction days and hours, a contact number for the job site, and a contact number for the City of Downey Building and Safety Department, in the event daytime noise exceeds 85dBA across any property boundary. In that event the standard is exceeded, the City shall place a limit on the number of noisy pieces of equipment used at one time so that the noise level is reduced to the permissible level.

Significance After Mitigation: Less than significant.

Impact NOI-2: Operation of the project could expose persons to or generate noise levels in excess of standards established in the local general plans or noise ordinances, or applicable standards of other agencies. (Less than Significant with Mitigation Incorporated)

Heating, Ventilating, and Air Conditioning (HVAC) Equipment Noise

The HVAC system for maintaining comfortable temperatures within newly constructed or renovated buildings would consist of packaged rooftop air conditioning systems. Such rooftop HVAC units typically generate noise levels of approximately 55 dB at a reference distance of 100 feet from the operating units during maximum heating or air conditioning operations. The noise level of the HVAC, if on the edge of the building nearest the sensitive receptors could exceed the City of Downey's 55 dBA residential daytime noise standard. This would be a less-than-significant impact with mitigation.

Loading Dock/Truck Delivery Noise

Delivery trucks are expected to be used during on-site commercial operations. The number of delivery trucks would depend on the individual businesses. Truck noise could potentially impact adjacent residents. Noise measurements of passing and idling delivery trucks were taken by Environmental Science Associates in 1999. An idling truck at 50 feet was found to produce noise levels of 72 dBA Leq, and a passing truck at 50 feet was found to produce noise levels of 68 dBA Leq. Cal-OSHA also requires backup beepers to be at least 5 dBA above ambient noise levels. These noise levels could potentially exceed the City of Downey's daytime and nighttime noise standards if loading docks were to occur near residents. With the incorporation of Mitigation Measures NOI-2a through NOI-2c, this would be a less-than-significant impact with mitigation.

> **Measure NOI-2a:** Building equipment (e.g., HVAC units) shall be located away from nearby residences, on building rooftops, and properly shielded by either the rooftop parapet or within an enclosure that effectively blocks the line of site of the source from the nearest receptors. The resultant HVAC noise level shall not exceed 45 dBA at the nearest receptors.
>
> **Measure NOI-2b:** In order to avoid noise-sensitive hours, commercial and retail land uses shall prohibit loading and unloading activities between the night time hours of 10:00 PM and 7:00 AM.
>
> **Measure NOI-2c:** To further address the nuisance impact of loading dock/truck delivery noise, commercial and retail uses shall locate all loading areas for commercial and retail uses at the rear or sides of buildings within the commercial and mixed-use districts, where noise can be directed away from residential uses within the mixed use areas of the Project.

Significance After Mitigation: Less than significant.

Impact NOI-3: Traffic associated with operation of the proposed project could result in a significant increase in ambient noise levels on nearby roadways. (Less than Significant)

Most of the noise generated by the implementation of the Specific Plan would primarily be traffic-generated noise. The proposed project would contribute to an increase in local traffic volumes, resulting in higher noise levels along local roadways. To assess the impact of project traffic on roadside noise levels, noise level projections were made using the Federal Highway Administration's (FHWA) TNM Lookup model and the project traffic study provided by Urban Crossroads for those road segments that pass by sensitive receptors. Traffic noise levels were analyzed for 11 roadway segments. The segments analyzed and results of the modeling are shown in **Table 3.6-5.**

TABLE 3.6-5
EXISTING AND EXISTING PLUS PROJECT PEAK-HOUR NOISE LEVELS ALONG SELECTED ROADWAYS

	Peak Hour Noise Levels (Leq)[a]			
Modeled Roadway Segment	**Existing (A)**	**Existing + Project (B)**	**Incremental Increase (B – A)**	**Significant (Yes/No)[b]**
1: Paramount Boulevard north of 3rd Street	71	72	1	No
2: Paramount Boulevard south of 3rd Street	71	71	0	No
3: 3rd Street east of Paramount Boulevard	58	59	1	No
4: Downey Avenue north of 3rd Street	60	62	2	No
5: Downey Avenue south of 3rd Street	61	62	1	No
6: 3rd Street east of Downey Avenue	56	57	1	No
7: 3rd Street west of Downey Avenue	57	59	2	No
8: Downey Avenue north of Firestone Boulevard	62	63	1	No
9: Downey Avenue south of Firestone Boulevard	62	63	1	No
10: Firestone Boulevard east of Downey Avenue	69	70	1	No
11: Firestone Boulevard west of Downey Avenue	69	69	0	No

[a] Noise levels are estimated at a distance of 50 feet from roadway centerline. Data based on PM Peak Hour. Ldn is approximately equal to the peak-hour Leq under normal traffic conditions (Caltrans, 1998).

[b] Considered significant if the incremental increase in noise if there is a 3 dBA increase if over 60 dBA, and a 5 dBA increase if under 60 dBA.

SOURCE: Urban Crossroads, 2010; ESA, 2010..

Goal 6.2 from the City of Downey General plan ensures the protection of persons from exposure to excessive noise generated by various modes of transportation. As depicted in Table 3.6-5, no roadway segments would result in a significant increase in traffic noise from the proposed Project.

Mitigation: None required.

Cumulative Impacts

Impact NOI-4: The proposed project, together with anticipated future development could result in long-term traffic increases that could cumulatively increase noise levels. (Significant and Unavoidable)

A cumulative impact arises when two or more individual projects, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant impacts, meaning that the project's incremental effects must be viewed in connection with the effects of past, current, and probable future projects. Notably, any project that would individually have a significant noise impact would also be considered to have a significant cumulative noise impact.

When considered alone, the proposed project would generate noise mainly by adding more traffic to the area. Other anticipated projects would contribute to noise in the area due to increased traffic volumes. **Table 3.6-6** shows the future cumulative traffic with the project and existing traffic with the project and the difference between the two. As depicted in Table 3.6-6, three out of eleven roadway segments would result in a significant increase in traffic noise from the proposed project.

TABLE 3.6-6
FUTURE PEAK-HOUR NOISE LEVELS ALONG SELECTED ROADWAYS

	Peak Hour Noise Levels (Leq)[a]			
Modeled Roadway Segment	**Cum (A)**	**Cum + Project (B)**	**Incremental Increase (B – A)**	**Significant (Yes/No)[b]**
1: Paramount Boulevard north of 3rd Street	73	75	2	No
2: Paramount Boulevard south of 3rd Street	72	75	3	**Yes**
3: 3rd Street east of Paramount Boulevard	63	64	1	No
4: Downey Avenue north of 3rd Street	65	67	2	No
5: Downey Avenue south of 3rd Street	65	67	2	No
6: 3rd Street east of Downey Avenue	58	60	2	No
7: 3rd Street west of Downey Avenue	64	65	1	No
8: Downey Avenue north of Firestone Boulevard	66	68	2	No
9: Downey Avenue south of Firestone Boulevard	64	67	3	**Yes**
10: Firestone Boulevard east of Downey Avenue	72	72	0	No
11: Firestone Boulevard west of Downey Avenue	71	74	3	**Yes**

[a] Noise levels are estimated at a distance of 50 feet from roadway centerline. Data based on PM Peak Hour. Ldn is approximately equal to the peak-hour Leq under normal traffic conditions (Caltrans, 1998).

[b] Considered significant if the incremental increase in noise if there is a 3 dBA increase if over 60 dBA, and a 5 dBA increase if under 60 dBA.

SOURCE: Urban Crossroads, 2010; ESA, 2010.

Residences in the project area would be subject to Title 24 of the *California Code of Regulations*, which requires an interior noise standard of DNL 45 dBA in any habitable room. Residences along roads exceeding 65 dBA would require sound-rated assemblies at the exterior facades of project buildings and insulation (multi-family).

Although implementation of measures required by Title 24 and City requirements would reduce proposed residences' interior noise levels to conform to Title 24 standards, existing noise-sensitive receptors would still be affected, particularly at Intersection No. 2 (Paramount Boulevard south of Third Street). Therefore this impact is ***cumulatively considerable, and significant and unavoidable*** for Intersection No. 2 (Paramount Boulevard south of Third Street), which would affect existing residences west of Paramount Boulevard.

3.7 Aesthetics

This section analyzes potential impacts to visual quality resulting from construction and operation of the proposed Specific Plan. This analysis identifies and evaluates key visual resources in the project area and determines the degree of impacts to visual quality resulting from development of the Specific Plan area. The analysis also describes the potential aesthetic effects of the proposed project on the existing landscape and the built environment.

3.7.1 Environmental Setting

Regional Setting

Visual Characteristics

Topography is a key element in identifying scenic value. Los Angeles County's topography varies widely from steep mountainous areas along the coast and north through the San Gabriel Valley, to wide open spaces with distant views of mountains and immediate views that are restricted to the built environment, to the open views of the ocean along the coast. Elevations within the County range from sea level along the coast to over 10,000 feet in the San Gabriel Mountains. The natural environment is tinted with all colors and hues throughout the year. Spring provides all shades of green and naturally blooming vegetation, while in summer the natural environment takes on more brown tones. The built environment ranges from a mix of older neighborhoods with large older wood-framed homes painted in all colors to large monotone residential developments with splashes of green from parks, street trees and open space. Downtowns and commercial areas can consist of large office towers of steel and glass with landscaped plazas, small historic one- and two-story buildings, and/or sleek new strip malls with isolated detached buildings and open wide boulevards with minimal landscaping, and older, poorly maintained malls with handmade signs and deteriorated parking lots. Rivers, creeks, concrete steps, "sitting" walls, benches and street trees blend with graffiti and colorful signage; older railroad corridors; and people of all shapes, sizes and colors to name just a few of the visual elements of a bustling urbanized areas. Night lighting can include sweeping flood lights, office towers that are partially lit, theater lights, mall lights, parking lot lights, antennae along building tops and mountain ridges with flashing red lights, porch lights, street lights, lights for playfields and play courts, lighting along freeways and vehicle headlights.

Subregional Setting

In southeast Los Angeles County, elevations are below 200 feet. Apart from waterways and water features, topographic features are rare and the built environment becomes the focus. Low-rise buildings, open sky, and landscaping are components of the visual environment, and maintenance and upkeep become the backbone of visual quality. Lighting is less intense than in more urbanized areas of Los Angeles County, but consists of the same elements as any large city.

Local Setting

The Specific Plan area constitutes Downey's downtown. This built environment is punctuated by greenery provided by landscaping – lawn, trees, bushes and flowering vegetation. In newer developments, particularly multi-family homes, the architecture is usually wood-framed, with stucco exteriors, in "earth-tone" colors. As neighborhoods have aged, homes tend to change with add-ons, and new architectural features, such as distinctive fencing, exterior paint, and yards.

The downtown area is a mixture of the old and new, with some buildings pre-dating the 1940s and others dating from the 1950s and 1960s. Contrasts can be stark with single-family, one-story homes near taller office buildings (see Figure 1a), and colors ranging from bright whites and beige multi-family buildings to dark grays in office buildings. Splashes of greenery are found on the few residential parcels in the downtown area where mature trees, shrubs and yards are found. Street trees along 3rd Street are young, while street trees along Downey Avenue in the shopping area are more mature. Grassy setbacks are found in front of businesses throughout the downtown. In general, occupied buildings are neat and well-maintained. Palm trees along the street and the Krikorian Cineplex signage in white letters and prominent background coloring standout against the gray and earth-toned one-story buildings near the theater and the Masonic Temple "blind"[1] wall along 3rd Street (see Figure 1b). Various types of awnings and signage in all colors are part of the façade of many of the one-story businesses throughout downtown (see Figures 2a and 2b, 3a and 3b, 4a, and 5 (map showing where the photographs were taken).

Black and gray surface parking lots in front of churches and businesses detract from the ability to clearly "see" along major streets, such as 3rd Street, for example. The Civic Center buildings are visible, although their use is not clear from the street because of the large green buffer.

Motor vehicles are also part of the visual setting in the downtown area, either on surface parking lots or at peak hours, such as immediately following the end of the school day at Downey High School.

Lighting in the downtown area is provided by pedestrian-level street lights and lights associated with building security and visibility.

Scenic Corridors/Vistas

In general, for pedestrians and those in motor vehicles, public distant views of mountains to the north are available from certain intersections. In the downtown, views are mostly of the built-environment. The Vision 2025 General Plan Update (2005) does not designate any scenic corridors or vistas for the City.

1 This wall contains no windows and is larger than nearby buildings (except for the Cineplex).

Figure 3.7-1a: Northeast corner, La Reina Avenue and 3rd Street, looking northwest

Figure 3.7-1b: 3rd Street, looking west toward Krikorian Theater

SOURCE: ESA, 2010.

Figures 3.7-1a and 3.7-1b
Site Photos

Figure 3.7-2a: Downey Avenue, between 3rd Street and Firestone Boulevard

Figure 3.7-2b: Downey Avenue, between 3rd Street and Firestone Boulevard

SOURCE: ESA, 2010.

Figures 3.7-2a and 3.7-2b
Site Photos

Figure 3.7-3a: Firestone Boulevard and Downey Avenue, looking west

Figure 3.7-3b: Union Pacific Railroad Crossing on Downey Avenue, near Firestone Boulevard

SOURCE: ESA, 2010.

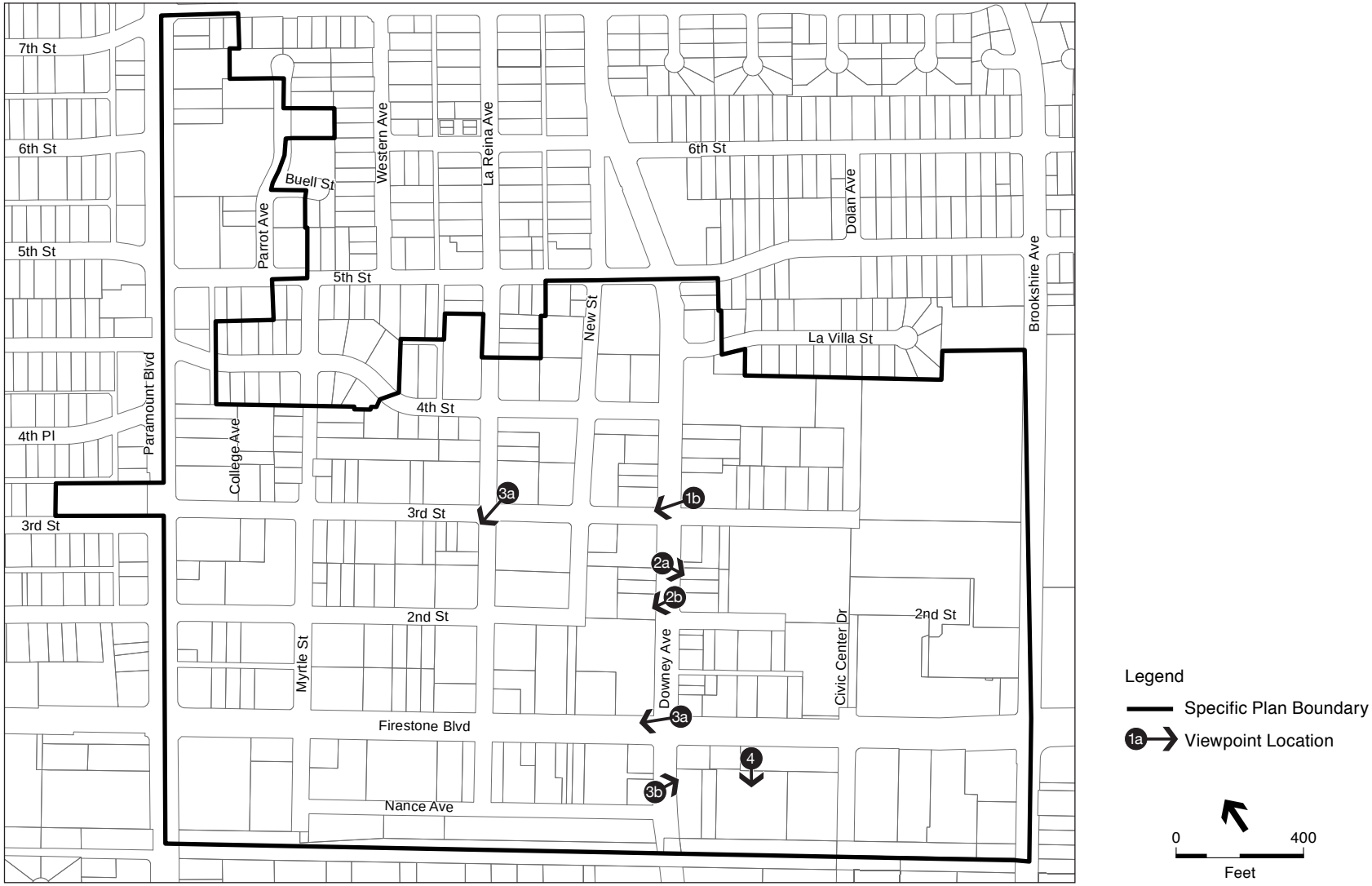
Figures 3.7-3a and 3.7-3b
Site Photos

Figure 3.7-4: 8320 Firestone Boulevard (Union Pacific Railroad tracks located behind store)

SOURCE: ESA, 2010.

Downey Downtown Specific Plan . 209167

Figure 3.7-4
Site Photo



SOURCE: ESA, 2010

Downey Downtown Specific Plan . 209167

Figure 3.7-5
Viewpoint Locations

3.7.2 Regulatory Framework

State

California Department of Transportation Scenic Highways Program

Established in 1963, California's Scenic Highway Program is administered by Caltrans and is designed to preserve and protect scenic highway corridors from changes that would diminish their aesthetic value. A highway may be designated as a scenic highway depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The city or county in which the highway is located must adopt a Corridor Protection Program that consists of ordinances, zoning and/or planning policies that would preserve the scenic quality of the corridor, or they must document such regulations that already exist in various portions of local codes. A highway may also be listed as "eligible" for designation as a scenic highway before receiving official designation.

Local

Vision 2025 General Plan Update – Conservation Chapter

Adopted in January 2005, the City of Downey's *Vision 2025 General Plan Update*'s Conservation Chapter states (p. 4-10):

> "*Trees and other plants are critical parts of the ecological balance of the environment . . . . Moreover, trees and plant material provide beauty and shade and [sic] making cities more pleasant places by providing a break from the mass of pavement and buildings in urbanized areas.*
>
> *In Downey, where buildings cover substantial portions of individual lots and open space is limited, trees provides [sic] a much needed relief from the city's built environment. Mature trees create a distinct character and feel that greatly benefits the overall quality of life both from biological and aesthetic views. Therefore, the removal of trees may have a detrimental effect on the community and should be discouraged wherever possible.*"

The General Plan Conservation Element recognizes significant trees, trees with special age, historic or cultural importance. Some of these trees may exist in the downtown Downey area.

The following goals, policies and programs are relevant to the proposed Specific Plan:

Goal 4.4 Preserve trees wherever possible.

Goal 4.4.1 Preserve trees on private and public property

- **Program 4.4.1.1.** Discourage the removal of trees on private and public property.
- **Program 4.4.1.2.** Adopt a tree preservation ordinance requiring a permit to remove mature trees.
- **Program 4.4.1.3.** Promote the installation of new trees when damaged or dying trees are removed.
- **Program 4.4.1.4.** Maintain an inventory of significant trees on private property.

Vision 2025 General Plan Update – Design Chapter

Adopted in January 2005, the City of Downey's *Vision 2025 General Plan Update*'s Design Chapter states (p. 8-1):

> "*Most residents, visitors, and businesses in Downey recognize the city as the premier quality city in the southeast area of Los Angeles County. However, others less familiar with the city's history may not share this perception and judge the city solely on the physical appearance of the area. For this reason, it is important that the visual appearance of the community portray a positive image and that the community image display the distinct and numerous resources it has to offer.*"

The Design Chapter addresses property appearance, property maintenance, streetscape, and cultural resources. Cultural resources are addressed in Section 3.8, Cultural Resources, of this Draft EIR. Property appearance is directly linked to the physical appearance of private property and the city's image.

The Design Chapter links property maintenance to potential negative effects on the City's image. Streetscape is also linked to the City's image because "the appearance of a community as viewed from streets is important to portray a positive image and an accurate identity of that community" (p. 8-7). As also stated in the Design Chapter, ". . . *Downey involve[s] vast expanses of pavement visible from the street including the street pavement itself, curb and gutter, public sidewalks, property line walls, driveways, private walkways and parking lots. In communities with very limited open space, such as Downey, it is important to maximize the amount of landscape plant areas to break up paved surfaces*" (p. 8-7).

The following goals, policies, and programs from the Design Chapter of the General Plan are relevant to the proposed Specific Plan:

Goal 8.1. Promote quality design for new, expanded, and remodeled construction.

Policy 8.1.1 Promote architectural design of the highest quality.

Program 8.1.1.1. Discourage construction with architectural design of poor quality.

Program 8.1.1.2. Assist homeowners and builders by providing design guidelines to illustrate good design.

Program 8.1.1.6. Encourage developments to be "internally compatible" in architectural design.

Program 8.1.1.7. Encourage apartments to be designed with amenities found in ownership-based developments.

Program 8.1.1.8. Promote good quality sign design.

Goal 8.2 Maintain and enhance the appearance of properties.

Policy 8.2.1. Promote compliance with code regulations.

Program 8.2.1.2. Promote proactive measures to ensure maintenance of properties.

Policy 8.2.2. Promote the upgrading of properties.

Program 8.2.2.1. Promote public information explaining the benefits of upgrading property appearance.

Program 8.2.2.2. Support property beautification contests to draw attention to the importance of upgrading property appearance.

Goal 8.3 Promote the enhancement of the streetscape

Policy 8.3.1. Enhance the views of property from public streets to exhibit a positive image.

Program 8.3.1.5. Discourage security devices and fence/wall designs that portray an image that the community is unfriendly and uninviting.

Program 8.3.1.6. Encourage the enhancement of views along the railroad right-of-way visible from street right-of-ways.

Policy 8.3.2. Promote city-initiated streetscape enhancement projects.

Program 8.3.2.2. Landscape, maintain and expand the City's street medians and islands along major arterials.

Program 8.3.2.3. Establish landscaped and lighting maintenance districts along major arterials to fund median and entry cost.

Program 8.3.2.4. Promote attractive street furniture and fixtures.

Policy 8.3.3. Promote the installation of new trees.

Program 8.3.3.1. Promote the installation of new trees throughout the City, but especially where visible from the street.

Program 8.3.3.2. Identify streets that are deficient in trees.

Program 8.3.3.3. Implement the City Master Street Tree Plan for planting, removal, replacement, type and maintenance of trees in the public right-of-ways.

Program 8.3.3.4. Seek alternative funding to plant new trees, including grants and donations.

Program 8.3.3.5. Support volunteer efforts to plant new trees.

3.7.3 Impacts and Mitigation Measures

Significance Criteria

According to Appendix G of the CEQA Guidelines, a project would have significant impacts to aesthetics (or visual quality) if it would:

(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 a state scenic highway;

(c) Substantially degrade the existing visual character or quality of the site and its surroundings; and/or

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

Impacts and Mitigation Measures

Impact AES-1: The proposed project could have a substantial adverse effect on a scenic vista. (No Impact)

In general, a scenic vista is a distant view, especially seen through an opening such as a passage or avenue. The current boundaries for Downtown Downey are less than 0.5 miles wide, and although there are opportunities for scenic vistas, none currently exist. A critical element of scenic views that serve the purpose of drawing in pedestrians anywhere in Southern California would involve creating shade along open sidewalks, which generate heat and discourage pedestrian activity. There is some potential to create scenic vistas under the proposed Specific Plan, particularly along 3rd Street, by opening up the Civic Center complex to views to the Rives

Mansion along Paramount Boulevard and creating an adequate tree canopy for pedestrians during the summer and early autumn months. Other opportunities exist along Firestone Boulevard, where in some cases small trees are part of the building setback and in other cases there are no street trees. The Design Guidelines proposed as part of the proposed Specific Plan require a landscaped parkway along 3rd Street and along Firestone Boulevard for all new building projects greater than 5,000 gross square feet and for reuse and rehabilitation projects greater than 10,000 square feet. The Specific Plan also requires buffered landscapes. These guidelines would increase the potential for vistas along certain streets.

The proposed Specific Plan would therefore not reduce or impair scenic vistas, but would serve as a beneficial impact, increasing the potential for scenic vistas.

Mitigation: None required.

Impact AES-2: The proposed project could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. (No Impact)

The proposed Specific Plan is not near a designated or potential scenic highway. Potential and designated scenic highways and historic roadways in southeastern Los Angeles County are limited to Highway 1 along the coast, which is outside of the view corridor of any viewpoint in Downey. The proposed Specific Plan would have no impact on scenic resources, such as state scenic highways.

Mitigation: None required.

Impact AES-3: The proposed Specific Plan could degrade the existing visual character or quality of the site and its surroundings. (Less than Significant)

The proposed Specific Plan (see Appendix 3) would result in the elimination of the Downtown Plan and would replace the Downtown Plan with the Specific Plan. Chapter 3 of the Specific Plan provides design guidelines that include landscaping requirements that exceed those provided in the Downtown Plan. By expanding the boundaries of the downtown area and by requiring landscaping and landscaped parkways for some projects, the amount of greenery in the downtown area would increase. In addition, the Specific Plan provides a plan for open space (see Appendix 3, Section 3.6.7.G) in the downtown, opening up pedestrian walkways that extend from City Hall to Rives Mansion along 3rd, and along Downey. In addition, new standards for architectural design (see Appendix 3, Section 3.5) would result in architectural details that complement existing architecture, particularly along street facades. The new standards would require green space within future developments, as well as along the street. First floors would be the focus of attention for drawing pedestrians and potential customers to retail and restaurants, and

commercial offices. New densities and FARs would result inconsistent building heights and massing, and would result in no buildings with a building mass visually out of scale with adjacent buildings and buildings in the vicinity. (See Section 3.1, Land Use, for a discussion of General Plan land use designations and zoning.)

Signage would be controlled by Section 3.6.11 of the Specific Plan (see Appendix 3) and provides the City of Downey with some flexibility for signage. The Specific Plan would also implement a Way-Finding Program that would require ongoing coordination with the Downtown Banner Program to maximize the visual impact. The signage requirements of the Specific Plan would be considered a beneficial impact.

Mitigation: None required.

AES-4: The proposed Specific Plan would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. (Less than Significant)

Currently, the Downtown Plan requires that exterior lighting be provided with opaque deflection or shielding devices to prevent lighting from glaring or shining onto abutting properties and/or public right-of-way. The Downtown Plan also requires regular maintenance of exterior signs. The proposed Specific Plan would not directly address exterior lighting, which would provide the City with flexibility in lighting. To ensure that light and glare are adequately addressed, the Specific Plan shall adopt the light and glare provisions of the Downtown Plan, as stated in Mitigation Measure AES-1, below.

> **Measure AES-1:** The City shall ensure that the Specific Plan requires the minimal glare provisions set forth in the existing Downtown Plan.

Significance After Mitigation: Less than significant.

AES-5: The proposed Specific Plan could result in cumulatively and substantially adverse aesthetic impacts. (Less than Significant)

The Specific Plan would apply to a discrete area in downtown Downey. A unified strategy and vision for the downtown would result in an improvement in the visual quality of downtown. This improvement would result in creating a distinctive downtown. Surrounding residential areas would benefit by the proposed upgrade in visual quality in the downtown and the unified and integrated vision for the downtown. By focusing attention and feasible development strategies in an expanded downtown area, the Specific Plan and the implementation of Mitigation Measures AES-1 would eliminate the possibility of streets without adequate landscaping, conflicting architectural elements and building mass, and “blind walls” along street facades. Currently, undeveloped edges detract from the neat residential areas surrounding the downtown. The

Specific Plan promotes the visual quality of the downtown area. This would be considered a beneficial impact.

Measure AES-2: Implement Mitigation Measure AES-1.

Mitigation: Less than significant.

3.8 Cultural Resources

This section presents data on previously recorded cultural resources within the Specific Plan area and discusses approaches to mitigate significant impacts to cultural resources. Cultural resources include, but are not limited to, any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. This section also discusses potential impacts to paleontological resources (i.e., fossils), and provides mitigation measures to reduce or avoid such impacts should such resources be identified in the Specific Plan area.

3.8.1 Environmental Setting

Natural Setting

The project site is located on the Downey Plain in the Los Angeles Basin within the Transverse Ranges Geomorphic Province in Southern California. This area is located along the alluvial plains of the Basin, which is bound by the Santa Monica Mountains to the north, Puente Hills and San Gabriel Mountains to the east, the Santa Ana Mountains to the south, and the Pacific Ocean to the west. The basin is filled with thick alluvial sediments that are as much as six miles deep. The City of Downey is located between two major drainages, Rio Hondo to the west and San Gabriel River to the east.

Geologic deposits in the Specific Plan area are composed of young (Holocene and late Pleistocene) alluvial fan and valley deposits (undifferentiated) on the surface, underlain by older (late to middle Pleistocene) alluvial deposits (Saucedo, et al., 2003).

Prehistoric Setting

Four periods in Southern California Coastal prehistory are defined (Wallace, 1955):

Early Man Horizon (11,000 to 8,000 Before Present [B.P.]). While it is not certain when humans first came to California, their presence has been well documented in the region by about 13,000 B.P. Human occupation of the Los Angeles basin can be dated to about 9000 B.P. Artifacts associated with the Early Man Horizon include large projectile points and scrapers, and shell beads.

Milling Stone Horizon (8,000 to 3,000 B.P.). The Milling Stone Horizon, as its name suggests, is characterized in terms of material culture by the extensive use of milling stones. This may reflect the importance of foraging and the exploitation of plant foods for subsistence. There are few well-made projectile points dating from this period. Milling Stone populations were semi-sedentary, occupying a base camp for much of the year, but moving to subsidiary camps to exploit resources not found near the base camp.

Intermediate Horizon (3,000 to 1200 B.P.). Intermediate Horizon site assemblages are similar in many ways to Milling Stone assemblages. However, in this period there is the first evidence of the use of the mortar and pestle, suggesting that acorns may have become an important new food source. In addition to the mortar and pestle, notched projectile points are characteristic of this period. Trade increased through the Intermediate Horizon, and evidence suggests that areas along the margins of the many rivers, marshes, and swamps within the Los Angeles River Drainage were favored as locations for prehistoric settlement during this period due to the availability of resources.

Late Prehistoric Horizon (1200 B.P. to 1769 A.D.). During the Late Prehistoric Horizon, there was a general increase in population as well as an increase in village size and increased sedentism. Typical artifacts of this period include small projectile points, steatite containers, shell fishhooks, and some pottery. Also typical of this period are elaborate burials with many grave goods.

Ethnographic Setting

Native Americans living in the project area at the time of Spanish contact in the mid-sixteenth century are now known as the Gabrielino, after the Mission San Gabriel to which many of them were relocated. At least 45 Gabrielino villages existed in the greater Los Angeles area, as recorded by the first Spanish expeditions (Gumprecht, 1999). The language of the Gabrielino people has been identified as a Cupan language within the Takic family, which is part of the larger Uto-Aztecan language family. Gabrielino territory extended inland from the coast to the vicinity of present-day San Bernardino, south to the vicinity of Newport Bay, and north to the vicinity of Topanga Canyon (Bean and Smith, 1978). Very few specifics are known of Gabrielino lifeways. Data collected and presented by Kroeber indicate that homes were made of tule mats on a framework of poles, but size and shape have not been recorded (Kroeber, 1925). Basketry and steatite vessels were used rather than ceramics; ceramics became common only toward the end of the mission period in the nineteenth century. The Gabrielino also held some practices in common with other groups in southern California, such as the Luiseño and Juaneño.

The nearest known Gabrielino villages to the project site were called *Yaanga* and *Geveronga*, and were located near the Pueblo of Los Angeles (modern downtown Los Angeles; approximately three miles from the Specific Plan area). Slightly farther was '*Ochuunga*, which was "about halfway between Los Angeles and San Gabriel" (McCawley, 1996).

Paleontological Setting

Paleontology is a multidisciplinary science that combines elements of geology, biology, chemistry, and physics in an effort to understand the history of life on earth. Paleontological resources, or fossils, are the remains, imprints, or traces of once-living organisms preserved in rocks and sediments. These include mineralized, partially mineralized, or unmineralized bones and teeth, soft tissues, shells, wood, leaf impressions, footprints, burrows, and microscopic remains. The fossil record is the only evidence that life on earth has existed for more than 3.6 billion years. Fossils are considered nonrenewable resources because the organisms they represent no longer exist. Once

destroyed, a fossil can never be replaced. The following subsection discusses existing conditions with respect to paleontological resources in the project area.

Paleontological Assessment Standards

The Society of Vertebrate Paleontology (SVP) has established guidelines for the identification, assessment, and mitigation of adverse impacts on nonrenewable paleontological resources (SVP, 1995; 1996). Most practicing paleontologists in the nation adhere closely to the SVP's assessment, mitigation, and monitoring requirements as outlined in these guidelines, which were approved through a consensus of professional paleontologists and are the standard against which paleontological monitoring and mitigation programs are judged.

The SVP (1995) outlined criteria for screening the paleontological potential[1] of rock units and established assessment and mitigation procedures tailored to such potential. **Table 3.8-1** lists the criteria for high-potential, undetermined, and low-potential rock units.

TABLE 3.8-1
PALEONTOLOGICAL POTENTIAL CRITERIA

Paleontological Potential	Description
High	Geologic units from which vertebrate or significant invertebrate or plant fossils have been recovered. Only invertebrate fossils that provide new information on existing flora or fauna or on the age of a rock unit would be considered significant.
Undetermined	Geologic units for which little to no information is available.
Low	Geologic units that are not known to have produced a substantial body of significant paleontological material.

SOURCE: SVP, 1995.

Paleontological Resource Potential

The fossil yielding potential of a particular area is highly dependant on the geologic age and origin of the underlying rocks. The project area is directly underlain by a variable thickness of artificial fill or disturbed soil typical of an urbanized area. However, the natural geology of the area consists of gently sloping, slightly dissected, Holocene (less than 10 thousand years ago) to late-Pleistocene (10 thousand to 0.8 million years ago) alluvial fan deposits (CGS, 2003). Such deposits are composed mostly of poorly to moderately consolidated and poorly sorted silty-clay and sand. These alluvial fan deposits likely underlie the disturbed soils beneath the project area at highly variable depths. Disturbed soils and fill serve to accommodate building foundations, utility trenching, shallow excavations or surface grading. The thickness of such disturbed soils would be highly variable across the project area, and would depend on current and historical land uses.

[1] Paleontological potential refers to the likelihood that a rock unit will yield a unique or significant paleontological resource.

The paleontological potential of these units is discussed below, in order of their age (younger to older) and stratigraphic position (top to bottom). Generally, the paleontological resource potential of the soils increases with depth:

Artificial Fills

Artificial fills are engineered mixtures of sand, silt and gravel used to prepare areas for urban development and are sourced from natural geologic deposits, but have been excavated, reworked, and transported to their present location. If artificial fills contain fossilized remains, they would be severely damaged and fragmented, unidentifiable, and could not be placed within the fossil record. Artificial fills and disturbed soils would thus be unable to yield fossils that could contribute to science or natural history, and thus would not contain unique or significant paleontological resources.

Holocene Alluvial Fan Deposits

Holocene alluvial fan deposits are loose, moderately to well-sorted sandy or clayey silt that form natural levee deposits bordering stream, or over-bank floodplain deposits. Such deposits are geologically immature and are unlikely to have fossilized the remains of organisms (fossilization processes take place over millions of years). While early-Holocene sediments may contain organisms in the early stages of fossilization, such organisms are unlikely to be extinct and are usually present in similar deposits elsewhere. In addition, there are no fossil localities from Holocene deposits within Los Angeles County recorded in the University of California Museum of Paleontology collections database (UCMP, 2010). While Holocene alluvial deposits are generally regarded in the scientific community as having a low paleontological resource potential, such deposits are frequently underlain at short depths by much older Pleistocene alluvial fan deposits.

Late-Pleistocene Alluvial Fan Deposits

Pleistocene alluvium is characterized by sequences of sand, silt and gravel that form gently sloping surfaces. These deposits originated from modern stream courses, which now deposit their sediment loads elsewhere and in narrow stream valleys. Thus, these “stabilized” alluvial fan deposits are old enough to have stiffened and preserved the remains of Pleistocene organisms. In fact, Pleistocene alluvium in California is well known for yielding fossils of extinct vertebrate mammals. The University of California Museum of Paleontology database records show that similar deposits have yielded vertebrate fossils at 23 different localities in Los Angeles County (UCMP, 2010). Eight of these localities are at Rancho La Brea, which is famous for having yielded a large suite of Rancholabrean land mammals, the majority of which are now extinct. These include fossils from bison, mammoth, camel, horse, sloth and moose, and many other hoofed-species. For these reasons, Pleistocene alluvium is considered to be a unit with high paleontological potential, per SVP criteria (Table 3.8-1).

Historic Setting

The earliest European presence in the project area began with the Spanish exploration of California in 1769 by Gasper de Portola to find new potential mission sites between what are now the cities of San Diego and Monterey. In the fall of 1771, Fathers Pedro Cambin and Angel Somera founded the San Gabriel Mission, the fourth of the California missions, near the San Gabriel (Rio Hondo) River and the site of the modern-day city of Montebello. In 1776 the mission was moved five miles north after floods forced the fathers to abandon the original site (Hoover, 2002).

Part of the lands under the jurisdiction of the San Gabriel Mission was the Los Nietos Grant. In 1784, Spanish governor Pedro Fages granted to Manuel Nieto, a former sergeant in the Spanish army, provisional use of all land between the Santa Ana River and the Los Angeles River from the San Gabriel Mission to the Pacific Ocean. The 300,000-acre ranch was one of the first and largest grants in Alta California, and remained intact and in the possession of the Nieto family until 1834. At that time the land was divided and distributed among the Nieto heirs, and the portion between the banks of the San Gabriel and Rio Hondo rivers became the Rancho Santa Gertrudes. Josefa Cota, the widow of Manuel Nieto's son Antonio, received the Rancho Santa Gertrudes grant (Quinn, 1973). In 1843, the grant was sold to Lemuel Carpenter, the husband of Josefa Cota's niece. However, in 1859, due to Carpenter's excessive debts, the rancho was sold at a sheriff's auction to John G. Downey and James P. McFarland (Downey Historical Society, 1967).

Downey, born in Ireland, immigrated to the United States in 1842 at the age of 14, and arrived in California in 1849 following the discovery of gold. Downey briefly prospected in Grass Valley before moving to Los Angeles to establish a pharmacy business with McFarland. Downey became a naturalized citizen in 1851, and the following year was elected to the Los Angeles City Council. In 1859, the same year as his purchase of Rancho Santa Gertrudes, Downey was elected Lieutenant Governor of California. The following year, after the resignation of Governor Milton Latham, Downey became Governor of California (1860-62) (Gudde, 1998).

The Southern Pacific Railroad arrived in the Downey region in 1873, and that same year a 96-acre parcel of Rancho Santa Gertrudes became the "Tract of the Downey Land Association" that would develop into the central district of Downey (Quinn, 1973). Much of the City's earliest development patterns centered on expansion along the railroad, with the Southern Pacific Railroad station reserving 10 of the 16 city blocks mapped in 1873. By 1900, approximately 300 homes had been established in the downtown district, and over the years downtown continued to grow to include a courthouse, post office, schools, churches, businesses and more houses located in and near Downey Avenue and Firestone Boulevard (then Crawford and Front Streets) (Downey, 2010).

The development of the community centered on the presence of the railroad through its downtown center, and Downey commercial interests revolved around the local farming economy throughout the late 19th and early 20th centuries. In 1888, the Southern Pacific depot was completed, and provided access to more distant markets for the local grain, fruit, and poultry

business. In addition to its agricultural economy, Downey also acted as a residential community for workers traveling to and from downtown Los Angeles on the Southern Pacific commuter train system as early as 1912 (Quinn, 1973). Los Nietos Valley High School, later renamed Downey Union High School in 1919, was established in 1901, with other schools constructed later in the 1950s during Downey's post war population boom (Guinn, 1973). Downey remained a small town throughout most of the early twentieth century.

Agriculture remained the predominant commercial enterprise in the community until the advent of World War I when aviation began to establish an economic presence in the region. Aviation would eventually grow to become the largest source of employment for the community of Downey. In 1929, E.M. Smith purchased the 79-acre Hughson Farm one mile south of the Downey train depot and established EMSCO Aircraft (Quinn, 1973). While EMSCO was unable to weather the Great Depression, it marked the beginning of aviation in Downey, and would be followed by National Security Aircraft Corporation in 1933, and then Vultee Aircraft Corporation in 1936. During World War II, Vultee provided over 11,000 planes for military use. In 1947, North American Aviation took over the Downey aviation site to accommodate overflow manufacturing of aircraft from its original Inglewood site. North American Aviation provided both advances in aviation technology and missiles through the 1950s, and would eventually construct rocket engines that would be used in the Apollo Space Program (Murray, 2009).

Despite the introduction of the aviation industry and the railroad station, the City remained primarily an agricultural area, growing grain, corn, castor beans and various fruits well into the 1940s (Downey, 2010). Following the end of World War II, Downey experienced enormous population growth, increasing from a community of 12,000 in 1940 to 86,000 in 1960 (Quinn, 1973). The agricultural fields and orchards surrounding the downtown commercial core were quickly replaced by suburban tract housing. Returning military personnel and their families settled in Downey, and the presence of these families and children resulted in an overwhelming need for school, police, and civil services that the unincorporated community was unable to provide. Downey incorporated in 1956 and began to provide the services demanded by the booming population, including the Downey City Library in 1959 and the Earl Warren High School in 1957 (Downey, 2005).

Within the Specific Plan area, downtown Downey is a mix of early to mid-twentieth century and modern civic and community, commercial, and residential buildings. The Downey Theater, a 748- seat live theater owned and operated by the City of Downey, was constructed downtown in 1970. The Downey Police Department moved to its current location in 1984 from its original location on the site of the old Downey Elementary School. The arch entryway of the original police building was relocated as a monument on Civic Center Drive. The Downey City Library was constructed in 1958 and renovated in 1982 to meet the growing needs of the community. The Avenue Theater, located on Downey Avenue, was originally built in 1922. The 850-seat brickwork building was originally called the Downey Theater, but was renamed the Avenue Theater in 1948. The theater closed in 2003 and is currently owned by the City of Downey. The Colonial Revival style James C. Rives house, constructed in 1911 at the intersection of Third and Paramount Streets, is one of the only recorded historic resources in Downey.

3.8.2 Regulatory Framework

National

National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The National Register is administered by the National Park Service (US Department of the Interior) and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level.

Structures, sites, buildings, districts, and objects over 50 years of age can be listed in the National Register as significant historical resources. However, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the National Register. The criteria for listing in the National Register include resources that:

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

State

California Environmental Quality Act

CEQA requires that public or private projects financed or approved by public agencies assess the effects of the project on historical resources. CEQA also applies to effects on archaeological sites, which may be included among "historical resources" as defined by CEQA Guidelines Section 15064.5, subdivision (a), or may be subject to the provisions of Public Resources Code Section 21083.2, which governs review of "unique archaeological resources." Historical resources generally include buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance.

Under CEQA, "historical resources" include:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical

resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code, Section 5024.1), including the following:
    - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - Is associated with the lives of persons important in our past;
    - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
    - Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the Public Resources Code) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code Section 5020.1(j) or 5024.1.

Although buildings or structures 50 years old or older are eligible for the National Register if other criteria apply, the generally accepted rule-of-thumb age threshold for eligibility in the California Register is 45 years old or older.

Archaeological resources that are not historical resources according to the above definitions may be "unique archaeological resources" as defined in Public Resources Code Section 21083.2, which also generally provides that "non-unique archaeological resources" do not receive any protection under CEQA. If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources will not be considered a significant effect on the environment. It is sufficient that the resource and the effects on it be noted in the EIR, but the resource need not be considered further in the CEQA process.

CEQA requires that if a project results in an effect that may cause a substantial adverse change in the significance of an historical resource, or would cause significant effects on a unique archaeological resource, then alternative plans or mitigation measures must be considered. Therefore, prior to assessing effects or developing mitigation measures, the significance of

cultural resources must first be determined. The steps that are normally taken in a cultural resources investigation for CEQA compliance are as follows:

- Identify potential historical resources;
- Evaluate the eligibility of historical resources; and
- Evaluate the effects of the project on eligible historical resources.

Senate Bill 18

Senate Bill 18 (SB 18), which went into effect January 1, 2005, requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The intent is to "provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places" (Governor's Office of Planning and Research, 2005).

The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level, land use designations are made by a local government. The consultation requirements of SB 18 apply to general plan or specific plan processes proposed on or after March 1, 2005.

According to the *Tribal Consultation Guidelines: Supplement to General Plan Guidelines* (2005), the following are the contact and notification responsibilities of local governments:

- Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the Native American Heritage Commission [NAHC]) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code §65352.3).
- Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45-day comment period (Government Code §65352). Notice must be sent regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.
- Local government must send a notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code §65092).

As this project involves the creation of a specific plan, the City of Downey will be required to conduct SB 18 consultations with the appropriate tribes.

Local

City of Downey 2025 General Plan

The Design Element of the Downey General Plan contains goals, policies, and programs relating to the preservation and protection of cultural resources within the City. These goals, policies and programs are described below.

Goal 8.4 Enhance Downey's Cultural Resources

Policy 8.4.2 Preserve the City's Cultural Resources

Program 8.4.2.3 Promote the preservation and restoration of older structures.

Program 8.4.2.4 Encourage adaptive re-use of older structures.

Program 8.4.2.5 Reuse existing historic architectural elements in new construction when preservation of historic resources is not feasible.

Program 8.4.2.6 Discourage the relocation of historic resources, or if necessary, relocate the historic resource within Downey.

Program 8.4.2.7 Preserve and/or relocate archaeological resources.

The City of Downey municipal code identifies no local register of historic resources, designated local landmarks, or landmarks preservation board. The code does, however, define "historic structures" as those that are potentially eligible or listed on the National Register or the State Register. The Code also states that local landmarks "*must be individually listed on a local inventory in a community with a state certified program*." As described above, the City of Downey has no such local inventory or state certified local preservation program.

Methodology and Results

Records Search Methods

A records search was conducted at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System at California State University Fullerton on February 9, 2010 (File No. 10226.7060). Records were accessed by reviewing the South Gate and Whittier California 7.5-minute quadrangle base maps. Additional research was conducted using files and literature available at Environmental Science Associates. The records search was conducted for the Specific Plan area to (1) determine whether known cultural resources had been recorded within or adjacent to the Specific Plan area; (2) assess the likelihood of unrecorded cultural resources based on historical references and the distribution of environmental settings of

nearby sites; and (3) develop a context for identification and preliminary evaluation of cultural resources.

Included in the review were the *California Inventory of Historical Resources* (California Department of Parks and Recreation, 1976) and the *Historic Properties Directory Listing* (Office of Historic Preservation, 2010). The Historic Properties Directory (HPD) includes listings from the California and National Registers, and the most recent listing of the California Historical Landmarks and California Points of Historical Interest.

Archival Search Results

Results of the records search indicate that minimal portions of the Specific Plan area and vicinity have been previously surveyed for cultural resources. Surveys within the Specific Plan area include those completed by SWCA (2006) and Jones & Stokes (1999). During these studies, one resource, a segment of the Union Pacific Railroad (P-19-186110) was recorded within the Specific Plan area. In addition, the NRHP-listed James C. Rives House was identified within the Specific Plan area. Within one-half mile of the Specific Plan area, five surveys have been completed and ten cultural resources have been recorded.

The historic segment of the Union Pacific Railroad (P-19-186110) identified within the Specific Plan area has been present since the arrival of the Southern Pacific Railroad in the 1870s. The railroad was instrumental in the development of Los Angeles as a major business center, as well as the development of other communities nearby. The rail system also enabled the transportation of goods to ports and the emigration of large numbers of people. Analysis by previous consultants determined the segment as eligible for listing in the National Register under Criteria A (association with development of the economy and population of Southern California) and B (association with the Big Four - Mark Hopkins, Collis Huntington, Leland Stanford, and Charles Crocker) (Jones & Stokes, 1999).

The NRHP-listed James C. Rives house (P-19-177345) was also identified within the Specific Plan area. The house, located at 10921 S Paramount Boulevard, was built in 1911 and was listed on the National Register of Historic Places in 1978. The three-story Colonial Revival home was built for James C. Rives, who was the Los Angeles County District Attorney and a Superior Court Judge until his death in 1923.

The buildings and structures found in the Specific Plan area represent a variety of architectural styles, which reflect the various time periods in which they were constructed. A review of Assessor Parcel Data identified 167 properties in the Specific Plan area. Of those, approximately 94 properties are 45 years old or older (pre-1965) (City of Downey, 2010). According to the assessor’s data, the oldest building in the Specific Plan area is a structure built in 1895 located at 11037 Downey Avenue. A number of early twentieth century buildings built between 1900 and 1940 are concentrated on Downey Avenue, as well as La Reina Avenue, Third Street, Paramount Boulevard, and Firestone Boulevard in the Specific Plan area. The median construction date for all buildings within the Specific Plan Area is 1961, or 49 years old, as of 2010. **Appendix 7** provides a table that lists each of the parcels in the Specific Plan area constructed prior to 1965.

No archaeological resources have been recorded in the Specific Plan area, or within one-half mile of the Specific Plan area.

Native American Contact

The Native American Heritage Commission (NAHC) was contacted on March 9, 2010, to request a database search for sacred lands or other cultural properties of significance within or adjacent to the Specific Plan area. A response was received on March 15, 2010. The Sacred Lands File search did not identify the presence of cultural resources in the Specific Plan area. The NAHC provided a list of Native American contacts that might have further knowledge of the Specific Plan area with respect to cultural resources. Each person or organization identified by the NAHC was contacted by letter on March 18, 2010. One response was received on April 12, 2010, from Robert Dorame, tribal chair of the Gabrielino Tongva Indians of California. Mr. Dorame stated that he did not know of any recorded resources within the project area, but that there was always a possibility that cultural resources or human remains could be found during excavation.

This contact with the NAHC and local Native American groups was conducted separately from required SB 18 consultation, which must be conducted between the local government (City of Downey) and appropriate tribes.

3.8.3 Impacts and Mitigation Measures

Methodology

Due to the geographic scale of the Specific Plan area and the wide range of actions that falls within the scope of proposed future actions under the Specific Plan, this impact analysis is intended as a preliminary assessment of potential impacts on important cultural resources that could occur as a result of the individual projects. Because this is a preliminary analysis, the level of impacts on specific cultural resources that could result from individual projects are not addressed in this document, but need to be assessed through additional analysis as projects are identified and defined. While several historic or cultural sites have been identified within or near the Specific Plan area, few have been revisited since their initial recordation, nor have many been evaluated or re-evaluated in accordance with Section 15064.5(a)(2-3) of the CEQA Guidelines, using the criteria outlined in Section 5024.1 of the California Public Resources Code. A qualitative assessment of a given cultural resource and its significance is a necessary precursor to conclude whether a project may adversely affect an “historic resource.”

The impacts and mitigation measures identified in this section address types of activities that could significantly impact cultural resources including archaeological sites and historic buildings and structures. Individual projects that include these types of activities would be required to implement the identified mitigation measures in an effort to reduce any impacts to a less-than-significant level.

The identification of specific impacts and mitigation measures that are appropriate for a specific project will depend on both the nature of the cultural resources that are present and on the nature of the project. In some instances, mitigation measures must be developed in consultation with multiple agencies and other interested parties.

Significance Criteria

The City of Downey has not formally adopted significance standards for impacts related to cultural resources. However, Appendix G of the CEQA Guidelines indicates that implementation of the proposed project would have a significant impact on cultural resources if it were to:

- Cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines Section 15064.5.
- Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 provides that, in general, a resource not listed on state or local registers of historical resources shall be considered by the Lead agency to be historically significant if the resource meets the criteria for listing on the California Register of Historical Resources. This section also provides standards for determining what constitutes a "substantial adverse change" that must be considered a significant impact on archaeological or historical resources. For example, a "substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5 (b)(1)).

Impact and Mitigation Measures

Impact CUL-1: Implementation of the Specific Plan could adversely affect recorded historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to the historical setting. (Less than Significant)

Numerous provisions within the Specific Plan are designed to protect and enhance cultural resources. For example, the overall intent of the design standards and guidelines contained within the Downtown Downey Specific Plan is to both encourage new infill construction and retain and rehabilitate older structures towards the creation of an eclectic mix of new and old buildings that can accommodate the widest range of local and national businesses. To encourage this mix, the following standards and guidelines are provided:

3.6.10.A. Architecturally or Historically Significant Buildings as Defined by the City of Downey – If a building within the Downtown Specific Plan Area is determined by the

City of Downey to be architecturally and historically significant, appropriate reuse, rehabilitation, and/or preservation of the structure may be required by the City in accordance with adopted ordinances.

3.6.10.B. Renovation of Existing Buildings – To the maximum extent feasible, when existing buildings are improved and/or repaired, character defining features such as ornament, proportions of windows, storefronts, and other original features should be retained and repaired.

The design guidelines and standards also state that "Architecturally and/or historically significant storefronts within the Downtown Specific Plan Area shall be maintained, restored, and/or rehabilitated in place. Moving historic storefronts to other building locations for any purpose is not allowed. Any new use or renovation of a storefront shall retain to the maximum extent feasible historic features and spatial relationships that characterize a property."

The Design Element of the City of Downey 2025 General Plan contains a number of program policies designed to preserve the city's cultural resources, including Program 8.4.2. (Promote the preservation and restoration of older structures), Program 8.4.2.4 (Encourage adaptive re-use of older structures), Program 8.4.2.5 (Reuse existing historic architectural elements in new construction when preservation of historic resources is not feasible), and Program 8.4.2.6 (Discourage the relocation of historic resources, or if necessary, relocate the historic resource within Downey).

While all of the existing and proposed policies listed above would help to reduce potentially significant impacts to historic resources, potential widening of the major arterial, secondary arterial, or collector streets identified in the Specific Plan could result in significant direct or indirect impacts to two recorded historic structures within the Plan area: the James C. Rives House on Paramount Boulevard or the Union Pacific Railroad. As specific impacts to these recorded resources are unknown, they are considered potentially significant. Mitigation Measure CUL-2a would reduce impacts to these known, recorded historic resources to a less-than-significant level.

Measure CUL-1: Implement Mitigation Measure CUL-2a.

Significance After Mitigation: Less than significant.

Impact CUL-2: Implementation of the Specific Plan could adversely affect unrecorded historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to the historical setting. (Less than Significant)

As described above, the Specific Plan area for Downtown Downey would intensify existing uses in the downtown and expand the boundaries of what is now considered the downtown area. Maximum development to 2025 is envisioned to include nearly 735 net new dwelling units, and

over 1.8 million square feet of net new commercial development spread across four districts as described in Chapter 2, Project Description of this Draft EIR. The construction of new parking, residential, commercial, or infrastructure facilities within the Specific Plan area has the potential to impact historic architectural resources directly through demolition or substantial alteration, or indirectly through changes to structures' historic settings.

While all of the existing and proposed policies listed above would help to reduce potentially significant impacts to historic resources, because no comprehensive historic inventory of the Specific Plan area has been completed to date, the number of buildings or structures that are eligible for listing in the National Register of Historic Places and the California Register of Historic Resources is unknown. The Specific Plan area contains numerous buildings 45 years old or older, which may qualify as historic resources upon future review if other evaluation criteria apply such as the buildings are important associations with historical events or important people, or are examples of fine architecture or were designed by master architects. As described above, a review of Assessor Parcel Data for the Specific Plan area by the City of Downey identified 94 properties dating to 1965 or older with an average construction date of 1961, or 49 years old, as of 2010. Many of the oldest buildings in the Specific Plan area are concentrated on Downey Avenue, as well as La Reina Avenue, Third Street, Paramount Boulevard, and Firestone Boulevard. If determined eligible, proposed future projects resulting from implementation of the Specific Plan could result in the demolition or substantial alteration of potential historic resources, which would be considered a significant impact. Future projects resulting from the Specific Plan could also indirectly alter historic resources through changes to their immediate historic setting, which would also be considered a significant impact. Implementation of Mitigation Measures CUL-2a and CUL-2b would minimize this impact to a less-than-significant level.

> **Measure CUL-2a:** The City of Downey shall evaluate the potential direct and indirect effects to the James C. Rives House and the Union Pacific Railroad prior to any roadway widening efforts resulting from implementation of the Specific Plan. If the evaluation determines that the roadway widening efforts (or any other activity resulting from Plan implementation) would directly or indirectly impact either the Rives House or the applicable segment of the Union Pacific Railroad tracks, the City shall redesign the project to avoid significant impacts, such as retaining the existing width of the street(s) in the location of these historical resources and/or the retention of historic roadway or railway materials (in the case of the Union Pacific Railroad).
>
> **Measure CUL-2b:** The Downtown Specific Plan shall include a new policy ***3.6.10.C – Site Specific Historical Survey and Evaluation*** - which states that all areas slated for development or other ground-disturbing activities in the Specific Plan area that contain structures 45 years old or older at the time of project initiation shall be surveyed and evaluated for their potential historic significance prior to the City's approval of project plans. The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History.

Significance After Mitigation: Less than significant.

Impact CUL-3: Construction of future projects resulting from implementation of the Specific Plan could have a substantial adverse impact to previously unknown archaeological resources. (Less than Significant)

The City of Downey General Plan Program 8.4.2.7 calls for the City to work to preserve or relocate archeological resources within the City. Although no prehistoric or historic-era archaeological resources have been recorded within the Specific Plan area or within one-half mile of the Specific Plan area, it is possible that previously unknown and unrecorded archaeological resources could exist anywhere within the Specific Plan area, and may be unearthed during excavation and grading activities for individual projects. This can occur even in already developed areas, as older buildings are known to have often been built on top of or within archaeological deposits. If previously undiscovered artifacts or remains are uncovered during excavation or construction, significant impacts could occur.

Implementation of Mitigation Measures CUL-3a and CUL-3b would minimize this impact to a less than significant level.

> **Measure CUL-3a:** In the event that such archaeological resources are uncovered during construction-related activities, the onsite contractor's construction supervisor shall stop all activity within the immediate vicinity of the discovery, unless safety issues are of concern. Specifically, the construction crew will stop work at the location where the find was uncovered and shall not resume construction within 20 feet of the find until cleared to proceed by the archaeologist. The construction supervisor shall immediately notify the City, who will then notify the qualified archaeologist and, if appropriate, a Native American monitor, in coordination with the City staff, will assess the geographic extent and scientific value of the resource. If significant archaeological materials are determined, the archaeologist shall record and recover the resources using standard professional archaeological methods.
>
> **Measure CUL-3b:** The Specific Plan shall include a new policy ***3.6.10.D – Halt Work for Accidental Discovery of Historic Materials***, which states that should prehistoric or historic subsurface cultural resources be discovered during construction, all activity in the vicinity of the find shall stop and a qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, the lead agency and the archaeologist shall determine, and in consultation with local Native American groups, appropriate avoidance measures or other appropriate mitigation.

Significance After Mitigation: Less than significant.

Impact CUL-4: Construction of future projects resulting from implementation of the Specific Plan could have a substantial adverse impact to previously unknown paleontological resources. (Less than Significant)

The Specific Plan area is underlain by Holocene and Pleistocene alluvial fan deposits (CGS, 2003). As discussed in the setting, disturbed soils, artificial fills, and Holocene-aged deposits are

unlikely to have preserved fossil remains. However, beneath the surficial material lies Pleistocene alluvial fan deposits known to have yielded significant paleontological resources. These deposits are likely to exist at variable and unknown depths beneath the surface. Any project-related excavations beneath or beyond previously disturbed fills would have the potential to disturb or uncover fossil remains. In addition, the likelihood of uncovering paleontological resources increases with depth, and is dependent on the sub-grade footprint of the proposed structure. .

Generally, the potential to encounter paleontological resources in the Specific Plan area is low. However, because disturbance of *in situ* sediment is certainly possible, the impact of the project of paleontological resources would be potentially significant.

Implementation of Mitigation Measure CUL-4 would minimize this impact to a less than significant level.

> **Measure CUL-4:** The Specific Plan shall include a new policy ***3.6.10.E – Halt Work for Accidental Discovery of Paleontological Resources***, which states that in the event paleontological resources are discovered, the lead agency shall notify a qualified paleontologist. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossil or fossil bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (in accordance with Society of Vertebrate Paleontology standards). The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the lead agency determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important. The plan shall be submitted to the lead agency for review and approval prior to implementation.

Significance After Mitigation: Less than significant.

Impact CUL-5: Construction of future projects could result in the substantial adverse change of previously unidentified human remains. (Less than Significant)

There is no indication that any particular site in the Specific Plan area has been used for human burial purposes in the recent or distant past. However, in the unlikely event that human remains are discovered, including those interred outside of formal cemeteries, the human remains could be inadvertently damaged, which could be a significant impact. Implementation of Mitigation Measure CUL-5 would minimize this potential impact to a less than significant level.

> **Measure CUL-5:** The Specific Plan shall include a new policy that states that if human skeletal remains are uncovered during project construction, work in the vicinity of the find shall cease and the County coroner will be contacted to evaluate the remains, following the procedures and protocols set forth in Section 15064.5 (e)(1) of the *CEQA Guidelines*. If the County coroner determines that the remains are Native American, he/she shall contact the

Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641) and the Most Likely Descendant will be identified. The Most Likely Descendant will make recommendations for the treatment of any human remains. Per Public Resources Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendents regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Significance After Mitigation: Less than significant.

3.9 Hazardous Materials and Hazards

This section discusses the hazardous materials issues related to the existence of hazardous materials associated with the Specific Plan area, as well as construction and operation of subsequent development projects. This section provides an overview of the regulatory setting that is applicable to health and safety regarding hazardous materials in the Specific Plan area and potential project impacts and appropriate mitigation measures, as necessary.

3.9.1 Environmental Setting

Definitions

Materials and waste are generally considered hazardous if they are poisonous (toxicity); can be ignited by open flame (ignitability); corrode other materials (corrosivity); or react violently, explode and/or generate vapors when mixed with water (reactivity). The term "hazardous material" is defined in the State Health and Safety Code (Chapter 6.95, Section 25501[o]) as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

A hazardous waste, for the purpose of this EIR, is any hazardous material that is abandoned, discarded, or recycled, as defined in the State Health and Safety Code (Chapter 6.95, Section 25125). The transportation, use, and disposal of hazardous materials, as well as the potential releases of hazardous materials to the environment, are closely regulated through many state and federal laws.

The proposed project includes a variety of land uses: open spaces; residential developments; railroad tracks; commercial and light industrial areas. Industrial and commercial land uses involving hazardous materials and other substances can become a health hazard to humans or the environment if not properly contained or managed. Industrial land use typically involves storage of large quantities of fuel or hazardous materials in above-ground or underground storage tanks. A wide array of potential hazardous materials sources originate from commercial land uses, such as gasoline service stations, dry cleaners, and other facilities that utilize or store solvents, chemicals or other hazardous materials. These sources of hazardous materials are present in the existing environment within the project area, and if encountered by construction workers or the general public, can cause exposures that may result in adverse environmental and health effects.

This project setting section discusses the potential presence of soil and groundwater contamination within the project area and hazardous materials commonly found in building materials, as buildings may be demolished in connection with this project.

Soil and Groundwater

To identify sites with soil and groundwater contamination in the project vicinity, ESA performed a regulatory agency database search for the project area using the California Regional Water Quality Control Board (RWQCB) GeoTracker and the California Department of Toxic

Substances Control (DTSC) Envirostor databases. These databases search regulatory agency lists of sites with a documented release of hazardous materials or petroleum products. Regulatory agency lists included in the database search included: Federal Superfund (EPA National Priorities List); State Response; Voluntary Cleanup; Landfill Disposal Sites; Military Sites, Leaking Underground Fuel Tank (LUFT) Sites; and Spills, Leaks, Investigations, and Cleanup (SLIC) sites which typically involve spills of non-petroleum contaminants.

Project construction would involve excavation for facility improvements and, therefore, could potentially encounter contaminated soil or groundwater. Sites located within the Specific Plan area with documented releases to soil or groundwater that could potentially expose construction workers or the public to impacted soil or groundwater are listed in **Table 3.9-1**. These cases are discussed further below.

TABLE 3.9-1
HAZARDOUS MATERIALS RELEASE SITES IDENTIFIED WITHIN THE PROJECT AREA

Site Name	Address	Cleanup Status	Contaminant of Concern	List
76 Station	8001 Firestone Boulevard	Open – Site Assessment	Benzene, Toluene, Xylene, and fuel oxygenates	LUFT
Downey First National Bank	8345 Firestone Boulevard	Open – Inactive since 1987	Solvents	LUFT

LUFT – Leaking Underground Storage Tank List
SLIC – Spills, Leaks, Investigations, and Cleanup
VOC – Volatile Organic Compounds
PCE – tetracholorethylene
TCE – trichloroethylene

SOURCE: RWQCB GeoTracker, DTSC EnviroStor 2010.

Closed LUFT Sites

As shown in Table 3.9-1, the project area contains two LUFT sites. Cleanup of LUFT facilities is performed under the direction of the lead agency, either the Los Angeles County Health Hazardous Materials Division or the RWQCB. If there is any groundwater contamination then the RWQCB will be the lead agency whereas sites with only soil contamination might be handled by the Hazardous Materials Division. Case closure is typically granted by the oversight agency when soil or groundwater affected by a release of petroleum hydrocarbons and its constituents (such as benzene, toluene, ethylbenzene, xylenes (BTEX) and in some cases the additive methyl-tertbutylether (MTBE)) has been substantially cleaned up and no longer poses a threat to the quality of groundwater beneath the site. It should be noted that residual contaminants may remain in soil or groundwater at closed sites. Low levels of hydrocarbons tend to degrade over time.

Open LUFT/SLIC Sites

76 Station Site

The contaminants of concern for this site include petroleum hydrocarbon components benzene, xylene, toluene, and fuel oxygenates. The leak was discovered in 2004 and as of November 2008 the site is still in the assessment phase (RWQCB, 2010).

Downey First National Bank Site

This open case site has been inactive since 1987. The contaminants of concern are solvents which have reportedly only affected the subsurface soil. The release was discovered in 1986 and no other activities at the site have been reported (RWQCB, 2010).

Structural and Building Components

Hazardous materials, such as asbestos, lead, and polychlorinated biphenyls (PCBs), may be contained in older building materials and released during demolition or renovation of existing facilities. Redevelopment in the project area would likely involve the demolition of some existing structures. It is possible that some hazardous building material may be encountered depending upon whether the buildings were constructed prior to the dates these hazardous building materials were phased out of use.

Asbestos Potential

Asbestos is a naturally-occurring fibrous material that was used as a fireproofing and insulating agent in building construction before such uses were banned by the US Environmental Protection Agency (USEPA) in the 1970s, although some nonfriable[1] use of asbestos in roofing materials still exists. The presence of asbestos can be found in such materials as ducting insulation, wallboard, shingles, ceiling tiles, floor tiles, insulation, plaster, floor backing, and many other building materials. Asbestos and asbestos-containing materials (ACMs) are considered both a hazardous air pollutant and a human health hazard. The risk to human health is from inhalation of airborne asbestos, which commonly occurs when ACMs are disturbed during demolition and renovation activities.

Lead Potential

Lead and lead compounds can be found in many types of paint. In 1978, the Consumer Product Safety Commission set the allowable lead levels in paint at 0.06 percent by weight in a dry film of newly applied paint. In the 1970s, the chief concern of lead paint was its cumulative effect on bodily systems, primarily when paint chips containing lead were ingested by children. Research in the early 1980s showed that lead dust is of special concern, because the smaller particles are more easily absorbed by the body. Common methods of paint removal, such as sanding, scraping, and burning, create excessive amounts of dust. Lead dust is especially hazardous to young

[1] Nonfriable asbestos refers to ACMs that contain asbestos fibers in a solid matrix that does not allow for them to be easily released.

children because they play on the floor and engage in a great deal of hand-to mouth activity, increasing their potential for exposure. Lead-based paints are considered likely present in buildings constructed prior to 1960, and potentially present in buildings built prior to 1978.

Polychlorinated Biphenyls Potential

PCBs are organic oils that were formerly placed in many types of electrical equipment, such as transformers and capacitors, primarily as electrical insulators. They may also be found in hydraulic fluid used for hoists, elevators, etc. Years after widespread and commonplace installation, it was discovered that exposure to PCBs may cause various health effects and that PCBs are highly persistent in the environment. USEPA has listed these substances as carcinogens, and in 1979, PCBs were banned from use in electrical capacitors, electrical transformers, vacuum pumps, and gas turbines.

Underground Storage Tanks

An underground storage tank (UST) is a tank and any underground piping connected to the tank that has at least 10 percent of its combined volume underground. Until the mid-1980s, most USTs were made of single-walled bare steel that can corrode over time resulting in leakage. Faulty installation or maintenance procedures also lead to UST leakage, in addition to potential releases associated with spills. Recently revised UST regulations have significantly reduced the incidents of UST leakage from new UST systems and the consequential soil and groundwater contamination. However, there are some older UST systems that remain in service and many sites contaminated by leaking USTs that are still under investigation and clean-up. USTs installed prior to the mid-1980's that have leaked, as well as improperly installed USTs, have resulted in fuel spills that can present contamination issues in the region. In addition, it is not uncommon for older USTs to have been abandoned in place with no documentation of location or abandonment plan.

3.9.2 Regulatory Framework

The proposed project is subject to government health and safety regulations applicable to the transportation, use, and disposal of hazardous materials. This section provides an overview of the regulatory setting that is applicable to the health and safety in the Specific Plan area.

Federal

Hazardous Materials Management

The primary federal agencies with responsibility for hazardous materials management include the USEPA, US Department of Labor Occupational Safety and Health Administration (Fed/OSHA), and the US Department of Transportation (US DOT). Federal laws, regulations, and responsible agencies are summarized in **Table 3.9-2** and are discussed in detail in this section.

TABLE 3.9-2
FEDERAL LAWS AND REGULATIONS RELATED TO HAZARDOUS MATERIALS MANAGEMENT

Classification	Law or Responsible Federal Agency	Description
Hazardous Materials Management	Community Right-to-Know Act of 1986 (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA))	Imposes requirements to ensure that hazardous materials are properly handled, used, stored, and disposed of and to prevent or mitigate injury to human health or the environment in the event that such materials are accidentally released.
Hazardous Waste Handling	Resource Conservation and Recovery Act of 1976 (RCRA)	Under RCRA, the USEPA regulates the generation, transportation, treatment, storage, and disposal of hazardous waste from "cradle to grave."
	Hazardous and Solid Waste Act	Amended RCRA in 1984, affirming and extending the "cradle to grave" system of regulating hazardous wastes. The amendments specifically prohibit the use of certain techniques for the disposal of some hazardous wastes.
Hazardous Materials Transportation	US Department of Transportation (US DOT)	Has the regulatory responsibility for the safe transportation of hazardous materials. US DOT regulations govern all means of transportation except packages shipped by mail (49 CRF).
	US Postal Service (USPS)	USPS regulations govern the transportation of hazardous materials shipped by mail.
Occupational Safety	Occupational Safety and Health Act of 1970	Fed/OSHA sets standards for safe workplaces and work practices, including the reporting of accidents and occupational injuries (29 CFR).
Structural and Building Components (Lead-based paint, PCBs, and asbestos)	Toxic Substances Control Act (TSCA)	Regulates the use and management of PCBs in electrical equipment, and sets forth detailed safeguards to be followed during the disposal of such items.
	USEPA	USEPA monitors and regulates hazardous materials used structural and building components and affects on human health.

SOURCE: ESA, 2010.

State and local agencies often have either parallel or more stringent regulations than federal agencies. In most cases, state law mirrors or overlaps federal law and enforcement of these laws is the responsibility of the state or of a local agency to which enforcement powers are delegated.

For these reasons, the requirements of the law and its enforcement are discussed under either the state or local agency section.

State

In January 1996, the California Environmental Protection Agency (Cal EPA) adopted regulations implementing a Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program). The program has six elements: hazardous waste generators and hazardous waste on-site treatment; USTs; aboveground storage tanks (ASTs); hazardous materials release response plans and inventories; risk management and prevention programs; and Unified Fire Code hazardous materials management plans and inventories. The plan is implemented at the local level. The Certified Unified Program Agency (CUPA) is the local agency that is responsible for the implementation of the Unified Program.

Hazardous Materials Management

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles hazardous materials prepare a business plan, which must include the following:

- Details, including floor plans, of the facility and business conducted at the site;
- An inventory of hazardous materials that are handled or stored on-site;
- An emergency response plan; and
- A safety and emergency response training program for new employees with annual refresher courses.

Hazardous Waste Handling

The Cal EPA's DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment. Laws and regulations require hazardous materials users to store these materials appropriately and to train employees to manage them safely.

Under the federal Resource Conservation and Recovery Act of 1976 (RCRA), whose responsibilities are described in Table 3.9-2, above, individual states may implement their own hazardous waste programs in lieu of RCRA, as long as the state program is at least as stringent as federal RCRA requirements. In California, DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. The hazardous waste regulations establish criteria for identifying, packaging, and labeling hazardous wastes; prescribe management of hazardous waste; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in landfills.

Hazardous Materials Transportation

The State of California has adopted DOT regulations for the intrastate movement of hazardous materials. State regulations are contained in Title 26 of the California Code of Regulations (CCR). In addition, the State of California regulates the transportation of hazardous waste originating in the state and passing through the state (26 CCR). Both regulatory programs apply in California. The two state agencies that have primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and the California Department of Transportation (Caltrans).

Medical Waste

Within the regulatory framework of the Medical Waste Management Act, the Medical Waste Management Program of the California Department of Health Services (CDHS) ensures the proper handling and disposal of medical waste by permitting and inspecting medical waste offsite treatment facilities and transfer stations throughout the state. CDHS also oversees all medical waste transporters.

Occupational Safety

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Because California has a federally approved OSHA program, it is required to adopt regulations that are at least as stringent as those found in Title 29 of the CFR. Cal/OSHA standards are generally more stringent than federal regulations.

Cal/OSHA regulations (8 CCR) concerning the use of hazardous materials in the workplace require employee safety training, safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal/OSHA enforces hazard communication program regulations, which contain training and information requirements, including procedures for identifying and labeling hazardous substances, and communicating hazard information relating to hazardous substances and their handling. The hazard communication program also requires that Materials Safety Data Sheets (MSDS) be available to employees, and that employee information and training programs be documented. These regulations also require preparation of emergency action plans (escape and evacuation procedures, rescue and medical duties, alarm systems, and training in emergency evacuation).

State laws, like federal laws, include special provisions for hazard communication to employees in research laboratories, including training in chemical work practices. Specific, more detailed training and monitoring is required for the use of carcinogens, ethylene oxide, lead, asbestos, and certain other chemicals listed in 29 CFR. Emergency equipment and supplies, such as fire extinguishers, safety showers, and eye washes, must also be provided and maintained in accessible places.

Cal/OSHA (8 CCR), like Fed/OSHA (29 CFR) includes extensive, detailed requirements for worker protection applicable to any activity that could disturb asbestos-containing materials, including maintenance, renovation, and demolition. These regulations are also designed to ensure that persons working near the maintenance, renovation, or demolition activity are not exposed to asbestos.

Emergency Response

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local government and private agencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services (OES), which coordinates the responses of other agencies, including Cal EPA, CHP, CDFG, the Los Angeles RWQCB, and the Los Angeles County Health Hazardous Materials Division (HHMD) of the County Fire Department. HHMD provides first response capabilities, if needed, for hazardous materials emergencies within the plan area.

Structural and Building Components

Implementation of the project could eventually include demolition of structures, which, due to their age, may contain asbestos, PCBs, or lead and lead-based paint. In addition, removal of existing ASTs or USTs may be required.

Asbestos

State laws and regulations prohibit emissions of asbestos from asbestos-related manufacturing, demolition, or construction activities; require medical examinations and monitoring of employees engaged in activities that could disturb asbestos; specify precautions and safe work practices that must be followed to minimize the potential for release of asbestos fibers; and require notice to federal and local governmental agencies prior to beginning renovation or demolition that could disturb asbestos. Asbestos represents a human health risk when asbestos fibers become airborne (friable) and are inhaled into the lungs.

The South Coast Air Quality Management District is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work. Cal/OSHA regulates asbestos removal to ensure the health and safety of workers removing ACMs and also must be notified of asbestos abatement activities.

Polychlorinated Biphenyls

As previously discussed, PCBs are organic oils that were formerly placed in many types of electrical equipment and in fluorescent lighting ballasts. PCBs are highly persistent in the environment and are toxic. In 1979, the EPA banned the use of PCBs in most new electrical equipment and began a program to phase out certain existing PCB-containing equipment. The use and management of PCBs in electrical equipment is regulated pursuant to the Toxic Substances Control Act (40 CFR). Fluorescent lighting ballasts that contain PCBs, regardless of size and quantity, are regulated as hazardous waste and must be transported and disposed of as hazardous waste.

Lead and Lead-based Paint

The California Code of Regulations, Title 22, considers waste soil with concentrations of lead to be hazardous if it exceeds a total concentration of 1,000 ppm and a soluble[2] concentration of 5 ppm. Both the federal and California OSHAs regulate all worker exposure during construction activities that involve lead-based paint. The Interim Final Rule found in 29 CFR Part 1926.62 covers construction work where employees may be exposed to lead during such activities as demolition, removal, surface preparation for re-painting, renovation, clean up and routine maintenance. The OSHA-specified method of compliance includes respiratory protection, protective clothing, housekeeping, hygiene facilities, medical surveillance, training, etc.

Local

Los Angeles County Health Hazardous Materials Division

In Los Angeles County, remediation of contaminated sites is performed under the oversight of the Los Angeles County HHMD and the Los Angeles RWQCB. In 1997, HHMD became a Certified Unified Program Agency (CUPA) to administer the following programs within Los Angeles County: the Hazardous Waste Generator Program, the Hazardous Materials Release Response Plans and Inventory Program, the California Accidental Release Prevention Program (Cal-ARP), the

[2] Capable of being dissolved, especially in water.

Aboveground Storage Tank Program and the Underground Storage Tank Program. HHMD implements a local oversight program under contract with SWRCB to provide regulatory oversight of the investigation and cleanup of soil and groundwater contamination from leaking petroleum USTs and ASTs. At sites where contamination is suspected or known to have occurred, developers would be required to perform a site investigation and prepare a remediation plan, if necessary. For typical development projects, actual site remediation is completed either before or during the construction phase of the project. Site remediation or development may be subject to regulation by other agencies.

Local Plans and Policies

The City of Downey has established goals, policies and programs in regards to hazardous materials within the *Downey General Plan Vision 2025 Chapter 5. Safety*. The following relevant goals, policies, and programs are summarized below:

Goal 5.2 Protect the health, safety, and welfare of residents, workers, and visitors from the improper use, storage, handling, and disposal of hazardous materials..

Policy 5.2.1 Monitor the generation, storage, and disposal of hazardous materials damage in the event of a major earthquake

- **Program 5.2.1.1** Monitor inactive, active, or potential hazardous materials contaminated properties, including the closed landfill at Rio San Gabriel Park for odor and toxic gases.
- **Program 5.2.1.2** Monitor the location, type of facility, and amount of hazardous materials kept at properties.
- **Program 5.2.1.3** Promote public information regarding the types of hazardous materials, which may include common household items, and the proper method of disposal.
- **Program 5.2.1.4** Ensure proper disclosure of amounts of hazardous materials by existing uses and proposed uses, during the business review process.

Policy 5.2.2 Prevent contamination from hazardous materials.

- **Program 5.2.2.1** Ensure that properties involving hazardous materials dispose of waste properly.
- **Program 5.2.2.2** Promote the convenient “drop-off” collection for the disposal of hazardous waste generated by residential households and other land uses.
- **Program 5.2.2.3** Adopt a code amendment to require a conditional use permit for existing and proposed facilities with hazardous materials.
- **Program 5.2.2.4** Monitor continually the natural gas pipelines for leaks.

Program 5.2.2.5	Ensure the safe transport of hazardous materials through City review of routing plans.
Program 5.2.2.6	Review continually that Hazardous Materials Emergency Response Plan has adequate resources.

3.9.3 Impacts and Mitigation Measures

Residential as well as office and commercial activities in the proposed Specific Plan area would use hazardous chemicals that are typical in these types of settings. These chemicals would include familiar materials, such as toners, paints, lubricants, kitchen and restroom cleaners, and other maintenance materials. These common consumer products would be used for the same purposes as in any office or support setting, including residences. Retail uses can also handle hazardous materials that are stored in containers provided by the manufacturer. The amounts of hazardous materials that would be stored or handled cannot be determined at this time, however assumptions can be made that the amounts of hazardous materials and waste would be handled in relatively similar volumes.

Significance Criteria

According to Appendix G of the CEQA Guidelines, a project would have significant hazardous materials and hazards impacts if it would:

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 that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e) Result in a safety hazard for people residing or working in the project area for a project within the vicinity of a public airport or private airstrip.

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

Based on the proposed plan and its geographical location, the proposed plan would not result in impacts related to the following criteria. No impact discussion is provided for these topics for the following reasons:

Emissions Near Schools. There are five schools located in and near the Specific Plan area: Downey High School (adjacent to the easterly boundary), Kirkwood Christian School (K through 3rd grade, located in the project area), Downey Childcare Center (located in the

project area), Around the World Children's Center (3 years old through 3rd grade, located in the project area), and Creative Beginnings Elementary school (a private school, located in the project area). However, as mentioned above, the proposed uses in the Specific Plan area would be relatively similar to those existing currently in terms of anticipated hazardous materials use. No industrial or manufacturing uses are included as part of the Specific Plan that would warrant an evaluation of potentially harmful emissions. Therefore, there would be no impact related to the proximity to schools within one-quarter mile of the Plan area.

Airport or Private Airstrip. There are no private airstrips or airports within a two-mile radius of the Specific Plan area. The nearest airport is the Long Beach Airport, which is approximately ten miles south of the Specific Plan area. Therefore, there would be no impact related to airstrips or airports.

Emergency Response Plan. New development in the Specific Plan area would not interfere significantly with the existing road network or with the ability for emergency response vehicles to access all areas within the Specific Plan area. Overall, future development would not impede emergency access routes and would continue to maintain the existing city grid systems. Additionally, the project would not physically interfere with emergency response or evacuation plans. Therefore, development within the Specific Plan area would not impair or interfere with any emergency response or emergency evacuation plans.

Impacts

Impact HAZ-1: Disturbance and release of contaminated soil during demolition and construction, or transportation of excavated material, or contaminated groundwater could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (Less than Significant)

Contaminated Soils and Groundwater

Future development within the Specific Plan area could include excavation for installation of utilities, building foundations, subterranean development, or for regrading purposes. Disturbance of subsurface soils and groundwater at locations that may have been previously contaminated by prior uses could further disperse existing contamination into the environment and expose construction workers or the public to contaminants.

If high enough levels of hazardous materials in excavated soils should go undetected, health and safety risks to workers and the public could occur. Exposure to hazardous materials could cause various short-term and/or long-term health effects. Possible health effects could be acute (immediate or of short-term severity), chronic (long-term, recurring, or resulting from repeated exposure), or both. Acute effects, often resulting from a single exposure, could result in a range of effects from minor to major, such as nausea, vomiting, headache, dizziness, or burns. Chronic exposure could result in systemic damage or damage to organs, such as the lungs, liver, or kidneys. Health effects would be specific to each hazardous material.

As identified in Section 3.9.1, above, two identified LUFT sites are present within the Specific Plan area. These sites have had identified releases of hazardous materials that have impacted the subsurface soil or groundwater or both. One of these sites is in varying stages of investigation and cleanup, and has already received site closure from the RWQCB. Contamination may also be

present at some other unidentified locations where unidentified releases have occurred. It is not uncommon to encounter unexpected conditions once excavation and groundbreaking activities commence. Implementation of the mitigation measure below can minimize potential exposure to workers, the public and the environment.

> **Measure HAZ-1:** Prior to issuance of any building permit, all proposed development sites where previous hazardous materials releases have occurred shall have a Phase I site assessment performed by a qualified environmental consulting firm in accordance with ASTM E 1527-05. All proposed development in the Specific Plan area shall require remediation and cleanup to levels established by the overseeing regulatory agency (HHMD, RWQCB or DTSC) appropriate for the proposed new use of the site. All proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by licensed professional.

Significance after Mitigation: Less than significant.

Impact HAZ-2: Disturbance and release of hazardous structural and building components (i.e. asbestos, lead, PCBs, USTs, and ASTs) during demolition and construction phases of development or transport of these materials could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (Less than Significant)

Based on the age of some of the structures within the Specific Plan area, some existing buildings in the Specific Plan area may contain asbestos, lead-based paint, and/or PCBs.

Asbestos

Asbestos could be encountered during structural demolition of the existing buildings and may require containment and disposal. Based on the age of the buildings within the Specific Plan area, it is likely that some ACMs are present. Affected buildings would need appropriate abatement of identified asbestos prior to demolition or renovation. ACMs are regulated both as a hazardous air pollutant under the Clean Air Act and as a potential worker safety hazard under the authority of Cal/OSHA. The renovation or demolition of buildings containing asbestos would require retaining contractors licensed to conduct asbestos abatement work and notifying the South Coast Air Quality Management District (SCAQMD) 10 days prior to initiating construction and demolition activities.

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The SCAQMD is vested by the California Legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified 10 days in advance of any proposed demolition or abatement work.

Potential exposure to asbestos, and its related chronic adverse health effects, is possible throughout demolition and renovation if ACMs are present during operations.

Lead and Lead-Based Paint

Lead-based paint could be separated from building materials during demolition activities. Separated paint can be classified as a hazardous waste if the lead content exceeds 1,000 parts per million; such paint would need to be disposed of accordingly. Additionally, lead-based paint chips can pose a hazard to workers and adjacent sensitive land uses. Both the federal and California OSHAs regulate all worker exposure during construction activities that involve and affect lead-based paint. Interim Final Rule found in 29 CFR Part 1926.62 covers construction work where employees may be exposed to lead during activities such as demolitions, removal, surface preparation for re-painting, renovation, clean up and routine maintenance. The OSHA-specified method of compliance includes respiratory protection, protective clothing, housekeeping (collecting and containing all debris), hygiene facilities, medical surveillance, training, etc.

Demolition and renovation work could create exposure to lead-based paint present in building structures. Dust generating activities that include removal of walls, sanding, welding, and material disposal could produce airborne quantities of lead-laden material. These materials could expose workers and persons in close proximity, including occupants of off-site locations. The Specific Plan area contains buildings with painted surfaces, such as drywall, ceilings, and exterior stucco, which could contain lead-based paint.

PCB-Containing Materials

As discussed earlier in this section, PCB-containing materials may be present within existing structures in the Specific Plan area. Demolition of these structures could disturb these materials and expose workers or the public to adverse effects. Similar to the procedures for removal of ACMs, an initial site-specific survey to determine the presence of PCBs would need to be conducted, followed by implementation of appropriate measures to handle any materials with PCBs.

The mitigation measure below would require demolition activities to be conducted by licensed contractors according to the standards of overseeing agencies that would reduce the potential impacts of hazardous building materials to less-than-significant levels.

> **Measure HAZ-2a:** Each structure proposed for demolition shall require an assessment by licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, or PCB-containing equipment prior to obtaining a demolition permit.
>
> **Measure HAZ-2b:** If the assessment required by Mitigation Measure HAZ-2a establishes the presence of lead-based paint, asbestos, and/or PCBs, the developer or project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition or renovation of affected structures.
>
> **Measure HAZ-2c:** If the assessment required by Mitigation Measure HAZ-2a finds presence of lead-based paint, the developer or project applicant shall develop and implement a lead-based paint removal plan by a licensed contractor. The plan shall specify,

but not be limited to, the measures taken to contain, store, and transport paint waste in accordance with the licensed disposal facilities requirements.

Measure HAZ-2d: If the assessment required by Mitigation Measure HAZ-2a finds presence of asbestos, the project sponsor shall ensure that asbestos abatement shall be conducted by a licensed contractor prior to building demolition.

Measure HAZ-2e: If the assessment required by Mitigation Measure HAZ-2a finds presence of PCBs, the project sponsor shall ensure that PCB abatement shall be conducted prior to building demolition or renovation.

Significance After Mitigation: Less than significant.

Impact HAZ-3: Hazardous materials used on any individual site during construction activities (i.e., fuels, lubricants, solvents) could be released to the environment through improper handling or storage. (Less than Significant)

Any future construction activities would require the use of certain hazardous materials, such as fuels, oils, lubricants, solvents, and glues. Inadvertent release of large quantities of these materials into the environment could adversely impact soil, surface waters, or groundwater quality. Larger developments could potentially include on-site storage and/or use of quantities of materials capable of significantly impacting soil and groundwater. Implementation of Mitigation Measure HAZ-3, below**,** would reduce the impacts to a less-than-significant level.

Measure HAZ-3: All development and redevelopment shall require the use of construction BMPs to control handling of hazardous materials during construction to minimize the potential negative effects from an accidental release to storm drains, groundwater and soils.

Significance After Mitigation: Less than significant.

Impact HAZ-4: Future development would include land uses that would handle various commercial, transportation and household hazardous materials in a range of quantities, and could cause an adverse effect on the environment through accidental upset. (Less than Significant)

Development and redevelopment in the Specific Plan area would include commercial/retail and residential uses that are likely to handle, store, and transport various hazardous materials and consequently generate hazardous wastes. In general, current regulations require that all hazardous materials and wastes are stored, handled, and disposed of according to a host of safety requirements that are intended to protect human health and the environment. For general commercial/retail land uses as well as residential uses, hazardous materials are generally handled and transported in relatively small quantities and because the health effects associated with them are generally not as serious as industrial uses, significant adverse effects on the environment are less common. In addition, each commercial applicant that will handle hazardous materials will be required by the County to submit a Hazardous Materials Business Plan for review and approval

by the HHMD prior to commencement of operations. Once approved, this plan will be kept on file and updated as necessary. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the City and County Fire Department should emergency response be required. The Hazardous Materials Business Plan typically includes the following:

- The types of hazardous materials or chemicals stored and/or used on site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
- The location of such hazardous materials.
- An emergency response plan including employee training information.
- A plan that describes the manner in which these materials are handled, transported and disposed.

Mitigation: None required.

Cumulative Impacts

Impact HAZ-5: Proposed development of the Specific Plan area could result in a cumulatively considerable contribution to hazardous materials in the City of Downey. (Less than Significant)

Hazardous material impacts typically occur in a local or site-specific context versus a cumulative context combined with other development projects. It is possible, however for the combined effects of transporting and disposal of hazardous materials to be affected by cumulative development.

Future development, with implementation of the identified mitigation measures above, would have a less than significant hazardous materials impact to the public or the environment in and within the vicinity of the project area. Other foreseeable development within the area, although likely increasing the potential to disturb existing contamination and potentially increase the handling of hazardous materials, would be required to comply with the same regulatory framework as the proposed Specific Plan. These stringent regulatory requirements includes federal and state regulatory requirements for transporting (CalEPA and Caltrans) hazardous materials or cargo (including fuel and other materials used in all motor vehicles) on public roads or disposing of hazardous materials (CalEPA, DTSC, HHMD). Therefore, the effect of the project on hazardous materials, in combination with other foreseeable projects, would be less than significant. No mitigation is required.

Mitigation: None required.

3.10 Geology, Soils, and Seismicity

This section describes geologic and seismic conditions in the Specific Plan area and evaluates the potential for the proposed plan to result in significant impacts related to exposing people or structures to unfavorable geologic hazards, soils, and/or seismic conditions. Potential impacts are discussed and evaluated, and appropriate mitigation measures are identified where necessary.

3.10.1 Environmental Setting

Regional

The project area is located within the Peninsular Ranges geomorphic province of California. The Peninsular Ranges province is characterized by a series of northwest trending mountain ridges and valleys, running generally parallel to faults that branch from the San Andreas Fault zone. These mountain ridges and valleys have been formed by tectonic forces that compressed ancient sedimentary deposits over the course of millions of years. Similar to the Sierra Nevada region, the sedimentary rocks of this province have been altered and intruded by granitic rocks. The province is bounded on the east by the Colorado Desert and it includes the entire Los Angeles basin (California Geological Survey, 2002).

Local

The project area is located along the alluvial plains of the Los Angeles Basin, which is bound by the Santa Monica Mountains to the northwest, Puente Hills and the San Gabriel Mountains to the northeast, the Santa Ana Mountains to the south, and the Pacific Ocean to the west. The basin is overlain with thick alluvial sediments[1] that are as much as six miles deep. The City of Downey is located between two major drainages, Rio Hondo to the west and the San Gabriel River to the east.

Soils

Surface soils generally exhibit various characteristics depending on location, slope, parent rock, climate, and drainage. The project area is located in a fully developed area where native soils are unlikely to still be present. Generally, previous development within area has been reworked or replaced to the extent that native surface soils are no longer present with their original characteristics. Underlying soils likely consist of interbedded clays, silts, and sands with varying grain sizes and densities.

[1] Alluvial deposits generally consist of silts, clays, sands and gravels.

Seismicity

The project area lies within an area that contains many active and potentially active faults and is considered to be an area of high seismic activity.[2] The US Geological Survey (USGS) Working Group on California Earthquake Probabilities evaluated the probability of one or more earthquakes of Richter magnitude 6.7 or higher occurring in California within the next 30 years (USGS, 2008).[3] The result of the evaluation indicated a 67 percent likelihood that such an earthquake event will occur in the Southern California region before 2037 (USGS, 2008).

Ground movement during an earthquake can vary depending on the overall magnitude, distance to the fault, focus of earthquake energy, and type of geologic material. The composition of underlying soils, even those relatively distant from faults, can intensify ground shaking. For this reason, earthquake intensities are also measured in terms of their observed effects at a given locality. The Modified Mercalli (MM) intensity scale is commonly used to measure earthquake damage due to ground shaking. The MM values for intensity range from I (earthquake not felt) to XII (damage nearly total), and intensities ranging from VI to X can cause moderate to extreme structural damage (**Table 3.10-1**).[4] The intensities of an earthquake will vary over the region of a fault and generally decrease with distance from the epicenter of the earthquake.

The Newport Inglewood fault is the closest fault to the project area and, along with the other active faults of the region, poses a substantial threat of damage in the Specific Plan area. Located approximately seven miles northeast, the Newport Inglewood fault caused considerable damage in 1920 and 1933. The 1933 event registered a moment magnitude 6.4; however, there was no surface rupture associated with it.

Other active faults in the region include the Elsinore, Hollywood, Raymond, Whittier, Palos Verdes, San Jacinto, San Fernando, Sierra Madre, and San Andreas faults, which all pose a significant threat of earthquake-related damage in the Southern California region. The San Andreas fault, which has the highest probability for experiencing a significant earthquake, is located approximately 40 miles northeast of the project area. Additionally, there are several known buried thrust faults that underlie the Los Angeles Basin. Thrust faults have no surface expression and do not pose risk of surface fault rupture but can be sources of significant ground shaking. The principal active faults are listed on **Table 3.10-2** and shown in **Figure 3.10-1**.

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2 An “active” fault is defined by the State of California as a fault that has had surface displacement within Holocene time (approximately the last 11,000 years). A “potentially active” fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. “Sufficiently active” is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches (Hart, 1997).

3 Richter magnitude is a measure of the size of an earthquake as recorded by a seismograph. Richter magnitudes vary logarithmically, with each whole number step representing a ten-fold increase in the amplitude of the recorded seismic waves. Earthquake magnitudes are also measured by their Moment Magnitude (Mw), which is related to the physical characteristics of a fault including the rigidity of the rock, the size of fault rupture, and movement or displacement across a fault.

4 The damage level represents the estimated overall damage that will occur for various MM intensity levels. Damage, however, is not uniform, as the age, material, type, method of construction, size, and shape of a building all affect its performance.

TABLE 3.10-1
MODIFIED MERCALLI INTENSITY SCALE

Intensity Value	Intensity Description	Average Peak Acceleration (% g[a])
I	Not felt except by a very few persons under especially favorable circumstances.	< 0. 17 g
II	Felt only by a few persons at rest, especially on upper floors of buildings. Delicately suspended objects may swing.	0.17-1.4 g
III	Felt noticeably indoors, especially on upper floors of buildings, but many people do not recognize it as an earthquake. Standing motor cars may rock slightly, vibration similar to a passing truck.	0.17-1.4 g
IV	During the day felt indoors by many, outdoors by few. At night, some awakened. Dishes, windows, doors disturbed; walls make cracking sound. Sensation like heavy truck striking building. Standing motor cars rock noticeably.	1.4–3.9g
V	Felt by nearly everyone, many awakened. Some dishes and windows broken; a few instances of cracked plaster; unstable objects overturned. Disturbances of trees, poles may be noticed. Pendulum clocks may stop.	3.5 – 9.2 g
VI	Felt by all, many frightened and run outdoors. Some heavy furniture moved; and fallen plaster or damaged chimneys. Damage slight.	9.2 – 18 g
VII	Everybody runs outdoors. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable in poorly built or badly designed structures; some chimneys broken. Noticed by persons driving motor cars.	18 – 34 g
VIII	Damage slight in specially designed structures; considerable in ordinary substantial buildings, with partial collapse; damage great in poorly built structures. Panel walls thrown out of frame structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned. Sand and mud ejected in small amounts. Changes in well water. Persons driving motor cars disturbed.	34 – 65 g
IX	Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb; damage great in substantial buildings, with partial collapse. Buildings shifted off foundations. Ground cracked conspicuously. Underground pipes broken.	65 – 124 g
X	Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations; ground badly cracked. Rails bent. Landslides considerable from riverbanks and steep slopes. Shifted sand and mud. Water splashed (slopped) over banks.	> 124 g
XI	Few, if any, (masonry) structures remain standing. Bridges destroyed. Broad fissures in ground. Underground pipelines completely out of service. Earth slumps and land slips in soft ground. Rails bent greatly.	> 1.24 g
XII	Damage total. Practically all works of construction are damaged greatly or destroyed. Waves seen on ground surface. Lines of sight and level are distorted. Objects are thrown upward into the air.	> 1.24 g

[a] g (gravity) = 980 centimeters per second squared. 1.0 g of acceleration is a rate of increase in speed equivalent to a car traveling 328 feet from rest in 4.5 seconds.

SOURCE: ABAG, 2003; California Geological Survey, 2003.

TABLE 3.10-2
ACTIVE FAULTS NEAR THE PROJECT AREA

Fault (in increasing distance)	Maximum Moment Magnitude Earthquake (Mw)		Slip Rate (mm/yr.)	Distance from Site (miles)	Direction from Site
Newport-Inglewood Zone	6.9	SS	1.0	7	SW
Whittier	6.8	SS	2.5	12	E
Raymond	6.5	RO	0.5	13	N
Hollywood	6.4	RO	1.0	16	N
Elsinore	7.5	RO	0.5	12	NW
Palos Verdes	7.0	RO/SS	1-3	17	SW
Sierra Madre Fault Zone	7.0	RO	0.36–0.4	17	N
San Fernando	6.7	RO	2.0	25	N
San Jacinto	7.5	SS	7.0–17.0	28	NW
San Andreas (Southern Segment)	7.4	SS	24.0	40	NE

SS Strike Slip: chiefly vertical faults that have shifted rocks on one side of the fault horizontally in relation to the opposite side.
NO Normal Oblique: faults that have significant components of both strike and dip (faults that have changed the elevation of a rock mass on one side of the fault relative to the opposite mass) slips and the side above the fault is depressed.
RO Reverse Oblique: faults that have significant components of both strike and dip slips and the side above the fault is elevated.

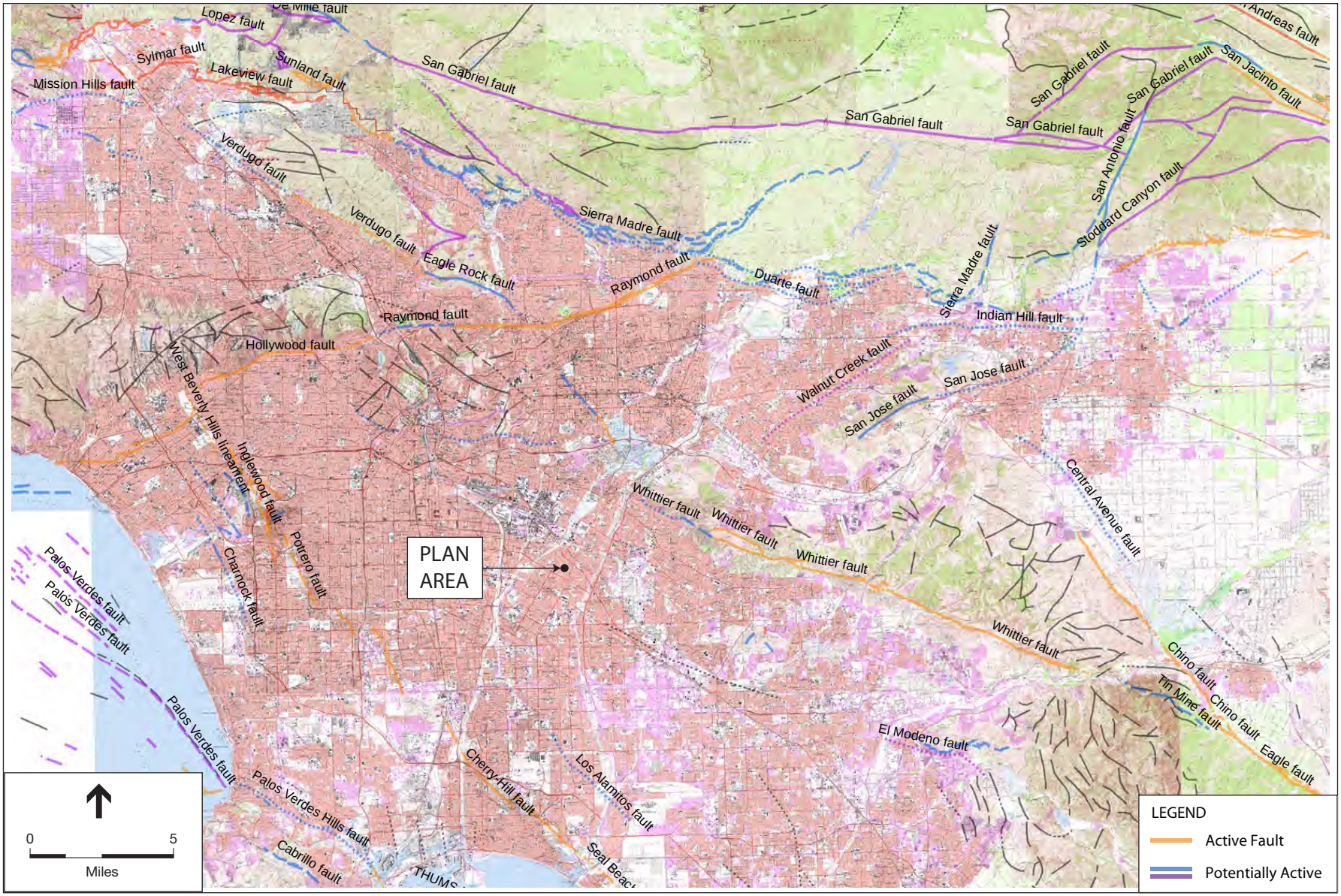
SOURCE: California Division of Mines and Geology, *Probabilistic Seismic Hazard Assessment for the State of California Open File Report 96-08*, 1996, Hart, 1997, and Jennings, 1997.

An "active" fault is defined by the State of California as a fault that has had surface displacement within approximately the last 11,000 years. A "potentially active" fault is defined as a fault that has shown evidence of surface displacement during the last 1.6 million years, unless direct geologic evidence demonstrates inactivity for the last 11,000 years or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. "Sufficiently active" is also used to describe a fault if there is some evidence that displacement occurred in the last 11,000 years on one or more of its segments or branches. These faults are considered either active or potentially active. Inactive faults are located throughout the region. Inactive faults with a long period of inactivity do not provide any guarantee that a considerable seismic event could occur. Occasionally, faults classified as inactive can exhibit secondary movement during a major event on another active fault.

Seismic Hazards

Ground Shaking

Strong ground shaking from a major earthquake could affect the Specific Plan area during the next 30 years. An earthquake on any one of the active faults mentioned above could potentially produce a range of ground shaking intensities in the Specific Plan area. Ground shaking may affect areas hundreds of miles from the earthquake's epicenter. Numerous historic earthquakes have caused strong ground shaking and damage in the region, the most recent being the 2008 Chino Hills (moment magnitude 5.0), the 1994 Northridge (moment magnitude 6.7), and the 1992 Landers (magnitude 7.3) earthquakes. The latter earthquake was centered near Landers, California in the Mojave Desert but still caused damage in the Los Angeles basin.



SOURCE: Jennings, 1994

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Figure 3.10-1
Regional Faults

Surface Fault Rupture

Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake's seismic waves. The magnitude, sense, and nature of fault rupture can vary for different faults or even along different strands of the same fault. Ground rupture is considered more likely along active faults, which are referenced in Table 3.10-2.

The Specific Plan area is not within an Alquist-Priolo Fault Rupture Hazard Zone, as designated through the Alquist-Priolo Earthquake Fault Zoning Act, and no mapped active faults are known to pass through the immediate project region. Therefore, the risk of ground rupture within the Specific Plan area is very low.

Liquefaction

Liquefaction is the transformation of soil from a solid to a liquefied state during which saturated soil temporarily loses strength resulting from the buildup of excess pore water pressure, especially during earthquake-induced cyclic loading. Soils susceptible to liquefaction include saturated loose to medium dense sands and gravels, low-plasticity silts, and some low-plasticity clay deposits. Liquefaction and associated failures could damage foundations, disrupt utility service, and can cause damage to roadways.

The California Geological Survey (CGS) has prepared Seismic Hazard maps for liquefaction potential in many areas located around Southern California. According to the map that covers the Specific Plan area; the entire Specific Plan area is located within a seismic hazard zone for liquefaction (CGS, 1999).

Landslides

Slope failures, commonly referred to as landslides, include many phenomena that involve the downslope displacement and movement of material. Landslides may occur on slopes of 15 percent or less; however, the probability is greater on steeper slopes. The project area generally consists of relatively gently sloping developed topography that has a low likelihood of landslides or debris flows.

Geologic Hazards

Considering the geologic context of the project area and nature of the project, other typical geologic hazards could include soil erosion and expansive soil materials. These hazards are discussed briefly here.

Expansive Soils

Expansive soils are characterized by their potential "shrink-swell" behavior. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in certain fine-grained clay sediments from the process of wetting and drying. Clay minerals such as smectite, bentonite, montmorillonite, beidellite, vermiculite and others are known to expand with changes in moisture content. The higher the percentage of expansive minerals present in near surface soils, the higher

the potential for substantial expansion. The greatest effects occur when there are large or repeated moisture content changes. Expansions of ten percent or more in volume are not uncommon. This change in volume can exert enough force on a building or other structure to cause cracked foundations, floors and basement walls. Damage to the upper floors of the building can also occur when movement in the foundation is extensive. Structural damage typically occurs over a long period of time, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

3.10.2 Regulatory Setting

California Building Code

The California Building Code (CBC) has been codified in the California Code of Regulations (CCR) as Title 24, Part 2. Title 24 is administered by the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under state law, all building standards must be centralized in Title 24 or they are not enforceable. The purpose of the CBC is to establish minimum standards to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction. The 2007 CBC is based on the 2006 International Building Code (IBC) published by the International Code Conference. In addition, the CBC contains necessary California amendments that are based on the American Society of Civil Engineers (ASCE) Minimum Design Standards 7-05. ASCE 7-05 provides requirements for general structural design and includes means for determining earthquake loads as well as other loads (flood, snow, wind, etc.) for inclusion into building codes. The provisions of the CBC apply to the construction, alteration, movement, replacement, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout California. Any buildings that can be renovated would be required to conform to CBC requirements.

The earthquake design requirements take into account the occupancy category of the structure, site class, soil classifications, and various seismic coefficients which are used to determine a Seismic Design Category (SDC) for a project. The SDC is a classification system that combines the occupancy categories with the level of expected ground motions at the site and ranges from SDC A (very small seismic vulnerability) to SDC E/F (very high seismic vulnerability and near a major fault). Design specifications are then determined according to the SDC.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. Before a development permit may be granted for a site within a Seismic Hazard Zone, a geotechnical investigation of the site must be conducted and

appropriate mitigation measures incorporated into the project design. The plan area is located within a Seismic Hazard Zone for liquefaction, as designated by CGS. Therefore, evaluation and mitigation of potential liquefaction hazards in that area must be conducted in accordance with the CGS Special Publication 117, adopted March 13, 1997 by the State Mining and Geology Board pursuant to the Seismic Hazards Mapping Act, as discussed in the Impacts and Mitigations chapter below.

Local Plans and Policies

Downey General Plan

The City of Downey has established goals, policies and programs in regards to geologic hazards identified in the *Downey General Plan Vision 2025 Chapter 5. Safety*. The following relevant goals, policies, and programs are summarized below:

Goal 5.5 Address the potential hazards associated with seismic activity.

Policy 5.5.1 Minimize damage in the event of a major earthquake

- **Program 5.5.1.1** Promote public information about earthquake safety.
- **Program 5.5.1.2** Monitor seismic activity to identify new potential for fault rupture, liquefaction, and other seismic-related hazards.
- **Program 5.5.1.3** Monitor groundwater table levels as they relate to liquefaction hazards.
- **Program 5.5.1.4** Ensure the preparation of geotechnical reports for developments to address soil liquefaction hazards.
- **Program 5.5.1.6** Ensure the placement of utility lines underground.

3.10.3 Impacts and Mitigation Measures

Significance Criteria

According to Appendix G of the *CEQA Guidelines*, a project would have significant impacts on geology, soils, and seismicity if it would:

a) Expose people or structures to 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;

   ii. Strong seismic ground shaking;

iii. Seismic-related ground failure, including liquefaction; and/or

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 (1994), creating substantial risks to life or property.

Approach to Analysis

Based on the proposed project and its geographical location, the proposed project would not result in impacts related to the following criteria. No impact discussion is provided for these topics for the following reasons:

Fault Rupture. The faults most susceptible to earthquake rupture are active faults, which are faults that have experienced surface displacement within the last 11,000 years. There are no active faults that cross the Specific Plan area, and the project facility nearest to an active fault is at least seven miles away. Therefore, the potential for fault rupture to affect future development in the Specific Plan area is very low.

Landslides. The Specific Plan area does not contain slopes that are susceptible to landslides or slope failure. The gentle sloping topography of the area results in a very low potential for landslides or slope failure to affect any of the proposed development or redevelopment in the Specific Plan area and is therefore not discussed further.

Wastewater Disposal. The Specific Plan area is located within an urban area in which all development will be able to tie into existing wastewater infrastructure. Therefore, none of the development or redevelopment would require the use of septic or other alternative disposal wastewater systems, and therefore there is no impact associated with this hazard.

Impacts and Mitigation Measures

Excavation, Grading, and Construction Impacts

Impact GEO-1: In the event of a major earthquake in the region, ground shaking and/or localized liquefaction could cause damage, destruction or injury to development anticipated under the proposed Specific Plan. (Less than Significant)

According to modeling conducted by USGS in conjunction with CGS, the Southern California region will likely experience at least one major earthquake (greater than moment magnitude 6.7) within the next 30 years. The intensity of such an event would depend on the causative fault and the distance to the epicenter, the magnitude, the duration of shaking, and the characteristics of the underlying geologic materials.

There are no active faults that run through or adjacent to the Specific Plan area. The nearest active fault to the Specific Plan area is the Newport Inglewood fault, which is located approximately 7

miles southwest. In general, ground shaking tends to be more severe in softer sediments such as alluvial deposits where surface waves can be amplified causing a longer duration of ground shaking compared to bedrock materials. Areas in which bedrock is exposed or relatively shallow tends to experience surface waves from an earthquake as more of a sharp jolt. In the project area, underlying deposits generally consist of alluvial deposits of varying thicknesses with no near surface occurrences of bedrock. Therefore, throughout the Specific Plan area there is a potential for development to experience substantial ground shaking.

Liquefaction typically occurs in areas underlain with loose saturated cohesionless soils within the upper 50 feet of subsurface materials. These soils, when subjected to groundshaking, can lose their strength resulting from the buildup of excess pore water pressure causing them to behave closer to a liquidified state. According to mapping compiled by the CGS, the entire project area could be especially prone to liquefaction hazards. However, development in areas located within a liquefaction Seismic Hazard Zone would be required to adhere to the requirements of the Seismic Hazards Act and Special Publication 117. In general, determining the actual potential for liquefaction requires site specific data that is analyzed on a case-by-case basis. Unreinforced masonry buildings and other buildings constructed prior to the 1930s that have not undergone seismic upgrades would be expected to incur the greatest structural damage. Damage from earthquake-induced ground failure could be high in buildings constructed on improperly engineered fills or saturated alluvial sediments that have not received adequate compaction or treatment.

For newly constructed structures, all of the aforementioned seismic hazards can generally be mitigated through the application of current industry standard geotechnical practices and seismic structural design according to the requirements found in the most recent version of the California Building Code and Special Publication 117, where applicable. Moreover, major development is typically subject to site-specific analysis of seismic and other geologic risk. After decades of study of past earthquakes and the performance of structures and other improvements, building codes have incorporated measures to reduce the potential for catastrophic damage to occur in buildings, roadways, and utility connections. Although damage and injury cannot be completely avoided during a major seismic event, adherence to building code requirements would reduce the potential damage and personal injury to what is generally recognized to be an acceptable level. Therefore this would be a less-than-significant impact.

Mitigation: None required.

Impact GEO-2: New development or redevelopment anticipated under the proposed Specific Plan would involve grading and other ground disturbing construction activities which could expose soils to erosion and loss of topsoil. (Less than Significant)

The Specific Plan area is currently largely developed with a majority of the land area covered by impervious surface such as asphalt, buildings, and concrete. The impervious areas are generally landscaped and vegetated. However, new development under the Specific Plan could require removing the existing cover and thereby exposing underlying soils to the effects of wind and

water. The relatively flat topography of the project area generally reduces the potential for erosion and loss of topsoil during construction activities. Nonetheless, areas of the Specific Plan area subject to concentrated runoff, or areas of unprotected slopes or piles of bare soil, would still pose erosion hazards if left unmitigated. Once covered by asphalt, a new structure, or vegetated at the conclusion of construction, the potential for erosion is substantially reduced.

Protection of soils during construction can generally be mitigated through well-established erosion control measures. Every construction project in the State of California that causes a disturbance of one acre or more of soil through grading, clearing, and or excavation is subject to the General Construction Stormwater Permit (General Construction Permit), also referred to as the General Permit, adopted by the State Water Resources Control Board (SWRCB). In order to complete the General Permit application, the applicant must first submit a Notice of Intent (NOI) to obtain coverage under the General Permit. This General Permit requires dischargers to develop and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies the Best Management Practices (BMPs) that would prevent construction pollutants from contacting storm drains, with the intent of keeping all products of erosion from moving off-site into receiving waters. Furthermore, the SWPPP would also include BMPs to control erosion associated with grading, trenching, and other ground surface-disturbing activities (see also discussion of SWPPP in Section 3.11, Hydrology and Water Quality). With adherence to the requirements of the General Permit, impacts from construction would be less than significant.

Mitigation: None required.

Impact GEO-3: New development or redevelopment anticipated under the proposed Specific Plan could be located on unstable soils or become unstable resulting in lateral spreading, subsidence or collapse. (Less than Significant)

As discussed above, the Specific Plan area is currently largely developed and most of the near surface soils have likely been reworked to some degree as part of construction. Generally, prior to laying a foundation or roadway, the site soils are prepared or compacted in accordance with building code requirements. Older structures were in general built to less stringent codes when compared to recent standards so conditions would likely vary throughout the Specific Plan area. However, site preparation conducted according to current standards would likely improve the stability of soils throughout the plan area.

Standard geotechnical practices include an evaluation of subsurface soils and identifying engineering properties as well as providing appropriate mitigations to prepare underlying soils for a stable foundation of a planned improvement. These geotechnical investigations routinely evaluate the potential for landslides, lateral spreading, subsidence and collapse. As discussed above, the Specific Plan area is generally flat and there is little likelihood for landslides to affect any proposed development. Lateral spreading is related to liquefaction which is discussed above. Lateral spreading can occur on gentle slopes and is dependent on site specific conditions, however due to the relatively level topography the potential for lateral spreading is considered

low. Subsidence is commonly experienced on alluvial materials or fills if not engineered appropriately. Placement of compacted fills or design of foundation systems to mitigate the effects of subsidence is within current standard practices. Soils that are susceptible to collapse are typically found in regions outside of the Specific Plan area. Collapsible soils are most often encountered in arid climates, where wind and intermittent streams deposit loosen low-density materials.

For all the potential geologic hazards mentioned here, the use of standard geotechnical practices through a required geotechnical investigation and implementation of building code requirements are proven means of mitigation. With implementation of these requirements the impacts from unstable soils, landslides, lateral spreading, subsidence, and collapse would be less than significant.

Mitigation: None required.

Impact GEO-4: New development or redevelopment anticipated under the proposed Specific Plan could be located on expansive soils creating substantial risks to life or property. (Less than Significant)

As stated above, typically, soils that exhibit expansive characteristics are found within the upper five feet of ground surface. Over a long-term exposure to wetting and drying cycles, expansive soils can experience volumetric changes. The effects of expansive soils could damage foundations of above-ground structures, paved roads and streets, and concrete slabs. Expansion and contraction of soils, depending on the season and the amount of surface water infiltration, could exert enough pressure on structures to result in cracking, settlement, and uplift. Expansive soils would not be unexpected in the low-lying alluvial plain where the Specific Plan area is located. However, the presence of expansive soils can only be determined through site specific laboratory analysis of soil samples. The identification of expansive soils is standard practice for a geotechnical investigation which would be required for all new construction within the Specific Plan area. Replacement of expansive soils with engineered fill or addition of soil amendments are effective means of mitigating expansive soils. Therefore, implementation of standard geotechnical engineering practices and building code requirements would reduce potential impacts from expansive soils to less than significant levels.

Mitigation: None required.

Cumulative Impacts

Impact GEO-5: Implementation of the proposed Specific Plan along with potential development in the surrounding region would result in cumulative impacts to geologic and seismic hazards. (Less than Significant)

Other development and redevelopment in the Specific Plan vicinity would be required to implement similar grading and geotechnical engineering measures in accordance with the most recent version of the California Building Code. The Specific Plan, combined with other foreseeable development in the area, would be expected to result in increased population and development in an area susceptible to seismic risks and hazards. While the number of people visiting, living and working in the area would increase incrementally, exposing additional people to seismic and geologic hazards, the risk to people and property would be reduced through the upgrading or demolishing of older buildings that were constructed under less stringent building code requirements. Older buildings would be seismically retrofitted and newer buildings will be constructed to stricter building codes. All the existing and foreseeable projects in the area, would be required to implement mitigation measures similar to those above and adhere to all federal, state, and local programs, requirements and policies pertaining to building safety and construction permitting. All projects would be required to adhere to the California Building Code and the Seismic Hazards Act. Therefore, the project, combined with other foreseeable development in the area, would not result in a cumulatively significant impact by exposing people or structures to risk related to geologic hazards, soils, and/or seismic conditions.

Mitigation: None required.

3.11 Hydrology and Water Quality

This section discusses the hydrology and water quality issues related to the development of the Specific Plan area. This section provides an overview of the regulatory setting that is applicable to hydrology and water quality within the planning area and potential impacts and appropriate mitigation measures, as necessary.

3.11.1 Environmental Setting

The Specific Plan area is located in Los Angeles County, California in a region characterized by intermittent and perennial drainages that generally flow westward from the Santa Ana Mountains and Puente Hills across the Los Angeles basin towards the Pacific Ocean. The drainages in the region include both unlined daylighted segments where surface water flows similarly to the way it flowed prior to any development, concrete lined segments, and culverted segments that were engineered for the purpose of accommodating urban development.

Surface Water Features

Regional Drainage Patterns

The Specific Plan area lies between two major drainages of the Los Angeles Basin: the Los Angeles River watershed and the San Gabriel River watershed. The Specific Plan area is closest to the confluence of the Los Angeles River and the Rio Hondo. The Los Angeles River originates in the San Gabriel and Santa Susana Mountains and flows through Los Angeles County approximately 50 miles southeast where it eventually empties into the Pacific Ocean near Long Beach. Several tributaries join the once free flowing and frequently flooding river, which has since been channelized through the urbanized portions of the basin. To the east, the San Gabriel River also flows across the Los Angeles Basin until emptying into the Pacific Ocean. Through most urbanized areas, the San Gabriel River is lined with a concrete channel and controlled by several dams.[1] The Rio Hondo is hydraulically connected to both rivers and used by the US Army Corps of Engineers to control flood flows by directing flows to either the Los Angeles or San Gabriel rivers as necessary.

Local Drainage Patterns

The Specific Plan area is located northeast of where the Rio Hondo joins Los Angeles River, which then flows west of the Specific Plan area. The San Gabriel River lies east of the Specific Plan area. No surface water bodies lie within the project area. The Specific Plan area is primarily developed with structures, parking lots and surface roads with intermittent areas of landscaping. Storm water runoff generated from the Specific Plan area generally drains overland and is collected at low points in existing catch basins where the runoff enters the municipal drainage system.

[1] Through the City of Downey, the San Gabriel River is mostly unlined.

Water Quality

Beneficial Uses

The beneficial uses of the surface water bodies in the vicinity of the Specific Plan area have been designated by the Los Angeles RWQCB (RWQCB) in the *Water Quality Control Plan for the Los Angeles Region* (Basin Plan). The beneficial uses provide the basis for determining appropriate water quality objectives that are needed to maintain the beneficial uses of these waters. The beneficial uses for water bodies in the project vicinity are shown in **Table 3.11-1**.

TABLE 3.11-1
DESIGNATED BENEFICIAL USES OF WATERBODIES IN THE PROJECT VICINITY

Water Body	Designated Beneficial Uses
Surface Water	
Los Angeles River – Reach 2	MUN (potential), IND (potential), GRW, REC-1, REC-2, WARM, WILD, WET
Rio Hondo – Reach 1	MUN (potential), GRW (intermittent use), REC-1 (Intermittent use though prohibited by city), REC-2, WILD (intermittent), RARE
San Gabriel River	MUN (potential), IND (potential), GRW (intermittent use), PROC (potential), REC-1 (Intermittent use though prohibited by city), REC-2, WARM (intermittent use), WILD (intermittent), RARE (intermittent)
Groundwater Basins[b]	
Los Angeles Coastal Plain – Central Basin	MUN, IND, PROC,AGR

Beneficial Uses Key:
MUN (Municipal and Domestic Supply)
IND (Industrial Service Supply)
GRW (Groundwater Recharge)
REC-1 (Body Contact Recreation)
REC-2 (Noncontact Recreation)
WARM (Warm Freshwater Habitat);
WILD (Wildlife Habitat)
RARE (Preservation of Rare and Endangered Species)
IND (Industrial Service Supply)
PROC (Industrial process water supply)
WET (Wetland habitat)
AGR (Agricultural supply).

SOURCE: LA RWQCB, 1994.

Section 303(d) List of Impaired Water Bodies and TMDLs

In accordance with Section 303(d) of the Clean Water Act, state governments must present the US Environmental Protection Agency (USEPA) with a list of "impaired water bodies," defined as those water bodies that do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology.

Placement of a water body on the Section 303(d) List of Impaired Water Bodies acts as the trigger for developing a Total Maximum Daily Load (TMDL) pollution control plan for each water body and associated pollutant/stressor on the list. The TMDL is the quantity of a pollutant that can be safely assimilated by a water body without violating water quality standards. The TMDL serves as the means to attain and maintain water quality standards for the impaired water body to support designated and potential beneficial uses identified in the Basin Plan. During each Section 303(d) listing cycle, the water bodies on the list are prioritized, and a schedule is established for completing

the TMDLs. Listed impaired water bodies in the vicinity of the Specific Plan area are presented in **Table 3.11-2**, including the planned date for TMDL completion. All three nearby surface waters have been recognized by the California State Water Resources Control Board (SWRCB) as being impaired with coliform bacteria.

TABLE 3.11-2
SECTION 303(d) LIST OF IMPAIRED WATER BODIES

Water Body	Pollutant	Potential Source	Status of TMDL Preparation and Approval
Los Angeles River – Reach 2	Coliform Bacteria Oil Trash	Storm water runoff from nonpoint/point sources	Proposed (2009) Proposed (2019) Proposed (2007)
Rio Hondo– Reach 1	Coliform Bacteria Trash	Storm water runoff from nonpoint source	Proposed (2009) Proposed (2007)
San Gabriel River – Reach 2	Coliform Bacteria Lead	Storm water runoff from nonpoint/point sources	Proposed (2019)

SOURCE: SWRCB, 2007.

Groundwater Hydrology

The Specific Plan area is within the Central Subbasin of the Coastal Plain of Los Angeles Groundwater Basin (DWR, 2004). The Central Subbasin (also referred to as Central Basin) occupies a large portion of the Coastal Plain Basin. The Los Angeles and San Gabriel rivers drain inland basins and cross the surface of the Central Basin on their way to the Pacific Ocean. Groundwater in the subbasin is found generally at shallow depths in relatively young alluvial sediments. The subbasin is divided into forebay and pressure areas and the Specific Plan area is located in the Montebello forebay. The forebay is characterized as an unconfined groundwater condition with interconnected aquifers that extend up to 1,600 feet deep. Historically, groundwater flow in the subbasin has been from the recharge areas of the northeast toward the Pacific Ocean to the southwest. Numerous faults in the subbasin form minor restrictions to groundwater flow. Groundwater enters the subbasin through surface and subsurface flows as well as direct recharge of precipitation and applied water. Imported waters purchased by the Metropolitan Water District in addition to recycled water are used for artificial recharge in the Montebello forebay.

Flood Hazards

Flooding is inundation of normally dry land as a result of a rise in the level of surface waters or rapid accumulation of storm water runoff. Flooding can also occur due to tsunamis, seiches, or dam failure.

Flooding

The entire Specific Plan area is mapped by the Federal Emergency Management Agency (FEMA) as being located in Zone X, which is outside of the 100-year flood zone but within the 500-year flood zone (FEMA, 2008). Generally, the only 100-year flood zones in the vicinity of the Specific Plan area are limited to the confines of the flood control channels of the nearby surface waters. A 500-year flood zone has a 0.2 percent chance of occurring in any one year.

Dam Failure

There are five federal dams located in the Los Angeles basin area that are used primarily for flood control. The Whittier Narrows Dam, located approximately five miles north of the project area, has the greatest potential to inundate the project area because of its relative close proximity. The Whittier Narrows Dam, built by the United States Army Corps of Engineers, is located on the San Gabriel River. Water is infrequently stored in the dam, which is primarily used during particularly heavy rainfall events. California's Division of Safety of Dams (DSOD) requires all dams that fall under its jurisdiction (determined on a basis of dam height or capacity and which would include the Whittier Narrows Dam) must adhere to the DSOD requirements. DSOD requirements include seismic safety evaluations, inspections, and monitoring of groundwater levels.

3.11.2 Regulatory Framework

Water Quality Regulations

The federal Clean Water Act (1972) and subsequent amendments, under the enforcement authority of the USEPA, were enacted "*to restore and maintain the chemical, physical, and biological integrity of the Nation's waters*." The Clean Water Act gave USEPA the authority to implement pollution control programs such as setting wastewater standards for industrial uses. The act also set water quality standards for surface waters and established the National Pollutant Discharge Elimination System (NPDES) program to protect water quality. Under Section 402 of the act, discharge of pollutants to navigable waters is prohibited unless the discharge is in compliance with an NPDES permit. USEPA determined that California's water pollution control program has sufficient authority to manage the NPDES program under state law in a manner consistent with the Clean Water Act. Therefore, implementation and enforcement of the NPDES program is conducted through the SWRCB and the nine Regional Water Quality Control Boards (RWQCBs). These agencies also implement the Waste Discharge Requirements (WDR) Program, which regulates discharges of waste to land under the California Water Code and discharges of waste into waters of the state that are outside federal jurisdiction, as defined under the Clean Water Act.

The Los Angeles RWQCB, Region No. 4, regulates water quality in the Specific Plan area under the State of California's Porter-Cologne Water Quality Control Act through the regulatory standards and objectives set forth in the water quality control plan (referred to as the Basin Plan) prepared for the region. The Basin Plan identifies existing and potential beneficial uses and provides numerical and narrative water quality objectives to protect those uses. The current Basin Plan was approved on February 23, 1995 and is currently undergoing an update.

Impaired Water Bodies and Total Maximum Daily Loads

In accordance with Section 303(d) of the Clean Water Act, state governments must present USEPA with a list of "impaired water bodies," defined as those water bodies that do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. The law requires the development of actions, known as total maximum daily loads (TMDLs), to improve water quality of impaired water bodies. The TMDL is the quantity of a pollutants that can be safely assimilated by a water body without violating water quality standards. The listing of a water body as impaired does not necessarily suggest that the water body cannot support the beneficial uses; rather, the intent is to identify the water body as requiring future development of a TMDL to maintain water quality and reduce the potential for future water quality degradation. NPDES permits for water discharges must take into account the pollutants which have caused a water body to be listed as impaired. Specific requirements for the permits would be specified in the TMDL for that pollutant.

Municipal Storm Water Permits

On December 13, 2001, the LA RWQCB adopted Order 01-182, the National Pollutant Discharge Elimination System Permit for Municipal Stormwater and Urban Runoff Discharges within the County of Los Angeles. Order 01-182 covers 84 cities and the unincorporated areas of Los Angeles County under County jurisdiction, with the exception of the cities of Avalon and Long Beach and the portion of the Los Angeles County in the Antelope Valley that includes the cities of Lancaster and Palmdale. Order 01-182 designates the Los Angeles County Flood Control District as the Principal Permittee, and the County of Los Angeles along with 84 incorporated cities are designated as Permittees. The Principal Permittee coordinates and facilitates activities necessary to comply with the requirements of Order 01-182, but is not responsible for ensuring the compliance of any Permittee. The City of Downy is one of the cities included in the LA County Flood Control jurisdiction, which is overseen by the Watershed Management Division.

Construction Stormwater NPDES Permit

The federal Clean Water Act prohibits discharges of storm water from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California and has adopted a Statewide General Permit for Stormwater Discharges Associated with Construction Activity (Construction General Permit, Order No. 99-08) that encompasses one or more acres of soil disturbance. Effective July 1, 2010 all dischargers are required to obtain coverage under the newer Construction General Permit Order 2009-0009-DWQ, adopted on September 2, 2009. Construction activities includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities (removal or replacement).

In general, the Construction General Permit requires that the landowner and/or contractor submit a notice of intent (NOI) and develop and implement a storm water pollution prevention plan (SWPPP). It is the responsibility of the landowner to obtain coverage under this General Permit prior to commencement of construction activities. To obtain coverage, the landowner must file an NOI with a vicinity map and the appropriate fee to the SWRCB. The NOI requirements of the General Permit are intended to establish a mechanism which can be used to clearly identify the

responsible parties, locations, and scope of operations of dischargers covered by the General Permit and to document the discharger's knowledge of the requirements for a SWPPP. The SWPPP includes a site map(s) showing the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the site. The SWPPP must also specify BMPs that will be used to protect storm water runoff as well as the placement of those BMPs; a visual monitoring program; a chemical monitoring program for non-visible pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed as an impaired water body for sediment. Measures for erosion and sediment control, construction waste handling and disposal, and post-construction erosion and sediment control must also be addressed, along with methods to eliminate or reduce non-storm water discharges to receiving waters. The SWRCB is in the process of updating this permit.

Local Plans and Policies

LARWQCB requires that certain new and redevelopment projects comply with the Standard Urban Storm Water Mitigation Plan (SUSMP). The SUSMP was designed to ensure that storm water pollution is mitigated by incorporating BMPs during design, construction, and post construction activities. It also ensures that storm water runoff is managed for water quality concerns in addition to flood protection, and, to the extent practicable, that pollutants carried by storm water are retained on-site and not delivered to waterways.

BMPs for the construction phase would include: proper stockpiling and disposal of debris, concrete, and soil; protecting existing storm drain inlets; stabilizing disturbed areas; erosion controls; proper management of construction materials; waste management; aggressive litter control; and sediment controls.

The Los Angeles County Drainage Area Master Plan includes the following definitions for BMPs to control storm water runoff in urban areas to reduce the amount of urban pollutants entering waters of the state or nation:

- Structural BMPs are physical features or controls which may include secondary containment, first flush diversion, detention/retention basins, oil/grease separators, grass swales, and engineering and design modification of existing structures.
- Non-structural BMPs are activities or programs to educate the public on proper disposal of hazardous/toxic waste, street sweeping and facility maintenance, and illegal dumping.

Downey General Plan

The City of Downey has established goals, policies and programs in regards to hazards within the *Downey General Plan Vision 2025 Chapter 4. Conservation* and *Chapter 5. Safety*. The following relevant goals, policies, and programs are summarized below:

Goal 4.3 Reduce the contaminant level at beaches and oceans.

Policy 4.3.1 Reduce the contaminant level of stormwater and urban runoff generated within Downey.

Program 4.3.1.1 Provide treatment of runoff generated by properties on-site before release into the storm drain system.

Program 4.3.1.2 Discourage activities that generate pollutants on parking lots, and public streets.

Program 4.3.1.3 Promote effective street cleaning.

Program 4.3.1.4 Encourage proper storage and handling of construction materials to avoid the contact of pollutants with storm water runoff during construction.

Program 4.3.1.5 Preserve existing naturally vegetated areas and encourage re-vegetation and soil restoration where feasible.

Goal 5.6 Minimize the potential adverse impacts from flooding.

Policy 5.6.1 Protect life and property from flooding hazards.

Program 5.6.1.1 Continue to participate in the Federal Emergency Management Agency flood program.

Program 5.6.1.2 Educate the public that the City is in "X" flood zone where flood insurance is no longer mandatory.

Program 5.6.1.3 Mitigate hazards from possible dam or levee failure including the raising of bridges and levees along rivers, including areas outside the city.

Policy 5.6.2 Minimize the potential for flooding due to stormwater generation.

Program 5.6.2.1 Minimize increases in the amount of stormwater generated by existing and proposed land uses.

Program 5.6.2.2 Maximize the amount of pervious surfaces on properties to absorb stormwater and decrease runoff volumes.

Program 5.6.2.3 Preserve existing naturally vegetated areas and encourage re-vegetation and soil restoration where feasible.

3.11.3 Impacts and Mitigation Measures

Significance Criteria

In accordance with Appendix G of the *CEQA Guidelines*, implementation of the Specific Plan would be considered to have a significant impact on hydrology and water quality if it would:

a) Violate any water quality standards or waste discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site.

d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river or, by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

e) 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.

f) Otherwise substantially degrade water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.

Based on the proposed Specific Plan and its physical setting, the Specific Plan would not result in impacts related to the following criteria. No impact discussion is provided for these topics for the following reasons:

Failure of a Levee or Dam. The Specific Plan area is located in the inundation area of the Whittier Narrows Dam. However, the dam is infrequently used to store water. In addition, the dam is regulated by the Division of Safety of Dams, which requires dams to meet stringent seismic criteria and undergo routine maintenance and inspection. Therefore, the potential for a catastrophic release from the dam is considered a very low probability that would result in no identified impact with implementation of the proposed Specific Plan.

Seiches, Tsunamis, and Mudflows. The project area is not located near an enclosed body of water capable of producing seiche-related waves and is too far inland to be at risk for tsunami hazards. The relatively flat topography of the project area is also not in an area susceptible to mudflows. Therefore, there is no impact related to seiche, tsunami, or mudflow.

Impacts and Mitigation Measures

Impact HYD-1: Construction associated with the proposed Specific Plan could adversely affect water quality and drainage patterns in the short term due to erosion and sedimentation. (Less than Significant)

Construction activities undertaken to implement transportation improvements and subsequent development projects in the Specific Plan could include excavation, soil stockpiling, boring, and/or grading activities that strip existing vegetation prior to the installation of impervious surfaces. Soil erosion is probable during construction and resulting water quality problems in receiving waters could include turbidity, increased algal growth, oxygen depletion, or sediment buildup thereby degrading aquatic habitats. Sediment from project-induced erosion could also ultimately accumulate in downstream drainage facilities and interfere with stream flow, thereby aggravating downstream flooding conditions.

Depending on the project location, impaired storm water runoff could be intercepted by local storm drain catch basins, culverts, flood control channels, and ultimately discharged into receiving waters. Most runoff in urban areas is eventually directed to either a storm drain or water body, unless allowed to stand in a detention area and filter into the ground. For this reason, even projects not directly adjacent to or crossing a sensitive area could have an impact. However, all projects that would disturb one acre or more are required to prepare and implement a SWPPP, in accordance with the SWRCB's General Construction Permit. The SWPPP would include erosion control measures such as those listed below:

- Limiting excavation and grading activities during the dry season only (April 15 to October 15), to the extent possible. This would reduce the chance of severe erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.
- If excavation does occur during the rainy season, storm water runoff from the construction area can be regulated through a storm water management/erosion control plan that may include temporary on-site silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material are generally covered and runoff diverted away from exposed soil material. Sediment basin/traps would be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment would be removed from the basin or trap and placed at a suitable location on-site, away from concentrated flows, or removed to an approved disposal site.
- Temporary erosion control measures would be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into receiving waterways.
- After completion of grading, erosion protection would be provided on all exposed soils either by revegetation or placement of impervious surfaces. Revegetation would be facilitated by mulching, hydroseeding, or other methods and initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- Permanent revegetation/landscaping shall emphasize drought-tolerant perennial ground coverings, shrubs, and trees.

- BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, and vandalism. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals should be designated as responsible for prevention and cleanup activities.

Incorporation of these or equivalent practices would be expected to reduce this potentially significant impact on water resources during construction to a less-than-significant level if incorporated.

Mitigation: None required.

Impact HYD-2: Implementation of the Specific Plan could adversely affect water resources in the long-term by reducing permeable surfaces, which could degrade water quality in receiving waters, decrease groundwater recharge, or alter drainage patterns. (Less than Significant)

Subsequent development projects in the Specific Plan area could result in the expansion or reconfiguration of existing development that might increase the overall amount of impervious surface areas. The project area is currently largely developed; however, redevelopment could result in a net increase of impervious surfaces. Increasing the total area of impervious surfaces can result in a number of potential impacts associated with increased volume of runoff and a greater potential to introduce pollutants to receiving waters. Urban runoff can carry a variety of pollutants, such as oil and grease, metals, sediment, and pesticide residues from roadways, parking lots, rooftops, landscaped areas, and other surfaces, and deposit them in adjacent waterways. Pollutant concentrations in urban runoff are extremely variable and are dependent on storm intensity, land use, elapsed time between storms, and the volume of runoff generated in a given area that reaches receiving waters. The most critical time for urban runoff effects is in autumn under low flow conditions. Pollutant concentrations are typically highest during the first major rainfall event after the dry season, known as the “first flush.”

Water quality in storm water runoff is regulated locally by the Los Angeles County Stormwater Urban Management Plan (SUSMP) and the municipal storm water requirements set by the RWQCB. Adherence to these requirements causes new development and redevelopment projects to incorporate treatment measures and other appropriate source control and site design features that reduce pollutants in runoff to the maximum extent practical (LA County, 2002). Many of these requirements result in the construction of Low Impact Development (LID) techniques such as use of on-site infiltration through landscaping or vegetated swales that reduce pollutant loading in off-site discharges. Incorporation of these types of source control design measures can even potentially improve upon existing conditions.

As stated above, the Specific Plan area is already largely developed and widely covered by impervious surfaces. A net increase in impervious surfaces might affect the amount of precipitation that is recharged to the shallow aquifer. However, as new development and redevelopment occurs, on-site drainage plans would be designed to retain, capture and convey increased runoff in accordance with the SUSMP design standards. As a result, storm water flows generated from the project area would remain unchanged, or potentially decrease, following implementation of the proposed project, which would therefore not affect the drainage system in the Specific Plan area or result in decreased recharge. Adherence to these stringent requirements would result in a less than significant impact related to water quality in storm water runoff, groundwater recharge, and generally altering drainage patterns.

Mitigation: None required.

Impact HYD-3: Implementation of the Specific Plan could adversely affect groundwater resources in the long-term by increasing groundwater demand and/or reducing permeable surfaces, which could decrease groundwater recharge. (Less than Significant)

The project area is currently largely developed and mostly covered in impervious surfaces. However, as described above, development and redevelopment projects in the Specific Plan area could reconfigure existing impervious surface areas resulting in a relatively unchanged or potentially reduced area of impervious surfaces with implementation of design standards. Decreasing the total area of impervious surfaces could result in an increased area allowing direct recharge of precipitation.

The City of Downey Public Works Department is responsible for supplying 17,500 acre feet of water for domestic use and fire protection. The City maintains and operates a total of 29 well sites (only 20 wells are currently active) and also provides water supply for irrigation purposes through the use of recycled water. The City pumps the groundwater supply water from the Central Basin as allocated by the Central Basin Judgement and administered by the California Department of Water Resources. The allotted annual water usage allows a 20 percent carry over each year. The Central Basin groundwater supplies are managed according to the 2005 Urban Water Management Plan, which accounts for future growth within the basin. The management of the water resource in the Central Basin is based upon Watermaster Services under the Central Basin Court Judgment. The Watermaster assists with administration and enforcement of the provisions of the Judgment. Among other duties, the Watermaster monitors extractions and reports all significant water related events in the Basin to the Court and to the parties in the Judgment. The activities of the Watermaster are key components for the effective management of the groundwater resources of the Basin

In addition, the City provides a Water System Master Plan that accounts for future growth such as the proposed Specific Plan. Implementation of the Specific Plan would result in an increase in water demand of 477 acre-feet per year (City of Downey, 2010, see Appendix 8). Long-term reliability of groundwater resources is administered by the City's 2005 Urban Water Management

Plan and Water System Master Plan, which take into account current state and federal planning related to state water supply resources. According to the Water Supply Assessment (see Appendix 8) provided for the proposed project, sufficient water supplies would be available from groundwater, groundwater storage, and the CBMWD to provide potable water demands generated by the Downtown Downey Specific Plan throughout its buildout. The Water Shortage Contingency Plan summarized in the Water Supply Assessment for the Specific Plan provides measures to be implemented in the event of extreme limitations on water supply (see Appendix 8 of this Draft EIR).

The proposed increase of 477 acre-feet per year has been incorporated into the City's water management plan and is also factored into the 2005 Urban Water Management Plan for the Central Basin. The purpose of these plans is to ensure that groundwater supply resources are managed according to existing as well as future demand. They incorporate use of imported water for recharge and use of recycled water. Therefore, the proposed increases from the Specific Plan have already been analyzed within these groundwater management plans and would not have significant impact on groundwater supplies.

Mitigation: None required.

Impact HYD-4: Implementation of the Specific Plan could result in additional runoff exceeding the capacity of existing storm water facilities and increasing potential flooding of receiving waters and areas in downstream. (Less than Significant)

The potential for reconfiguration of impervious surfaces within the proposed Specific Plan could potentially affect runoff volumes causing downstream flooding. Currently, there are areas within the Specific Plan area where existing storm water facilities are undersized and prone to flooding. Floodplains are areas that are periodically inundated during high flows of nearby streams or high water levels in ponds or lakes. The project area is located within a 500-year floodplain as mapped by FEMA. New development within the Specific Plan area would not be required to obtain flood insurance.

The total net change of impervious surfaces under the proposed Specific Plan is not possible to identify with certainty, but considering that the Specific Plan area is already largely developed, any significant increase is unlikely. The Specific Plan contains landscaping requirements that may actually increase pervious surfaces for some areas. As new development and redevelopment occurs, on-site drainage plans would be designed to retain, capture and convey increased runoff in accordance with the County of Los Angeles' SUSMP design standards to mitigate or avoid flood hazards. Furthermore, compliance with SUSMP requirements would ensure that storm water flows generated from the project area would remain unchanged, or potentially decrease, following implementation of the proposed project, which would therefore not affect the drainage system in the project area. This project would not, therefore, result in flooding on- or off-site.

Mitigation: None required.

Cumulative Impacts

Impact HYD-5: Concurrent implementation of the proposed Specific Plan and projected regional development could contribute to degradation of regional water quality, reduction of groundwater recharge, or result in increased flooding hazards. (Less than Significant)

Implementation of projects in the Specific Plan could result in indirect cumulative impacts on water resources by accommodating future planned urban development that would have the potential to alter drainage patterns and impact water quality. In addition, any increases in impervious surfaces could create higher erosion rates as well as reduce groundwater recharge. The Specific Plan and other future projects in the region would be required to comply with drainage and grading ordinances intended to control runoff and regulate water quality at each development site. New projects would be required to demonstrate adequate capacities of storm water volumes that would be managed by downstream conveyance facilities. The Los Angeles County SUSMP requirements regarding water quality, and NPDES permitting requirements apply throughout the region. All construction work meeting the minimum disturbance area of one acre would require permits from the RWQCB which requires all activities to incorporate Best Management Practices that minimize adverse effects to water quality. Therefore, the effect of the Specific Plan on water quality and hydrology, in combination with other foreseeable projects, would not be significant.

Mitigation: None required.

3.12 Biological Resources

This section describes the biological resources that could be affected by development under the proposed Specific Plan. Few biological resources exist within the Specific Plan area, and as a result, few would be affected. Nonetheless, this section describes the environmental setting of the Specific Plan area, the regulatory framework, and potential impacts on biological resources, feasible mitigation measures that would reduce or avoid potential impacts to biological resources are provided to avoid significant impacts to such resources within the Specific Plan area.

3.12.1 Environmental Setting

Regional Setting

The project site is located entirely within an urban environment with vase expanses of impermeable services (e.g., asphalt, concrete and buildings). Significant open spaces in the region are located well outside of the City of Downey and include the Santa Monica Mountains to the north, Puente Hills and San Gabriel Mountains to the east, the Santa Ana Mountains to the south, and the Pacific Ocean to the west. The project site is situated approximately one and one-half miles east of the Rio Hondo River channel, two and one quarter miles to the northeast of the Rio Hondo and Los Angeles River channel confluence, and approximately one and one quarter mile west of the San Gabriel River channel.

Local Setting

Downey is a fully developed community with few vacant properties. Therefore, existing land uses of the project site include urban development, which is contiguous for several miles in all directions. No native vegetation can be found within or adjacent to the project site, except that which may have been planted for landscape purposes. Vegetation found in the area is comprised of urban landscaping and street trees.

Habitat Types

Urban street trees, and the limited habitat they provide for common birds, are the only biological resources found within or adjacent to the project site. Because of the surrounding built environment, no mammals other than raccoons, domestic dogs and cats occur in the area, nor do any reptilian species. Common native and non-native bird species may find shelter and nesting opportunities within the mature street trees located in the area. Some native bird species that may be present include mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), northern mocking bird (*Mimus polyglottos*), Anna's hummingbird (*Calpte anna*), American crow (*Corvus brachyrhynchos),* and goldfinch (*Carduelis* sp.). Non-native avian species that could be present include house sparrow (*Passer domesticus*), European starling (*Sturnus vulgaris*), and rock dove (*Columba livia*). On rare occasions, raptors such as red-tailed hawks (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), or Cooper;s hawk (*Accipiter cooperii*) could be found perched in large mature trees.

Wildlife Movement

Habitat linkages provide a connection between two or more habitat areas that are often larger or superior in quality to the linkage. Such linkages can be quite small or constricted, but can be vital to the long-term health of connected habitats. Linkage values are often addressed in terms of "gene flow" between populations, with movement potentially taking many generations. The U.S. Court of Appeals, Ninth Circuit, has defined wildlife corridors as "…avenues along which wide-ranging animals can travel, plants can propagate, genetic interchange can occur, populations can move in response to environmental changes and natural disasters, and threatened species can be replenished from other areas."

There are no wildlife movement corridors within the vicinity of the project site. The portions of the Rio Hondo and San Gabriel Rivers that occur west and east of the project site, respectively, do not support wildlife movement. This is primarily because these systems are cement-lined and bisect urban development for several miles, and therefore do not provide for linkages to habitat areas.

Special-Status Species

Special-Status Species Definition

Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized by federal, state, or other agencies. Some of these species receive specific protection that is defined by federal or state endangered species legislation. Others have been designated as "sensitive" on the basis of adopted policies and the expertise of state resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as "special-status species" in this report, following a convention that has developed in practice but has no official sanction. Special-status species include:

- Species listed or proposed for listing as threatened or endangered, or are candidates for possible future listing as threatened or endangered, under the Federal Endangered Species Act (FESA) or the California Endangered Species Act (CESA);
- Species that meet the definitions of rare or endangered under the California Environmental Quality Act (CEQA) (*CEQA Guidelines* Section 15380);
- Plants listed as rare under the California Native Plant Protection Act (California Department of Fish and Gane Code 1900 *et seq*.);
- Plants considered by the California Native Plant Society (CNPS) to be rare, threatened, or endangered (List 1B and 2 plants) in California (Skinner and Palvik, 2004);
- Plants listed by the CNPS as plants in which more information is needed to determine their status and plants of limited distribution (List 3 and 4 plants) (Skinner and Palvik, 2004);
- Animals species of special concern to the California Department of Fish and Game (CDFG); and/or
- Animals fully protected in California (CDFG Code Sections 3511, 4700, and 5050).

A review of CDFG's California Natural Diversity Database (CNDDB) was conducted. The CNDDB documents records of the location and, when possible, the status of declining or vulnerable species. Occurrences are only noted in the CNDDB if a site has been previously surveyed during the appropriate season, a detection was made, and the observation was reported and entered into the database. Therefore, the CNDDB is not the only means of determining if a special-status species may be present. The potential for special-status species to occur on a project site is typically based on the proximity of the site to previously recorded occurrences in the CNDDB, on-site vegetation and habitat quality, topography, elevation, soils, surrounding land uses, habitat preferences, and geographic ranges of special-status plant and wildlife species known to occur in the region.

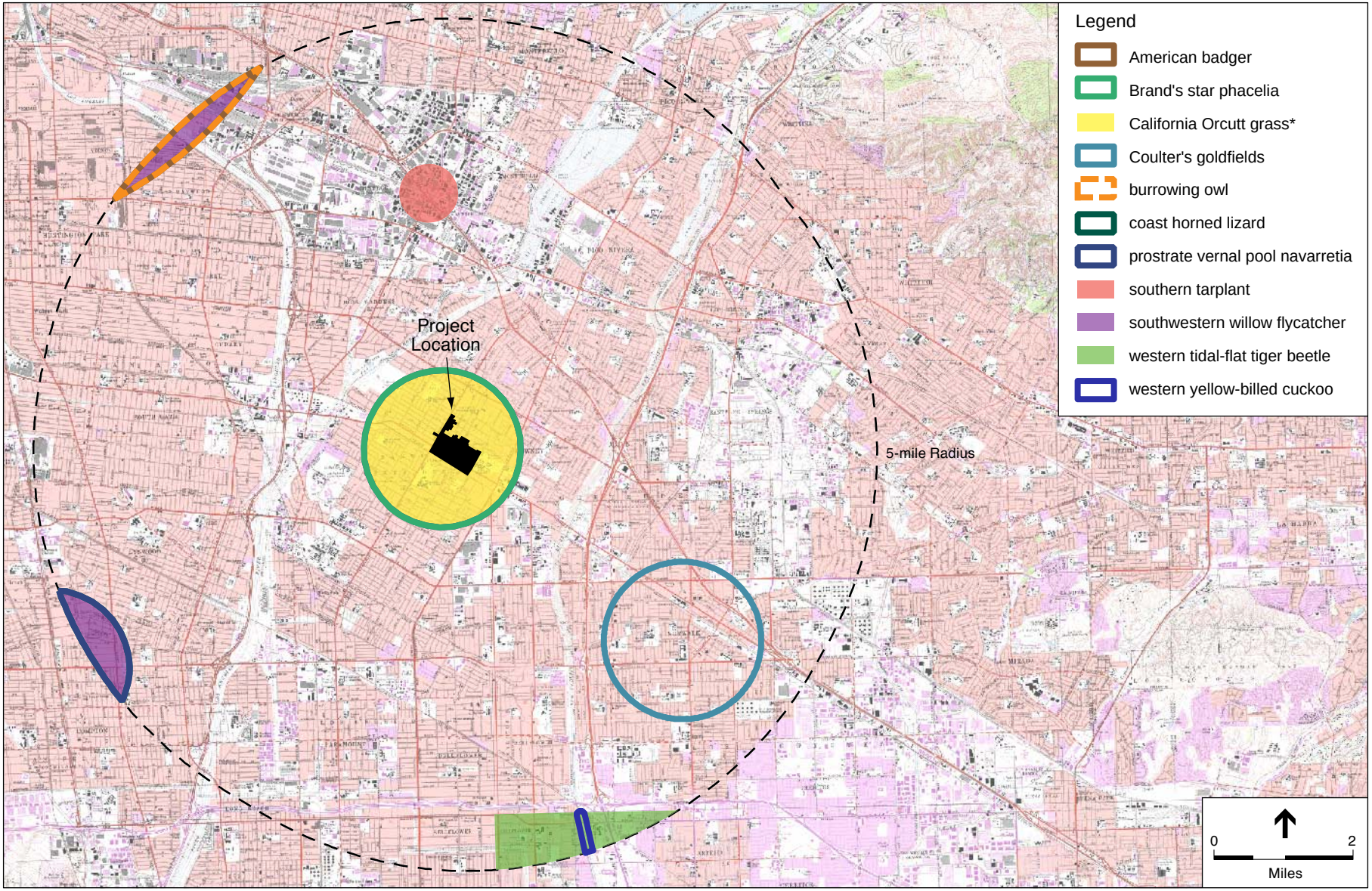
The CNDDB search included the South Gate USGS Quadrangle (ie, project location) and the surrounding eight quadrangles, Hollywood, Los Angeles, El Monte, Whittier, Los Alamitos, Long Beach, Torrance, and Inglewood. There are no recorded occurrences of special-status species within the South Gate quadrangle, and based on the disturbed environment in which the project site is located (i.e., lack of suitable habitat), none are anticipated to occur within this quadrangle. Recorded occurrences of special-status species have been documented approximately 7 miles northeast in the Puente Hills, approximately 18 miles northwest in the Hollywood Hills, in the upper reaches of the Rio Hondo and San Gabriel Rivers, and in other native habitats areas found within the Los Angeles Basin. It should be noted that some special-status bat species (e.g., pallid bat, *Antrozous pallidus*) are known to occur in abandoned buildings and under bridges. However, these potential bat roost sites are not found within the vicinity of the Specific Plan project site. Provided below in **Figure 3.12-1** are recorded occurrences of special-status species recorded in the region of the project site.

3.12.2 Regulatory Framework

Federal

Federal Endangered Species Act

Under FESA, the Secretary of the Interior and the Secretary of Commerce jointly have the authority to list a species as threatened or endangered (16 USC 1533(c)). Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed or proposed species may be present in the project region and determine whether the proposed project would have a potentially significant impact on such species. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under FESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536(3), (4)). Project-related impacts to these species or their habitats would be considered "significant." The "take" prohibition of the FESA prohibits any action that adversely affects a member of an endangered or threatened species.



* The one known occurrence of Orcutt grass is undated. This habitat has long been removed and there is no potential for occurrence or impact.

SOURCE: CNDDB, 2010.

Downey Downtown Specific Plan . 209167

Figure 3.12-1
Special-Status Species Recorded in the Region of the Project Site

Sections 4(a)(3) and (b)(2) of FESA require the designation of critical habitat to the maximum extent possible and prudent based on the best available scientific data and after considering the economic impacts of any designations. Critical habitat is defined in section 3(5)(A) of FESA as (1) areas within the geographic range of a species that are occupied by individuals of that species and contain the primary constituent elements (physical and biological features) essential to the conservation of the species, thus warranting special management consideration or protection, and (2) areas outside of the geographic range of a species at the time of listing but that are considered essential to the conservation of the species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA), first enacted in 1918, domestically implements a series of treaties between the United States and Great Britain (on behalf of Canada), Mexico, Japan, and the former Soviet Union that provide for international migratory bird protection. The MBTA authorizes the Secretary of the Interior to regulate the taking of migratory birds; the act provides that it shall be unlawful, except as permitted by regulations, "to pursue, take, or kill any migratory bird, or any part, nest or egg of any such bird…" (U.S. Code Title 16, Section 703). This prohibition includes both direct and indirect acts, although harassment and habitat modification are not included unless they result in direct loss of birds, nests, or eggs. The current list of species protected by the MBTA includes several hundred species and essentially includes all native birds. Permits for take of nongame migratory birds can be issued only for specific activities, such as scientific collecting, rehabilitation, propagation, education, taxidermy, and protection of human health and safety and personal property.

Clean Water Act

In accordance with Section 404 of the federal Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) regulates discharge of dredged or fill material into waters of the United States. Waters of the United States and their lateral limits are defined in Title 33, Part 328.3(a) of the Code of Federal Regulations to include navigable waters of the United States, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. Waters of the United States are often categorized as "jurisdictional wetlands" (i.e., wetlands over which USACE exercises jurisdiction under Section 404) and "other waters of the United States" when habitat values and characteristics are being described. "Fill" is defined as any material that replaces any portion of a water of the United States with dry land or that changes the bottom elevation of any portion of a water of the United States. Any activity resulting in the placement of dredged or fill material within waters of the United States requires a permit from USACE.

In accordance with Section 401 of the CWA, projects that apply for a USACE permit for discharge of dredged or fill material must obtain water quality certification from the appropriate RWQCB indicating that the proposed project would uphold State of California water quality standards.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, waters of the state fall under the jurisdiction of the appropriate RWQCB. Under the act, the RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution to achieve and maintain these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to a water quality certification or waiver under Section 401 of the CWA.

State

State Endangered Species Act

Under the California Endangered Species Act (CESA), CDFG is responsible for maintaining a list of threatened and endangered species (California Fish and Game Code, 2007), candidate species, and species of special concern. Pursuant to the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present within the project region and determine whether the proposed project would have a potentially significant impact on such species. In addition, the CDFG encourages informal consultation on any proposed project that may impact a candidate species. If there were project-related impacts to species on CESA's threatened and endangered list, they would be considered "significant." Impacts to "species of concern" would be considered "significant" under certain circumstances, discussed below.

Although threatened and endangered species are protected by specific federal and state statutes, *CEQA Guidelines* Section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants or animals. This section was included in the CEQA Guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on, for example, a candidate species that has not yet been listed by either the USFWS or CDFG. Thus, CEQA provides an agency with the ability to protect a species from a project's potential impacts until the respective government agencies have an opportunity to designate the species as protected, if warranted.

California Department of Fish and Game Code Sections 2080 and 2081

Section 2080 of the State Fish and Game Code states, "No person shall import into this state [California], export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission [State Fish and Game Commission] determines to be an endangered species or threatened species, or attempt any of those acts, except as otherwise provided in this chapter, or the Native Plant Protection Act, or the California Desert Native Plants Act." Pursuant to Section 2081 of the Code, the CDFG may authorize individuals or public agencies to import, export, take, or possess, any state-listed endangered, threatened, or

candidate species. These otherwise prohibited acts may be authorized through permits or Memoranda of Understanding if: (1) the take is incidental to an otherwise lawful activity, (2) impacts of the authorized take are minimized and fully mitigated, (3) the permit is consistent with any regulations adopted pursuant to any recovery plan for the species, and (4) the applicant ensures adequate funding to implement the measures required by CDFG. The CDFG makes this determination based on available scientific information and considers the ability of the species to survive and reproduce. Due to the potential presence of state-listed rare, threatened, or endangered species on the project site, Sections 2080 and 2081 of the Code were considered in this evaluation.

California Department of Fish and Game Code Sections 3503 and 3503.5 – Protection of Bird Nests and Raptors

Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptors (i.e., species in the orders Falconiformes and Strigiformes), including their nests or eggs. Typical violations of these codes include destruction of active nests resulting from removal of vegetation in which the nests are located. Violation of Section 3503.5 could also include failure of active raptor nests resulting from disturbance of nesting pairs by nearby project construction. This statute does not provide for the issuance of any type of incidental take permit.

California Department of Fish and Game Code Section 1602 – Streambed Alteration

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFG under Section 1602 of the California Fish and Game Code. Under Section 1602, it is unlawful for any person, governmental agency, or public utility to do the following without first notifying CDFG: substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. A stream is defined as a body of water that flows at least periodically or intermittently through a bed or channel that has banks and supports fish or other aquatic life. This definition includes watercourses with a surface or subsurface flow that supports or has supported riparian vegetation. CDFG's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife. A CDFG streambed alteration agreement must be obtained for any project that would result in an impact on a river, stream, or lake.

California Department of Fish and Game Code–Fully Protected Species

Protection of fully protected species is described in Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species. CDFG is unable to authorize incidental take of fully protected species when activities are

proposed in areas inhabited by those species. CDFG has informed nonfederal agencies and private parties that they must avoid take of any fully protected species in carrying out projects.

Native Plant Act

The Native Plant Protection Act includes measures to preserve, protect, and enhance rare and endangered native plants. The list of native plants afforded protection pursuant to the Native Plant Protection Act includes those listed as rare and endangered under the CESA. The Native Plant Protection Act provides limitations on take as follows: "No person will import into this state, or take, possess, or sell within this state" any rare or endangered native plant, except in compliance with provisions of the act. Individual landowners are required to notify the CDFG at least 10 days in advance of changing land uses to allow the CDFG to salvage any rare or endangered native plant material. Due to the absence of state-listed rare, threatened, or endangered plant species on the project site, the Native Plant Protection Act was not considered in this evaluation.

Local

City of Downey 2025 General Plan

The Conservation Element of the Downey General Plan contains goals, policies, and programs relating to the preservation of trees within the City. These goals, policies and programs are described below.

Goal 4.4 Preserve trees wherever possible

Policy 4.4.1 Preserve trees on private and public property

- **Program 4.4.1.1** Discourage the removal of trees on private and public property.
- **Program 4.4.1.2** Adopt a tree preservation ordinance requiring a permit to remove mature trees.
- **Program 4.4.1.3** Promote the installation of new trees when damaged or dying trees are removed.
- **Program 4.4.1.4** Maintain an inventory of significant trees on private property.

3.12.3 Impacts and Mitigation Measures

Significance Criteria

Based on the *CEQA Guidelines*, a project may be deemed to have a significant effect on the environment with respect to biological resources if it would:

- 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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;

- 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 U.S. Fish and Wildlife Service;
- 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;
- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance; and/or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or approved local, regional, or state habitat conservation plan.

Impact and Mitigation Measures

Impact BIO-1: 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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. (Less than Significant)

The complete urbanization of the City of Downey prohibits the possibility of any special-status species to occur within the city's limits and therefore be affected by the proposed project. Moreover, there are no recorded occurrences of special-status species in the vicinity of the project area.

The proposed project could affect nesting native birds that have the potential to occur on or adjacent to the site. The project site contains some large street trees that could provide nesting opportunities for resident birds. Impacts to individual nesting or migratory birds could occur if these species were nesting or foraging on or adjacent to the construction areas at the time of construction. Removal of trees or shrubs that provide nesting habitat could result in the direct mortality of birds. Tree removal, construction noise, vibrations, and human disturbance could cause nest abandonment, death of the young, or loss of reproductive potential at active nests located near project activities. Implementation of Mitigation Measure BIO-1 would reduce potential impacts to nesting and migratory birds to a less than significant level.

> **Measure BIO-1:** Should project construction be scheduled to commence between February 1 and August 31, a pre-construction survey will be conducted by a qualified biologist. The survey shall cover all reasonably potential nesting locations located on or closely adjacent to the project site. This survey will occur within 30 days of the on-set of construction. A survey shall also be conducted no more than five days prior to initiation of clearance or construction work. If ground disturbance activities are delayed, additional pre-construction surveys will be conducted such that no more than five days will have elapsed between the last survey and the commencement of ground disturbance activities.

If an active nest is located, a biologist qualified biologist shall determine a suitable buffer distance, which shall be placed around the nest and shall remain off-limits to construction until it is determined (by a biologist) that the next is no longer in use.

Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel shall be instructed on the sensitivity of nest areas.

Significance After Mitigation: Less than significant.

Impact BIO-2: 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 U.S. Fish and Wildlife Service. (No Impact)

There are no riparian habitats or other sensitive natural communities located in the vicinity of the project site. Moreover, the three river channels located within the City of Downey (i.e., Rio Hondo, San Gabriel, and Los Angeles) are cement- or riprap-lined (San Gabriel River along Firestone Boulevard) and support limited vegetation. All of the rivers are separated from the Specific Plan area by residential and commercial development.

Mitigation: None required.

Impact BIO-3: 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. (No Impact)

Implementation of the Specific Plan project would not result in a direct or indirect impact to the three river channels located within the City of Downey (i.e., Rio Hondo, San Gabriel, and Los Angeles). There are no federal or state protected wetlands located on or adjacent to the project site that could be affected.

Mitigation: None required.

Impact BIO-4: 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. (No Impact)

Implementation of the proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species and no wildlife movement corridors exist within several miles of the Specific Plan area. The Rio Hondo, San Gabriel, and Los Angeles River

channels are cement- or riprap-lined and lack substantial vegetation cover. As a result, these river channels do not provide the habitat needed to support wildlife movement, nor are they considered linkages to open space or habitats that would be used by terrestrial or avian species.

Mitigation: None required.

Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance. (Less than Significant)

Implementation of the Specific Plan could result in the removal of several mature trees located on public and private property, some of which may be considered "significant trees," according to Chapter 4, Conservation Element, Vision 2025 General Plan. Per Chapter 6, Section 7605 of the City's Municipal Code also stipulates that:

> "Any street tree removed shall be replaced if a replacement is deemed appropriate and if it is mutually agreed to by both the City and the property owner. The replacement tree shall be selected in accordance with the official Tree Specie List and Master Street Tree Plan. No public street tree will be removed/planted without having obtained a permit from the Public Works Department."

The removal of any tree identified as a significant tree would be considered permanent and irreplaceable. Implementation of **Mitigation Measures BIO-5a through BIO-5g** would recognize the General Plan and would ensure compliance with Chapter 6 of the City's Municipal Code. As a result, potential impacts would be reduced to a level of less than significant.

> **Measure BIO-5a: Coordination with Community Development Department.** The applicant shall work with the Community Development Department to identify significant trees that may be impacted by implementation of the project. If a significant tree is identified within the project site, the applicant shall work with the Public Works Department on measures to preserve significant trees.
>
> **Measure BIO-5b: Tree Permit.** No public street tree will be removed or planted without having obtained a permit from the Public Works Department.
>
> **Measure BIO-5c: Tree Survey.** The applicant shall retain a certified arborist to conduct a tree survey and evaluation of all significant trees that would be removed or potentially impacted. The survey shall identify the species and trunk diameter (when measured at 4.5 feet above the mean natural grade). The physical condition of each significant tree will be assessed and an alphabetical ranking shall be assigned to each tree ('A' being best and 'F' being worst) for rating the tree's overall health. In addition, a Tree Replacement Plan shall be developed for the development site. The Plan shall include a minimum 2-year monitoring plan that includes performance standards for measuring and evaluating the health of all replacement trees and significant trees that would be preserved.
>
> **Measure BIO-5d: Replacement Trees.** All replacement trees shall be selected in accordance with the City's official Tree Species List and Master Street Tree Plan. All replacement trees will be planted on-site, following grading activities.

Measure BIO-5e: Preservation of Significant Trees. All significant trees that would be preserved that are located within 50 feet of land clearing or areas to be graded shall be enclosed in a temporary fenced zone for the duration of the clearing or grading activities. Fencing shall extend to the root protection zone (i.e., the area at least 15 feet from the trunk or five feet from the drip line, whichever distance is greater). No parking or storage of equipment, solvents or chemicals that could adversely affect the trees shall be allowed within 25 feet of the trunk at any time. Removal of the fence shall occur only after the project biologist confirms the health of significant trees that would be preserved.

Measure BIO-5f: Construction Monitoring. A certified arborist shall periodically monitor on-site construction and grading activities occurring near all preserved significant trees to ensure that damage to these trees does not occur. Prior to initiation of construction activities, the certified arborist shall schedule a field meeting to inform personnel (involved in construction) where all protective zones are located and the importance of avoiding encroachment within the protective zones.

Significance After Mitigation: Less than significant.

3.13 Utilities and Service Systems

The purpose of this section is to assess the impacts of the proposed Downey Downtown Specific Plan on wastewater collection and treatment, water service, solid waste disposal, and storm drain systems. Various entities operate these systems and provide services to residents, businesses and other land uses in the vicinity of the Specific Plan area. The methodology for the analysis of impacts to utilities and services involved a review of web-based information about the applicable utility infrastructure. Additionally, federal, state, and local regulations were reviewed for project applicability. This section is based on a comparison of projected service needs to existing or anticipated levels of service. Cumulative impacts are determined with consideration of projected development in the project area. Where impacts on services are determined to be potentially significant, mitigation measures are recommended to ensure adequate delivery of utilities to the project.

3.13.1 Environmental Setting

The City of Downey Department of Public Works (DPW) plans and maintains the City's water, sewer collection, storm drainage collection, public facilities, and rights-of-way (ROW). Trunk sewers/treatment facilities and large storm drain facilities are owned and maintained by the Sanitation Districts of Los Angeles County (Sanitation Districts) and Los Angeles County, respectively. DPW provides essential services to Downey's population of approximately 114,000 extending over an area of approximately 12.8 square miles.

Potable Water

The City's DPW Utilities Division is responsible for providing water services in the Specific Plan area. The City's supply of potable water is from local groundwater in the Central Basin beneath the City of Downey. Approximately 4 percent of the City is served by other providers. The City of Downey both owns and leases groundwater pumping rights. Other sources include recycled water purchased from the Central Basin Municipal Water District (CBMWD), and imported Metropolitan Water District (MWD) water (for emergency use only), among other sources.

Downey is located atop the Downey Plain within the Central Basin, which is divided into three areas: the Los Angeles Forebay, Montebello Forebay, and the Central Basin Pressure Area. The City's system includes 20 active wells, located within the City's service area, and three active imported treated water connections situated on MWD's Lower Feeder, five emergency interconnections with adjacent water agencies, a single five million-gallon water reservoir in the City's Utilities Division Operation Yard, one booster station, and 271 miles of transmission and distribution piping. Two of the interagency interconnections could provide water both to and from the City of Downey. Two of the remaining three interconnections can only be used to provide water to other agencies, while one of the connections can only be utilized to provide water to the City. These connections are capable of providing water to the City in an amount of approximately 8,000 gallons per minute during an emergency. In fiscal year 2008/2009, the City pumped approximately 17, 220 acre-feet (AF) of groundwater, and leased 300 AF of water rights. No

imported water (i.e., MWD water purchased through the CBMWD) was used. **Table 3.13-1** provides historic groundwater extractions in the City from 2000/2001 through 2008/2009.

TABLE 3.13-1
HISTORICAL GROUNDWATER EXTRACTIONS AND IMPORTED WATER (in acre feet)

Water Supply Sources	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Groundwater from Central Basin	17,640 AF	17,640 AF	16,980 AF	18,240 AF	16,950 SF	17,430 AF	18,490 AF	17,660 AF	17,220 AF
Recycled Water	660 AF	730 AF	670 AF	690 AF	620 AF	610 AF	820 AF	740 AF	750 AF
Imported Water from CBMWD	0	0	0	0	0	0	0	0	0
Total Water Supply	18,300 AF	18,370 AF	17,640 AF	18,930 AF	17,570 AF	18,040 AF	19,310 AF	18,400 AF	17,970 AF

SOURCE: City of Downey, Draft 2010 Water Systems Master Plan.

In the future, the City expects to continue to use groundwater to meet its potable water supply needs. The City is therefore pursuing a program to recharge imported water into the Central Basin. Because of past overdrafts of water in the Central Basin, the Basin has the capacity to store up to 400,000 AF. The City's program would utilize up to 30,400 AF of this available storage.

The City's 2005 Urban Water Management Plan indicates increasing water demand as population increases. By FY 2029/30, potable water demand during a normal year will reach 21,156 AF and potable water supply will be 29,562 AF (see the WSA included as Appendix 8 of this Draft EIR). The City currently estimates that by 2025, normal year supply will exceed demand by approximately 6,956 AF and single-year dry year supply will exceed demand by approximately 6,343 AF.

Although the City used no imported potable water from CBMWD, it maintains agreements with CBMWD to provide redundancy or diversity in supply sources. CBMWD is a wholesaler of potable water to 24 cities (and several unincorporated areas in Los Angeles County), mutual water companies, water districts and private companies in the region. The Central Basin's service area covers approximately 227 square miles and provides water to approximately 1.61 million people (CBMWD, 2005). The CBMWD currently relies on approximately 90,600 AFY of imported water from the SWP and the Colorado River through MWD to meet the District's demands (CBMWD, 2005).

Recycled Water

The CBMWD also purchases and supplies tertiary-level treated recycled water produced by the Sanitation Districts o portions of the City of Downey. Since Fiscal Year (FY) 2000/2001, the City has purchased an average of 699 AFY of recycled water from CBMWD. The amount of recycled water used by Downey during 2008/2009 totaled 750 acre-feet (City of Downey, 2010). Recycled water is presently used for irrigation of landscaping and in several ponds within Downey. The use of recycled water has gained wide support in the community and there are more potential customers who would like to begin using recycled water to meet some of their water demand (City of Downey, 2008). CBMWD views the use of recycled water as a key component of its efforts to augment potable water supplies and reduce dependence on imported water. Likewise the City of Downey plans to continue increasing its use of recycled water in the next 20 years in the hopes of reducing its reliance on other water resources such as the pumping of groundwater and purchasing of imported supplies. According to the Sanitation Districts, and as discussed further below, the amount of recycled water available for use within the Central Basin is much greater than the amount currently being used. In addition, recycled water is not subject to hydrologic variation and is therefore anticipated to be available to meet projected demands for the next 20 years including dry year scenarios, subject to standards governing the use of recycled water (City of Downey, 2008).

The Sanitation Districts operates the Los Coyotes Water Reclamation Plant (WRP), located in the City of Cerritos.[1] The Los Coyotes WRP serves a total population of approximately 370,000 people, 52,830 of which are attributed to the City of Downey. The Los Coyotes WRP treated approximately 40,000 AFY of wastewater in FY 2004/2005, of which approximately 37,500 AFY was available for use as recycled water. Any recycled water generated from the Los Coyotes WRP that is not reused, is dechlorinated and discharged to the ocean by way of the San Gabriel River.

CBMWD purchases and resells tertiary-treated recycled water produced at the Sanitation District's Los Coyotes and San Jose Creek WRPs. The City of Downey receives its recycled water from CBMWD as part of the Central Basin Recycled Water Project. In addition to CBMWD, the City of Cerritos also purchases and resells recycled water produced at Los Coyotes WRP. Presently, the potential for recycled water use in the West and Central Groundwater Basins is much greater than the amount being used, as provided above. In fiscal year 2008/2009, the City used approximately 750 AF of recycled water. There are currently no limits on the volumes of recycled water that can be purchased, nor are any such limits anticipated in the future.

Table 3.13-2 displays the Central Basin's current and projected supplies.

[1] City of Downey, 2005 UWMP Update, 2006.

TABLE 3.13-2
CENTRAL BASIN'S PROJECTED WATER SUPPLIES (ACRE-FEET)

District Water	2005	2030
Groundwater	186,549 acre-feet	202,000 acre-feet
Imported Water	61,033 acre-feet	82,535 acre-feet
Recycled Water	5,217 acre-feet	17,900 acre-feet
Total	**252,799 acre-feet**	**302,435 acre-feet**
Conservation	21,100 acre-feet	58,400 acre-feet
Total	**273,899 acre-feet**	**360,835 acre-feet**

SOURCE: CBMWD, Urban Water Management Plan, 2005.

Between 2000 and 2005 the Central Basin's water demand increased by only one percent while population increased by more than five percent (CBMWD, 2008). Despite previous demand trends, projections show that Central Basin's water usage is expected to increase roughly one-half percent per year during the next 20 years.

Wastewater

In general, sewage is collected by City collector pipelines and conveyed to trunk sewers owned and maintained by the Sanitation Districts, District No. 2. The Sanitation Districts consists of 24 independent special districts that serve approximately 5.7 million people in Los Angeles County (Los Angeles County Sanitation Districts, 2010). Approximately 1,400 miles of trunk sewer and 11 wastewater treatment plants treat about half the wastewater within the County. The Specific Plan project site would be served by trunk lines as provided in **Table 3.13-3** below.

TABLE 3.13-3
TRUNK LINES SERVING THE PROJECT SITE

Trunk Line	Diameter (Inches)	Design Capacity (MGD)	Conveyed Peak Flow (MGD)	Excess Capacity (MGD)	Year of Flow Measurement
Downey Trunk Sewer (Located in Firestone Boulevard at Paramount Boulevard)	15 inches	1.2 MGD	0.2 MGD	1.0 MGD	2007
Old River School Road Relief Trunk Sewer (Located in 2nd Street at New Street)	15 inches	1.2 MGD	0.6 MGD	0.6 MGD	2007

SOURCE: County Sanitation Districts of Los Angeles County, March 2010.

The wastewater generated by development in the Specific Plan area would be treated at the Joint Water Pollution Control Plant and/or at the Los Coyotes Water Reclamation Plant. The Joint Water Pollution Control Plant is located in the City of Carson, has a design capacity of

400 million gallons per day (mgd) and currently processes an average flow of 281.1 mgd (Raza, 2010). The Los Coyotes Water Reclamation Plant located in the City of Cerritos, has a design capacity of 37.5 mgd and currently processes an average flow of 26.5 mgd (Raza, 2010).[2]

The City of Downey DPW Utilities Division maintains approximately 193 miles of sanitary sewers, approximately 4,250 manholes and two lift stations (City of Downey, 2010). The City's gravity sewers are all vitrified clay pipe ranging from six to 21 inches in diameter, over 90 percent of which are eight inches.

Solid Waste

Solid waste disposal services in the City of Downey are provided by CalMet Services, Inc. (CalMet). A portion of the waste collected is brought to the Downey Area Recycling and Transfer Facility (DART), which is owned by the Sanitation Districts.DART is located at 9770 Washburn Road in Downey and has a rate of disposal by CalMet of approximately 5,000 tons per month (City of Downey, 2010). In addition, approximately 2,500 tons per month is brought to Paramount Resource Recycling (PRR), which is owned by Mottra Corporation. PRR is located at 7230 Petterson Lane in Paramount. At both DART and PRR, some recyclables are separated from the waste stream and the remainder is sent to the Puente Hills Landfill or to waste-to-energy facilities for transformation. As part of the residential trash collection service provided within the City, all homes are supplied with a blue automated recycling container to collect various recyclable items, plus a green automated container to collect yard waste, which is mulched and deferred from the landfill. Waste materials are separated from recyclables with the remaining waste materials taken to the Puente Hills Landfill with a rate of disposal by CalMet of approximately 250 tons per day (City of Downey, 2010).

The Puente Hills Landfill, located near the City of Whittier, is one of the largest landfills in the nation. The Puente Hills landfill is a Class III landfill and accepts 13,200 tons per day of agricultural, ash construction/demolition, industrial, and sludge waste, as well as tires (California Department of Resources, 2010). The Puente Hills landfill has a maximum permitted capacity of 106,400,000 cubic yards (cy) and a remaining capacity of 49,348,500 cy as of October 2006 (California Department of Resources, 2010). The landfill has a projected cease operation date of October 2013. In anticipation of the landfill's closure, the Sanitation Districts has begun the Puente Hills Intermodal Facility, which is a Waste-by-Rail System that will begin operation by 2012 and will transport solid waste to the Mesquite Regional Landfill in Imperial County. The Mesquite Landfill will have a disposal capacity of 20,000 tons per day and will ensure 100 years of disposal capacity for Los Angeles County.

Storm Drains

The City of Downey, DPW, Utilities Division is responsible for the maintenance, repair and cleaning of City owned catch basins, drainage culverts, dry wells, and storm water lift stations at

[2] Ms. Adriana Raza, Facilities Planning Department, County of Sanitation Districts of Los Angeles County, March 12, 2010.

the under passes on Imperial Highway and Paramount Boulevard (City of Downey, 2010). Main line storm drains and catch basins that are not owned by the City are mostly the responsibility of the Los Angeles County Department of Public Works.

Other Facilities and Services

Electricity and Natural Gas

Southern California Edison (SCE) provides electrical service to residential and non-residential customers. SCE offers a variety of energy conservation services under Customer Assistance Programs (CAP) within the City of Downey. These services are designed to help low-income households, senior citizens, permanently disabled, and non-English speaking customers control their energy use and or lower their monthly bill. SCE is a public utility under the jurisdiction of California Public Utilities Commission (CPUC) and other agencies. Should these agencies take any action that affects electricity supply, or the conditions under which service is available, electricity service will be provided in accordance with revised conditions.

Natural gas service to the City of Downey is provided by the Southern California Gas Company (The Gas Company) whose total service territory encompasses approximately 20,000 square miles throughout central and southern California. The Gas Company offers programs to assist their lowest income clients including the California Alternative Rates Energy (CARE) program, the Direct Assistance Improvement program and the Medical Base Line Allowance program. The availability of natural gas service is based upon present conditions of gas supply and regulatory policies. The Gas Company is a public utility governed by various regulatory agencies. As stated above, should these agencies take any action that affects gas supply, or the conditions under which service is available, gas service will be provided in accordance with revised conditions. The Gas Company has indicated that gas service can be provided “from an existing gas main located in various locations” (The Gas Company, 2010).

3.13.2 Regulatory Framework

State

California Administrative Code

Title 24 of the California Administrative Code includes the California Building Standards, which in turn includes the California Plumbing Code (Part 5), which promotes water conservation. Title 20 addresses public utilities and energy and includes appliance and efficiency standards that promote water conservation. In addition, a number of state laws require water-efficient plumbing fixtures in structures.

Section 10610 of the California Water Code established the California Urban Water Management Planning Act (CUWMPA), which requires urban water suppliers to initiate planning strategies to ensure an appropriate level of reliability in its water service. CUWMPA states that every urban water supplier that provides water to 3,000 or more customers, or that annually provides more than

3,000 acre-feet of water service, should make every effort to ensure the appropriate level of reliability in its water service to meet the needs of its various categories of customers during normal, dry, and multiple-dry years. The CUWMPA describes the contents of Urban Water Management Plans as well as methods for urban water suppliers to adopt and implement the plans.

Senate Bill 610

Senate Bill (SB) 610 requires public urban water suppliers with 3,000 or more service connections to identify existing and planned sources of water for planned developments of a certain size. It further requires the public water system to prepare a specified water supply assessment for projects that meet the following criteria:

a) A proposed residential development of more than 500 dwelling units;

b) A proposed shopping center employing more than 1,000 persons or having more than 500,000 sf of floor space;

c) A commercial office building employing more than 1,000 persons or having more than 250,000 sf of floor space;

d) A hotel or motel, or both, with more than 500 rooms;

e) An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 sf of floor area; and

f) A mixed-use project that includes one or more of the projects above.

The proposed project is subject to SB 610 provisions and a water supply assessment was prepared for the project and is included in Appendix 8 as part of this Draft EIR. The components of a WSA include existing water demand, future water demand by the project, and must ensure that water is available for the project during normal years, a single dry year, and multiple dry years during a 20-year future projection period. The WSA must also describe whether the project's water demand is accounted for in the water supplier's UWMP. Supplies of water for future water supply must be documented in the WSA. A WSA has been prepared for the Specific Plan and is attached as Appendix 8 to this Draft EIR.

Senate Bill 221

SB 221 prohibits approval of land use development of more than 500 dwelling units unless the applicable public water supply system provides written verification that sufficient water supply is available. Since development of the Specific Plan would exceed 500 dwelling units, the proposed Specific Plan is subject to SB 221 before a tentative map or parcel map is approved for the project area.

Waste Water Service

The General Waste Discharge Requirement (WDR), adopted by the State Water Resources Control Board of California (SWRCB) on May 2, 2006, provides a consistent statewide approach

for reducing Sanitary Sewer Overflows (SSOs). The WDR outlines these requirements for all publicly owned sanitary sewer collection systems in California.

Solid Waste

In response to capacity and siting problems for landfills, the need for source reduction, recycling, and composting became apparent. In response to this solid waste disposal issue, three pieces of legislation regarding solid waste have been passed at the state level. AB 939 emphasizes conservation of natural resources through reduction, recycling, and reuse of solid waste, and requires that all cities and counties divert 25 percent of solid waste stream from landfills by 1995 and 50 percent by 2000. It also requires that all cities conduct a Solid Waste Generation Study and prepare a Source Reduction and Recycling Element (SRRE). In accordance with AB 939, local agencies must submit an annual report to the California Integrated Waste Management Board (CIWMB) summarizing its progress in diverting solid waste disposal.

SB 1374, passed in 2002, requires that the annual report submitted to CIWMB also include a summary of the progress made in diversion of construction and demolition waste materials. In addition, SB 1374 requires CIWMB to adopt a model ordinance suitable for adoption by a local agency to require 50 to 75 percent diversion of construction and demolition waste materials to landfills. Local agencies are required to adopt construction and demolition diversion ordinances with diversion rates in accordance with SB 1374. The City of Downey is in compliance with AB 939 and SB 1374.

The California Solid Waste Reuse and Recycling Access Act of 1991 (as amended) requires that each development project provide an adequate storage area for collection and removal of recyclable materials.

California Urban Water Conservation Council

The City is also a member of the California Urban Water Conservation Council (CUWCC), an organization created to increase efficient water use statewide through partnerships among urban water agencies, public interest organizations, and private entities. This membership obligates the City to develop and implement Best Management Practices (BMPs) for water conservation, which include:

- Water Survey Programs for Single Family and Multi Family Residential Customers;
- Residential Plumbing Retrofit;
- System Water Audits, Leak Detection and Repair;
- Metering with Commodity Rates;
- Landscape Conservation Programs and Incentives;
- High-Efficiency Washing Machine Rebate Programs;
- Public Information Programs;
- School Education Programs;
- Conservation Programs for CII Accounts;

- Conservation Pricing;
- Water Conservation Coordinator;
- Water Waste Prohibition; and
- Residential Ultra Low Flow Toilet Programs.

Regional

Regional Water Quality Control Board

Each RWQCB is required to develop, adopt, and implement a Water Quality Control Plan (Basin Plan) for its respective region. The Basin Plan is the master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulation in each region. Basin plans identify beneficial uses of surface waters and groundwater within the corresponding region; specify water quality standards, known as water quality objectives, for both surface water and groundwater; and develop the actions necessary to maintain the standards to control nonpoint and point sources of pollutants to the state's waters. All discretionary projects requiring permits from the RWQCB (i.e., waste and pollutant discharge permits) must implement Basin Plan requirements (i.e., water quality standards), taking into consideration the beneficial uses to be protected.

Local

City of Downey 2025 Vision General Plan

The following policy and programs were adopted as part of the General Plan and are relevant to the proposed project:

Policy 2.7.2 Obtain funding for necessary maintenance and upgrades to infrastructure.

Program 2.7.2.1 Promote alternative funding sources for infrastructure maintenance and upgrades.

Program 2.7.2.4 Promote funding mechanisms, such as user fees, assessment districts and impact fees, where service fees charged are based on the direct benefit derived from the services.

Program 2.7.2.5 Ensure that future development contributes its fair share on mitigating its impact on public infrastructure.

Program 2.7.2.6 Establish an impact recovery fee program so that new developments and expansions of existing developments share the cost of providing infrastructure maintenance and upgrades necessary for development.

In addition, Chapter 4. Conservation, of the General Plan provides guidance related to water conservation. In order to minimize significant increases in the price of water, Chapter 4 states that "the City must look towards public and private conservation measures to maximize the use of existing water supplies" (p. 4-2). Chapter 4 also states (p. 4-3):

> *"During the development review process, features may be added to project design that conserve water over the long term. These features include:*
>
> - *Restrict the amount of areas devoted to turf and other plant materials that requires significant amounts of water.*
> - *Use xeriscape landscaping methods.*
> - *Provide bubbler sprinklers for small boxes and basins.*
> - *Use lowflow fixtures.*
> - *Implement the use of telemetry controlled irrigation controllers.*
> - *New large (Downey Landing)or institutional consumers should procure additional water rights during the Conditional Use Permitting Process."*

Chapter 4 also notes that the use of recycled water for landscape irrigation (or other non-potable need) would significantly reduce the demand for potable water.

Downey Municipal Code

In general, Chapter 3.5, Section 7350 of the City of Downey's Municipal Code permits lawn watering and landscape irrigation with potable water only between the hours of 4 PM and 10 AM on designated irrigation days. Exceptions are provided in the Code that include the use of a hand-held hose with a shut-off nozzle; the use of a drip irrigation system, etc. Golf courses, parks, school grounds and recreational fields are permitted to use potable water for irrigation on any day and golf course greens and tees may be irrigated at other times with an approved plan. In addition, irrigation that uses recycled water is permitted on any day. Water cannot be used to wash down sidewalks, driveways, parking areas, patios or other paved areas "except to alleviate immediate fire, sanitation or health hazards" (Section 7350(b)(5)). Other measures include a prohibition against restaurants serving water to their customers unless specifically requested.

Chapter 3.5, Section 7358 of the Municipal Code includes the requirement that all private property landscaping be designed to fully comply with the City's landscaping provisions as established by the Downey Municipal Code. Section 7358(c) states:

> *"(c) Private property landscaping must be designed to fully comply with the City's landscaping provisions as listed in the Downey Municipal Code. Where possible, such landscaping/irrigation systems shall also be designed to encourage water conservation. Conservation measures should include, but not necessarily be limited to, the following:*

1) Limiting turf areas on project sites subject to City review and approval.

2) Designing all irrigation systems and submitting documentation which will ensure that proper water infiltration will occur based on soil and grading conditions.

3) Designing all irrigation systems and submitting documentation which will ensure they will supply needed quantities of water only and that these systems are fine-tuned to avoid use of unneeded water as well as avoiding overspray and run off.

4) Where appropriate, provide planters which incorporate drought tolerant ground covers, shrubs and trees.

5) Where appropriate, developers should plant fast growing, broad head trees (which shall be 24" box size trees or greater at the time of their planting) in order to provide shading and to reduce evaporation.

6) Where appropriate, plantings should be grouped into hydrazones to maximize irrigation system's efficiency."

Development Impact Fees

Development impact fees collected from developers include the Planning Entitlement Fees, Record Management Fee (0.05 percent of building permit valuation) and General Plan Maintenance Fee (0.2% of building permit valuation) among others (City of Downey, 2009). Additionally, residents are charged for refuse collection for single-family residences and pay a utility users tax on electric, gas, and telephone. No utility tax is charged for water. All of these fees are charged to provide revenues to enhance services, facilities and infrastructure.

3.13.3 Impacts and Mitigation Measures

Significance Criteria

The criteria used to determine the significance of an impact are based on Appendix G of the *CEQA Guidelines*. For this analysis, the project may result in significant impacts if it would:

a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board;

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

d) Require new or expanded water supply resources or entitlements;

e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;

f) Be served by a landfill without sufficient permitted capacity to accommodate the project's solid waste disposal needs; or

g) Conflict with federal, state, and local statutes and regulations related to solid waste.

Methodology

The proposed Specific Plan has been evaluated for conformity with the goals and programs of the City's General Plan related to utilities. The potential for adverse impacts on utilities has been evaluated based on information concerning current service levels and the ability of the service providers to accommodate the increased demand created by the project. Service letters and questionnaires were sent to the applicable utility providers concerning the implementation of the Specific Plan. The responses were used to determine levels of significance of the impacts on services and utilities as a result of the proposed project.

Summary of Impacts

All the significance criteria regarding utilities and service systems as set out by Appendix G of the *CEQA Guidelines* warrant some discussion. A WSA was prepared for the project pursuant to SB 610. The complete report is included as Appendix 8 of this document. As discussed below, the WSA concluded that the City has existing water and wastewater facilities throughout the limits of the proposed project. Depending upon the development, localized demands may or may not require improvements to the local water and sewer systems. Project applicants would be required to submit plans to the City for review and approval that describe existing water and sewer facilities and their capacity, and what is needed to serve the development site. Any upgrades, including construction or extension of water and sewer mains, groundwater wells, etc., shall be identified and implemented by the applicant prior to the issuance of building permits for the proposed development. As shown in the impact analysis, impacts from this project on City of Downey's utilities are either less than significant or would be less than significant when mitigation measures are incorporated.

Impacts and Mitigation Measures

Impact UTL-1: The proposed project could exceed wastewater treatment requirements of the RWQCB and/or require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Less than Significant)

The proposed Specific Plan would increase densities and intensities of land uses within the project area for residential, commercial and retail land uses, which would result in increases in the levels of wastewater. All effluent would comply with the wastewater treatment standards of the RWQCB. Therefore, the project would result in less than significant impacts related to the wastewater treatment requirements of the RWQCB.

Water

The proposed project would require water use during construction, primarily for periodic dust control on access roads and during earthmoving activities. However, this water use would be temporary in nature and would not generate a substantial amount of wastewater that would require treatment or disposal. As mentioned above, the proposed project would be required to adhere to the provisions of SB 610 and SB 221, which require the water supplier to prove the availability of water to serve the project (along with its other commitments to serve) over a 20-year projection, as well as required completion of a WSA.

The City has prepared a Draft 2010 Water System Master Plan, which accounts for future growth such as the proposed Specific Plan. As discussed in Section 3.2, *Population and Housing*, projected population and housing growth associated with the proposed project could slightly exceed the City's General Plan and SCAG's area projections and could induce growth elsewhere in the City, although the land use development assumptions for the proposed Specific Plan are less intense than existing land use designations. The water demand generated by the existing uses within the project site is approximately 238 AF. The addition of 735 net new residential units and the proposed increase in commercial use, as allowed under the Specific Plan at build-out, would generate a demand of approximately 685 AF of water per year. This is approximately 447 AF per year more than currently used in the Specific Plan area. The increased potable water demand included in these projections reflects the projected growth in demand from existing uses as well as future growth and development within the City. While the Proposed Project's potable water demand of 447 AFY was not specifically identified within these projections, the projected potable water demand associated with the proposed project would be part of the forecast of the potable water demand associated with future development in the City because the existing Downtown Plan would have resulted in slightly more intense development than under the Proposed Project. The Water Supply Assessment (see Appendix 8) prepared for the proposed Specific Plan indicates that historically, demand for water has not exceeded existing supply and that demand is dropping, likely as a result of the City's water conservation plan and economic recession. Development within the Specific Plan area would be required to conform to the City's municipal code requirements for water conservation and implement the BMPs required by the City for appliances and fixtures. Future demand created by development within the Specific Plan area would be accommodated by existing and future water entitlements.

As noted above, depending upon the development, localized demands may or may not require improvements to the local water system. Project applicants will be required to submit plans to the City for review and approval that describe water facilities and their capacity, and what is needed to serve the development site. Any upgrades, including construction or upsizing water mains shall be identified and implemented by the applicant prior to the issuance of building permits for the proposed development. The impacts of constructing localized improvements to water mains are discussed throughout this Draft EIR, and all mitigation measures proposed in this Draft EIR would apply to any localized utility improvements.

The proposed project would not require or result in the construction of additional off-site water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Impacts would therefore be less than significant.

Wastewater

The proposed project would intensify land uses within the project site and would, therefore, result in an increased generation of wastewater flows at the site. Any increase in wastewater generation would result in increased pressure on the current wastewater collection system in Downey and treatment systems owned by the Sanitation Districts. However, the City's General Plan requires that any development that is proposed would be evaluated to determine potential impacts on the sewer system, and any necessary sewer connection fees would be paid by the applicant (City of Downey, 2004).

Currently the Sanitation District's Downey Trunk Sewer has an excess capacity of approximately 1.0 mgd. Additionally, the Sanitation District's Old River School Road Relief Trunk Sewer has an excess capacity of approximately 0.6 mgd (Raza, 2010). Therefore, Sanitation District No. 2 would have sufficient capacity to convey the additional average wastewater flow that would be generated by the project.

All new development would be required to coordinate with Sanitation District's Will Serve Program. Development in the proposed Specific Plan would be able to connect to the local Downey sewer lines adjacent to various areas of the project site provided they have adequate capacity and/or convey any wastewater generated by the project to the nearest local sewer or Districts' trunk sewer. Depending upon the development, localized demands may or may not require improvements to the local sewer system. Project applicants will be required to submit plans to the City for review and approval that describe sewer facilities and their capacity, and what is needed to serve the development site. Any upgrades, including construction or upsizing sewer mains shall be identified and implemented by the applicant prior to the issuance of building permits for the proposed development. The impacts of constructing localized improvements to sewer mains are discussed throughout this Draft EIR, and all mitigation measures proposed in this Draft EIR would apply to any localized utility improvements. In addition, payment of a sewage system connection fee will be required for all new development within the City before building permits are issued. With the payment of these development fees and potential improvements to Downey's sewer collection system to offset the additional demand imposed by the proposed project, impacts from the proposed project would be less than significant related to wastewater treatment facilities and infrastructure.

Mitigation: None required.

Impact UTL-2: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Less than Significant)

This issue, along with potential down gradient impacts, is analyzed in Section 3.7, *Hydrology and Water Quality*. The development allowed by the Specific Plan could result in the expansion or reconfiguration of existing development which might increase the overall amount of impervious surface areas.

The total net change of impervious surfaces under the proposed Plan is not possible to identify with certainty; however, considering that the project site is already largely developed, any significant increase is unlikely. The Specific Plan Project contains landscaping requirements that may actually increase pervious surfaces for some areas. It is not anticipated that the proposed project would substantially increase the amount of impervious surfaces given the present development in the project area. The project would not create a significant change in the amount or location of additional storm runoff water. Therefore, the proposed project would not require or result in the construction of a new or expanded storm drainage facility.

Mitigation: None required.

Impact UTL-3: Require new or expanded water supply resources or entitlements. (Less than Significant)

The primary use of water during construction of the proposed project would be for dust suppression on access roads and active ground disturbance sites. It is anticipated that the work crew would bring in drinking water from off-site. Water used during the construction period would be available from the existing municipal water source and would not require local water providers to obtain additional water entitlements. As discussed in response to Impact UTL-1 above, the amount of water required for operation of the proposed project would not exceed the water purveyor's capacity. The increased potable water demand included in these projections reflects the projected growth in demand from existing uses as well as future growth and development within the City. While the Proposed Project's potable water demand of 447 AFY was not specifically identified within these projections, the projected potable water demand associated with the proposed project would be part of the forecast of the potable water demand associated with future development in the City because the existing Downtown Plan would have resulted in slightly more intense development than under the Proposed Project (see discussion under Impact UTL-1, above).

Project applicants would be required to develop a plan for water service with the City's Department of Public Works and any water service would be contingent upon payment of applicant rates and charges, which, depending on the timing of the development may or may not include:

- Funding for the purchase and/or lease of APA in the Central Basin in an amount adequate to serve the projected demand associated with development;

- Funding for participation in a groundwater storage program should one be developed by the City;
- Funding for other projects and/or programs designed to offset the potable water demands of the existing uses and/or new development.

Therefore, the proposed project would not require new or expanded water supply resources or entitlements.

Mitigation: None required.

Impact UTL-4: Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Less than Significant)

The amount of water used during construction would not significantly affect the wastewater treatment facilities' abilities to serve the proposed project's projected demand in addition to the provider's existing commitments. Please see response to Impact UTL-1 above. In addition, with the payment of development fees to offset the additional demand imposed by the proposed project, impacts from the proposed project related to the operation of new development in accordance with the proposed Specific Plan would be less than significant related to wastewater treatment facilities and infrastructure.

Mitigation: None required.

Impact UTL-5: Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs (Less than Significant).

The proposed project would result in net increase in land uses involving the construction of new residential units, commercial and retail uses within the downtown area of the City. The project could involve the demolition of the buildings, excavation, site clearance and grading. Construction activities would require the removal of asphalt and concrete, stucco, wood, and other building materials from the project area (see Section 3.9 *Hazards and Hazardous Materials* for a discussion of potential project construction and demolition hazards). In addition to the materials identified above, new construction would also generate solid waste consisting of cardboard and other paper products, metals, plastics and other building materials.

The increased intensity of development anticipated by implementation of the project would result in increased generation of solid waste. The primary landfill that would serve the project site is the Puente Hills landfill. The Puente Hills landfill's rate of disposal within the City is approximately 250 tons per day (City of Downey, 2010). The landfill currently has sufficient capacity to service

development anticipated as part of the Specific Plan, as it accepts 13,200 tons per day (California Department of Resources Recycling and Recovery, 2010). When the landfill closes in October 2012, the Puente Hills Intermodal Facility, which is a Waste-by-Rail System, will transport solid waste to the Mesquite Regional Landfill in Imperial County. The Mesquite landfill will leave a disposal capacity of 20,000 tons per day and will ensure 100 years of disposal capacity for Los Angeles County. Thus the proposed Specific Plan would not be anticipated to have any adverse impact on solid waste disposal. Therefore, the proposed project would have a less than significant impact on the landfills and solid waste.

Mitigation: None required.

Impact UTL-6: The proposed project could conflict with federal, state, and local statutes and regulations related to solid waste. (Less than Significant)

As discussed above, the proposed project would generate waste during construction and operation. Construction waste would include the one time disposal of material that could not be recycled or reused. In August 2007, the City of Downey adopted Ordinance No. 07-1217, which amends Article V of the Downey Municipal Code by adding a Chapter 8, *Construction and Demolition Waste Management*. This chapter requires a developer to prepare a Waste Management Plan, to be reviewed and approved by the City, for all construction, renovations and demolition with costs greater or equal to $100,000 or greater than 1,000 square feet (demolition only). A minimum of 100 percent of inert debris and 50 percent of all remaining debris generated by any proposed development meeting the criteria must be diverted from landfills. Please see response to Impact UTL-5 for additional details. As discussed above, the landfill that serves the project site has sufficient capacity to accept the anticipated waste from the Downey Downtown Specific Plan Project. Pursuant to AB 939, Downey adopted the SRRE, which identifies policies and waste diversion programs to ensure that Downey is in compliance with the requirements of AB 939. Therefore, the proposed project would not conflict with federal, state, and local statutes and regulations related to solid waste and impacts would be less than significant.

Mitigation: None required.

Impact UTL-7: The proposed project could result in cumulative impacts related to utilities and utility systems. (Less than Significant)

This analysis is based on the Cumulative Projects List provided in Appendix 4. The listed projects include various commercial and residential projects located in the City of Downey that are currently under construction, approved but not built, or proposed for development. Each related project is required to obtain the necessary agreements with each public agency and utility company for service. In the event of a project impact, each related project from the Cumulative

Project List would implement mitigation measures to reduce their potential impacts to less than significant where feasible.

Water and Wastewater

The proposed project currently has water, sewer and all other utilities available to the site. Development within the Specific Plan area would be required to pay its fair share for sewer usage. The proposed project would cumulatively contribute to an increased demand for these utilities services through the introduction of new development. However, this growth has been anticipated by the utility service providers and has been accounted for in the City's Vision 2025 General Plan and other governing documents.

Depending upon the development, localized demands may or may not require improvements to the local Downey water and sewer systems. Project applicants would be required to submit plans to the City for review and approval that describe existing water and sewer facilities and their capacity, and what is needed to serve the development site. Any upgrades, including construction or extension of water and sewer mains, groundwater wells, etc., shall be identified and implemented by an applicant prior to the issuance of building permits for proposed development. The impacts of constructing localized improvements to water and sewer mains are addressed throughout this Draft EIR, and all mitigation measures proposed in this Draft EIR would apply to any localized utility improvements as applicable.

Overall, the sewer system serving the Specific Plan area would have sufficient capacity to accommodate the project's anticipated generation of sewage. As such, the proposed Specific Plan would have a less than significant impact, and therefore would not have a cumulatively considerable contribution. Cumulative impacts would be less than significant.

As indicated above, the proposed project would not have an adverse impact on utilities. Where necessary, applicants would be required to pay development impact fees. Therefore, development under the proposed Specific Plan, in conjunction with the listed projects (see Appendix 4, Cumulative Project List), would have less than a significant cumulative impact related to water and/or wastewater services.

Solid Waste

All of the related projects would result in additional solid waste generation. However, the proposed Waste-by-Rail System will transport solid waste to the Mesquite Regional Landfill in Imperial County, which will have a disposal capacity of 20,000 tons per day and will ensure 100 years of disposal capacity for Los Angeles County. Thus, this landfill would be able to serve the proposed project and related projects. In addition, each of the related projects would each undergo CEQA review to assure that any impacts are appropriately evaluated and if necessary mitigated. Therefore it is likely that cumulative impacts would be less than significant.

Other Facilities and Services

Given that the cumulative demand has been foreseen in planning by the City and the majority of utility providers, cumulative impacts to utilities would not be significant. Furthermore, each of the related projects would be required to obtain the necessary agreements with each public agency and utility company for service. In addition, the proposed project is in compliance with the General Plan programs, goals and policies listed above. Therefore, the proposed project, in conjunction with the listed projects, would have less than a significant cumulative impact related to utilities.

Mitigation: None required.

3.14 Public Services and Recreation

The purpose of this section is to analyze potential impacts to the City of Downey's public services and recreational facilities that could occur with project implementation. This section describes current levels of service and or capacity, as appropriate, for construction and implementation of the proposed Specific Plan. Services for the Specific Plan area are assessed in terms of location of the services, existing and projected service ratios, response times, and other service objectives as applicable. Cumulative impacts are determined with consideration of projected development in the project area. Where impacts on services are determined to be potentially significant, mitigation measures are recommended to ensure adequate delivery of public services to the project. Impacts to nearby roads that would result from implementation of the proposed project are analyzed in Section 3.3, *Traffic and Circulation.*

3.14.1 Environmental Framework

Public Services

Police Protection

Law enforcement service is provided in Downey by the City of Downey Police Department (DPD). A few parcels of property are owned by the County of Los Angeles in the southwest part of the City and those select parcels are patrolled by the Los Angeles County Sheriff's Department, based in Lynwood. The DPD office is located at 10911 Brookshire Avenue in the Civic Center complex adjacent to City Hall.

DPD is comprised of 228 total employees including 119 sworn officers (DPD has an authorized sworn complement of 124 officers (Esteves, 2010). For patrol purposes, the City of Downey is divided into six patrol areas or "beats" continuously patrolled by the same group of officers. A majority of the downtown area is located within Beat 5 (Firestone Boulevard to the north city limit, Lakewood Boulevard on the east, and Paramount Boulevard on the west). The remainder of the downtown area is located within Beat 6 (Firestone Boulevard to the southern city limit, Lakewood Boulevard on the east, and Paramount Boulevard on the west) (Esteves, 2010). In addition, DPD patrol officers are supplemented by traffic enforcement officers and detective personnel.

The Police Communications Center is located within the DPD building. The Communications Center handles all 911 calls and routes calls to the Fire Communications Center. In 2009, the Police Communications Center received approximately 139,950 phone calls. Of these calls, 99,482 were non-emergency calls; 40,468 were emergency calls received via 911 and police officers were dispatched on 82,654 calls for service (Esteves, 2010). According to the Downey Police Department, disturbances, alarms and property crimes accounted for a majority of these calls. For priority emergency calls, the general response time is less than three minutes (City of Downey, 2005). For other non-emergency calls, including report calls, the typical response time ranges from five to eight minutes (City of Downey, 2005). On average, the Police Department dispatches officers to nearly 6,900 calls for service each month.

The Communications Center is staffed by approximately 11 full-time and three part-time personnel. In 2008, DPD received calls for 14,625 alleged crimes and incidents, 4,347 of which resulted in arrests (City of Downey, 2010). **Table 3.14-1** displays the crime index for reported crimes in 2007 and 2008.

TABLE 3.14-1
CRIME INDEX

Crime Index	2007	2008
Homicide	3	3
Rape	17	24
Robbery	228	252
Aggravated Assault	208	172
Burglary	669	711
Larceny-Theft	2,173	2,038
Motor Vehicle Theft	1,033	1,231
Totals	**4,391 4,331 - recalculate**	**4,431**

SOURCE: City of Downey Police Department Annual Review, 2008.

DPD maintains a “type two” temporary holding facility, staffed 24 hours a day by jailers provided through a contract jail service. Prisoners are typically housed for no more than six hours before being released or transferred to a housing facility (i.e., the Los Angeles County Jail, etc.) (Esteves, 2010). DPD’s holding facility can accommodate a maximum of 35 adult prisoners. On average, the facility is occupied by approximately four prisoners (Esteves, 2010).

The DPD facility was built in 1984 and partially remodeled in the late 1990s to accommodate increased personnel. At the time the station was built, the sworn complement of officers was approximately 100. Since that time, staffing levels have increased steadily to accommodate demands. Currently, there are no plans to expand the facility or add substations in other parts of the City. As DPD continues to grow to meet demand for services, the police facility would eventually need to be expanded to accommodate added personnel (Esteves, 2010).

Fire Protection

Fire protection and emergency medical services in Downey are provided by the Downey Fire Department (DFD). Fire protection represents approximately 25 percent of the emergency responses, and includes fire suppression and extinguishment, physical rescues, special service calls and hazardous materials responses (Turner, 2010). Fire protection services also include fire code enforcement, fire code and municipal code development, permits, plan checks, fire prevention inspections, complaint follow-up, safety education and hazardous materials disclosure.

DFD staff consists of a minimum of 21 sworn suppression personnel on duty at any given time (in 24 hour shifts) and two non-sworn personnel. The project site is in the southeast corner of Fire

District #3. **Table 3.14-2** identifies the equipment and personnel provided at each of the City's four fire stations and administrative offices.

TABLE 3.14-2
FIRE STATIONS

Station/ Location	Personnel	Equipment	Other
Fire Station #1/ Headquarters 12222 Paramount Boulevard Downey, CA 90242	10	Engine 61 Truck 611 Squad 641 Tactical Rescue 661 Battalion 604	8 Dispatchers 1 Dispatch Supervisor 1 Computer Systems Manager 1 Paramedic Coordinator 1 Nurse Educator 2 Auxiliaries
Fire Station #2 9556 Imperial Highway Downey, CA 90242	3	Engine 62 Reserve Engine 622	
Fire Station #3 9900 Paramount Boulevard Downey, CA 90241	3	Engine 63 Ambulance 645	2 Ambulance Operators
Fire Station #4 9349 Florence Avenue Downey, CA 90240	5	Engine 64 Squad 642	
Fire Administration 11111 Brookshire Avenue Downey, CA 90241	3	No equipment	1 Hazardous Materials Specialist 3 Support Staff

SOURCE: Fire Chief Jeff Turner, City of Downey Fire Department, March 2010.

As indicated in Table 3.14-2 above, the response order to the project area for the Downey fire stations would include a first response from Station #3, which is located less than one mile from the middle of the Specific Plan area; Station #1, located approximately 1.18 mile from the middle of the Specific Plan area; Station #4 located approximately 1.36 miles from the project site; and Station #2 located approximately 1.86 miles from the project site. The average response time to 11111 Myrtle (a location within the proposed project area), is 4:01 minutes (Turner, 2010). The goal of DFD is to have a response time of less than four minutes to 95 percent of all incidents within the City.[1]

In respect to emergency medical services, DFD has implemented the initial phase of tiered dispatching. Tiered dispatching works in conjunction with Emergency Medical Dispatching (EMD), which provides medical directions for 911 callers during emergency medical aids (Turner, 2010). Through medical questioning, dispatchers are able to categorize medical calls more effectively and efficiently to better utilize DFD resources.

Emergency medical services represent approximately 75 percent of the emergency responses and include advanced life support (ALS), basic life support (BLS), basic life services and transportation. There are two paramedic units that provide ALS medical services and one BLS ambulance within DFD (Turner, 2010). All firefighters are trained as Emergency Medical

[1] Written correspondence, Fire Chief Jeff Turner, City of Downey Fire Department, March 2, 2010.

Technicians (EMTs) and others are trained as ALS paramedics. DFD provides life saving techniques such as defibrillation, cardiopulmonary resuscitation (CPR), airway/breathing management, circulatory/hemorrhage control, childbirth management, and trauma patient stabilization.

DFD does not currently have an automatic aid agreement for the downtown area; however, the DFD does have mutual aid agreements with all the neighboring fire agencies including Los Angeles County, the Cities of Santa Fe Springs, Compton and Vernon (Turner, 2010). Under pre-arranged response plans, the "closest" fire resource to a fire incident is dispatched, regardless of the political boundaries. The pre-arranged response plans are built to cover these resource requests (City of Downey, 2004).

Schools

The City of Downey is served by the Downey Unified School District (DUSD or the District). The District's current enrollment is approximately 22,775 students in grades kindergarten through 12th grade within 13 elementary, 4 junior high, and 3 high schools, including one continuation high school (DUSD, 2010). In addition, the District operates an adult school and several specialized facilities for students with special needs. There are currently three public schools within the vicinity of the project site that could serve students from the Specific Plan area, including: Rio Hondo Elementary School, Griffith Middle School and Warren High School (Condon, 2010). Rio Hondo Elementary is located at 7731 Muller Street, Griffiths Middle School is located at 9633 Tweedy Lane and Warren High School is located at 8141 De Palma Street. **Table 3.14-3** illustrates the enrollment and capacity breakdown for each school.

TABLE 3.14-3
DUSD ENROLLMENT AND CAPACITY

School	Grades Served	Enrollment	Capacity
Elementary			
Rio Hondo	K-5	897	1094
Middle			
Griffiths	6-8	1,429	1,467
High School			
Warren	9-12	3,636	3,885

SOURCE: Downey Unified School District, March 2010.

Table 3.14-4 displays the generation rates and estimated student generation from the Specific Plan area.

TABLE 3.14-4
STUDENT GENERATION

	Elementary Students		Jr. High Students		High School Students	
Residential Unit[a]	Generation Rate	Students	Generation Rate	Students	Generation Rate	Students
1,290[b]	0.243	314	0.15	194	0.214	276

[a] The City of Downey does not distinguish between single-family and multi-family generation rates for students given that the City only collects Level 1 Impact Fees.
[b] The Downtown Specific Plan proposes 1,487 units; however, 197 units already exist.

SOURCE: Downey Unified School District, March 2010.

The proposed Downtown Specific Plan Project would replace an existing commercial development with five districts containing commercial, mixed-use retail, residential and civic uses. As demonstrated by the enrollment figures above, all of the schools serving the project site have enrollments below capacity.

Parks and Recreation

Regional Parks

There are seven regional parks located within the County of Los Angeles that are available for use by City of Downey residents (City of Downey, 2004). These regional parks provide a combined total of approximately 13,455 acres. **Table 3.14-5** lists these regional parklands.

TABLE 3.14-5
REGIONAL PARKS

Name of Regional Facility	Acreage
Castaic Lake Recreation Area	8,800
Frank G. Bonelli Regional Park	1,980
Kenneth Hahn Recreation Area	370
Santa Fe Dam Recreation Area	836
Schabarum Regional Park	640
Whittier Narrows Recreation Area	1,400
William S. Hart Regional Park	265
Total Combined Regional Parklands	**14,291**

SOURCE: Downey Vision 2020 Comprehensive General Plan Environmental Impact Report, September 2004.

City Parks

The City of Downey has approximately 117.6 acres of parkland, divided among 12 neighborhood, pocket and community parks (City of Downey, 2010). The City also manages the 18-hole 101-acre Rio Hondo Golf Course. Including parklands, golf courses, right-of-ways, etc., there are approximately 499 acres of public open space within the City of Downey (City of Downey, 2005).

Community Parks

Community parks typically serve several neighborhoods and usually have a service radius of up to two miles. Community parks range from approximately 15 to 30 acres and provide amenities that generally include lighted ball fields, tennis courts, community centers or recreation buildings (City of Downey, 2004). **Table 3.14-6** displays the City's community parks.

TABLE 3.14-6
COMMUNITY PARKS

Name of Park	Size of Park (In Acres)	Location
Rio San Gabriel Park	16	9612 Ardine Street
Wilderness Park	26	10999 Little Lake Road
Total Acreage	**42**	

SOURCE: Downey Vision 2020 Comprehensive General Plan Environmental Impact Report, September 2004.

Neighborhood and Pocket Parks

Neighborhood parks are typically parks that residents can walk and bike to and that are located within a radius of one-half mile of the neighborhood they serve. These neighborhood parks typically range from 5 to 15 acres in size. Neighborhood parks are located on separate properties and provide amenities often including picnic areas, unlighted athletic fields, tot lots, court games, passive green space, restrooms, recreation and neighborhood center buildings and off-street parking (City of Downey, 2004). Pocket parks are smaller than neighborhood parks and offer small play areas for children. Existing neighborhood and pocket parks are listed in **Table 3.14-7** below.

TABLE 3.14-7
NEIGHBORHOOD AND POCKET PARKS

Name of Park	Size of Park (in acres)	Location
Apollo Park (includes the Barbara J. Riley Community Center)	14.7	12544 Rives Avenue
Brookshire Children's Pocket Park	1.6	12520 Brookshire Avenue
Crawford Pocket Park	2.2	7000 Dinwiddie
Dennis the Menace Park	6.9	9125 Arrington Avenue
Discover Sports Complex	11.0	12400 Clark Avenue
Furman Park (includes the Gary P. McCaughan Gymnasium)	14.8	10419 Rives Avenue
Golden Park	7.4	8840 Golden Avenue
Independence Park	12.5	12334 Bellflower Blvd.
Temple Pocket Park	0.5	7132 Cole Street
Treasure Island Park	4.0	9300 Bluff Road
Total Acreage	**75.6**	

SOURCE: City of Downey, Community Services, 2010.

Joint Use Agreements

To supplement its own recreational facilities, the City entered into joint-use agreements with DUSD for use of various school facilities for public recreation. DUSD provides the City with additional outdoor space for residents during after-school hours and on weekends. The City has access rights to all gymnasiums, athletic fields and swimming pools when these facilities are not in use by the District (City of Downey, 2004).

Additional Recreation Facilities

Residents have access to the 127-acre Los Amigos Golf Course, operated by the County of Los Angeles and which is located within Downey's city limits.

The majority of the City of Downey is mostly built-out; thus, open space opportunities in Downey are limited to community and neighborhood parks, schools, golf courses, etc. There is a need for additional parks and recreational facilities in Downey. The City's goal is to provide 1.5 acres of parkland for every 1,000 residents (City of Downey, 2005). Downey currently has a population of approximately 115,800 (US Census, 2006-2008), which means that approximately 173.7 acres of parkland are needed to achieve this goal. At present, without considering county facilities, Downey provides approximately 0.66 acres of parkland per 1,000 residents, which means that approximately 56.1 additional acres of parkland are needed to meet the City's goal. However, there are no major remaining open space opportunities in the City (City of Downey, 2004). The City is examining the use of existing utility rights-of-way for the creation of additional recreational land (City of Downey, 2004).

Including parklands and golf courses, approximately 345.6[2] acres of public open space exist in the City of Downey. Since the population of Downey is approximately 116,000 , this equates to roughly 2.98[3] acres of public recreation and open space per every 1,000 residents in the City of Downey.

3.13.2 Regulatory Framework

State

Senate Bill 50

SB 50 or the Leroy F. Greene School Facilities Act provides funding for higher education facilities, k-12 facilities, modernization of older schools, additional funding for districts in hardship situations, and funding for class size reduction. This Act provides that no land use proposal can be denied because of insufficient school capacity. It also provides the mandated CEQA mitigation fee for schools that would be affected by a development project. This measure consists of an impact fee levied on a square footage basis for residential and commercial development.

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2 The 345.6 acres of parkland and open space is comprised from existing parks (117.6-acre), the Rio Hondo Golf Course (101-acre) and the Los Amigos Golf Course (127 -acre).

3 This ratio was reached by dividing the 345.6 –acres of open space/ 116,000 in population, multiplied by 1,000 residents.

Local

City of Downey General Plan

The City of Downey General Plan provides background information and adopted policies regarding public safety services in Downey in the Safety Element of the General Plan. The following policies, goals, and programs were adopted as part of the General Plan and are relevant to the proposed project.

Goal 5.3 Maintain and improve fire protection services.

Policy 5.3.1 Provide adequate response to fire emergencies.

Program 5.3.1 Identify and maintain an acceptable response time for fire emergency service calls.

Program 5.3.1.2 Promote adequate widths on travel lanes along street and alleys to accommodate emergency vehicles.

Program 5.3.1.3 Promote the design of private properties with fire lane width and turnaround capability appropriate for emergency vehicle access.

Program 5.3.1.4 Consider emergency response as a factor during the design or redesign of roadway medians and islands, including traffic calming designs.

Program 5.3.1.5 Promote the design or redesign of roadway terminals (cul-de-sac) and elbows to accommodate emergency vehicle turn movements.

Program 5.3.1.6 Control traffic lights by a city-approved emergency traffic preemption system.

Policy 5.3.2 Promote fires prevention programs.

Program 5.3.2.3 Ensure that development projects install fire hydrants, water mains or otherwise contribute its fair share toward mitigating impact on the fire flow system.

Program 5.3.2.4 Promote the use of fire sprinklers for new, expanded and remodeled developments.

Program 5.3.2.5 Promote the use of fire-retardant materials for roofs.

Program 5.3.2.6 Ensure access for emergency vehicles through security pedestrian and vehicular gates.

Policy 5.4.1 Prepare for adequate response to crime.

Program 5.4.1.2 Maintain an acceptable response time for police emergency service calls.

Program 5.4.1.3 Provide the highest level of police service with the resources available.

Program 5.4.1.6 Promote the design or redesign of roadway medians and islands that do not impede emergency vehicles access.

Program 7.1.1.5 Promote the creation and expansion of areas designated as open space.

Program 7.7.1.6 Request that Union Pacific grant an easement over part of the railroad right-of-way parallel to Firestone Boulevard for a bike trail linking existing bike trails along the riverbeds.

Program 7.2.2.4 Expand fees charged for development to fund park maintenance and upgrades.

Program 7.3.1.2 Develop an open space area of plaza in the Downtown area.

Program 7.4.1.2 Ensure that new developments adequately mitigate potential impacts on area schools.

Downey Municipal Code In-Lieu Fees

Pursuant to the Subdivision Map Act, Chapter 4, Article 3, Section 66477, a city or county may require the dedication of land, payment of fees in-lieu thereof, or both of park and recreational purposes as part of the approval of a tentative map or parcel map. As such, the City of Downey has adopted in-lieu park space fees to help achieve its acre-to-population ratio.

3.13.3 Impacts and Mitigation Measures

Significance Criteria

Based on Appendix G of the *CEQA Guidelines*, a project may be deemed to have a significant effect on the environment with respect to public services if it would:

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

- Fire protection;
- Police protection;
- Schools; or
- Parks and other public facilities.

Methodology

The methodology for this analysis included corresponding with the various public services agencies with jurisdiction over the project area to request current information about service ratios, response times, performance objectives, number of apparatus devoted to the project vicinity, etc. and reviewing web-based information about these agencies. Additionally, federal, state, and local regulations were reviewed for project applicability.

Impacts and Mitigation Measures

Impact PUB-1: The proposed project could impact the provision of police protection services in the City of Downey. (Less than Significant)

Implementation of the Downey Downtown Specific Plan Project would result in a net increase of approximately 735 dwelling units and a net population increase of approximately 2,205[4] residents (please note that this number is slightly different from the population projection found in Section 3.2, *Population and Housing,* of this Draft EIR). Thus, the proposed project would increase the demand for additional police protection services. In order to maintain a staffing level of 1.09 officers per 1,000, approximately two to three additional officers would have to be added to the total sworn complement of the Department, bringing the sworn staffing total to approximately 126 (Esteves, 2010). With additional commercial uses in the area, i.e., bars, restaurants etc., the need for increased officer staffing could be greater.

A number of factors can contribute to crimes rates such as police presence, crime prevention measures and funding. The potential for increased crime is not necessarily directly proportional to an increase in land use activity. Build-out of the Specific Plan would result in new multi-family residential structures and would result in new consolidated locations for commercial and retail uses.

Although DPD has not identified any public safety or security problems associated with the proposed Specific Plan, the potential to impact police personnel coming or going to the station or patrolling the downtown area could be affected by roadway closures during the project construction (Esteves, 2010). Any roadway closures or partial road closures on Civic Center Drive, Brookshire Avenue or 3rd Street could adversely impact response time to calls for personnel responding from the station (Esteves, 2010). Additionally, roadway improvements intended to slow traffic flow in the downtown area could negatively impact response times especially on Firestone Boulevard and Downey Avenue (see Section 3.3 *Traffic and Circulations* for additional details on roadways and emergency services).

[4] The City of Downey Police Department uses a generation factor of three occupants per residential unit. Thus, 735 new residential units multiplied by three persons per units equals 2,205 new residents.

DPD is situated just inside the east boundary of the Specific Plan area, on Brookshire Avenue, north of Firestone Boulevard. The frequency of patrols in the downtown area varies based on the time of day and day of week. The project area is generally well patrolled since officers traverse the downtown area while coming from or going to the police station. Due to its location within the downtown area, response times are generally limited to about one-and-a-half minutes or less within the project area (Esteves, 2010).[5]

The population and land use increases associated with build-out of the Specific Plan would not significantly impact police services after mitigation is incorporated. DPD indicates that although expanded facilities may be needed in the future, new facilities are not currently needed. As a result, no new facilities that would in turn have an environmental impact would result from maximum development of the Specific Plan area.

Mitigation: None required.

Impact PUB-2: The proposed Specific Plan could affect the provision of fire protection or emergency medical services in the City of Downey. (Less than Significant)

Implementation of the Specific Plan would result in a net increase of approximately 735 dwelling units and a net population increase of approximately 2,205 additional residents (please note that this number of additional residents is different from the Police Department's standard generation factor. Please see Section 3.2, *Population and Housing*, of this Draft EIR for additional details on population and housing associated with the proposed project.) The proposed Specific Plan would increase the demand for additional fire protection services.

DFD assesses the demand for new services based on net square footage of land use. The project site is currently developed with a variety of land uses, including residential and commercial uses. The proposed project would result in a total of 1,308,897 square feet of net new commercial uses (i.e., retail, entertainment uses) and approximately 735 net new dwelling units.

The increase of residential units from 197 to 932 and an additional 1,308,897 sf of commercial space are estimated to increase calls for service by approximately 220 to 240 requests per year (Turner, 2010). This estimate is made considering the existing types of construction and property use in the project area. This increase by itself can be absorbed by the existing DFD resources (Turner, 2010). Approximately 75 percent of the calls for service to DFD are medical-related and 25 percent are fire and/or special service-related. DFD anticipates that the proposed Specific Plan would be expected to follow the same pattern for calls of service.

Major roadways are located adjacent to and throughout the internal roadways within the project site and provide emergency access. Access to the Specific Plan area is also provided by via Paramount Boulevard, Firestone Boulevard, Downey Avenue, 3rd Street and other various

[5] Written Communication from Chief Rick Esteves, City of Downey Police Department, March 17, 2010.

roadways. The average response time to 11111 Myrtle, a location within the project area, is 4:01 minutes (Turner, 2010). The goal of DFD is to have a response time of less than four minutes to 95 percent of the incidents within Downey (Turner, 2010). With the addition of maximum development under the Specific Plan, DFD would still be within its response time goal.

Building structures can be limited in height and size by fire flow availability and must conform to the currently adopted California Building Code, California Fire Code, and the City of Downey Municipal Code. Downey has already addressed fire and life safety by requiring fire protection measures including fire sprinklers and alarm systems in all new residential structures, all assembly uses, as well as all new commercial buildings over 3,600 square feet (Turner, 2010).

The fire hydrant system within Downey has a desired interval of 300 feet with sufficient water pressure to ensure effective fire fighting services (City of Downey, 2005). The adopted codes require that commercial building over 3,600 square feet and residential buildings over 5,000 square feet be protected by fire sprinklers (City of Downey, 2005). DFD does not anticipate need to expand its facilities services due to the project (Turner, 2010). Therefore, potential impacts to fire prevention and emergency medical services as a result of development anticipated by the Specific Plan would be less than significant.

Mitigation: None required.

Impact PUB-3: The proposed project could impact the provision of school services in the City of Downey. (Less than Significant)

Implementation of the Specific Plan would result in a net increase of approximately 735 dwelling units and a net population increase of approximately 2,205 additional residents[6]. Thus, the proposed project would increase the demand for additional educational services.

Based on the student generation factors used by the DUSD, the proposed Specific Plan would produce approximately 179 K through 5th grade students, 110 6th through 8th grade students, and 157 high school students. Currently, Rio Hondo Elementary has capacity for 197 additional students, Griffiths Middle School has capacity for approximately 38 additional students, and Warren High School has capacity for approximately 249 additional students. According to California Basic Educational Data System (CBEDS) information, enrollment at Downey High School during the 2008-2009 school year was approximately 3,983 students. Based on this data and consultation with Downey High School administrative staff, this analysis assumes that Downey High School is either at or near capacity. The number of students generated by maximum development under the Specific Plan would exceed Griffiths Middle School's capacity by approximately 72 students. The proposed project would not exceed the student capacity at Rio Hondo Elementary School or at Warren High School. The additional student enrollment at Griffiths Middle School would necessitate increased

[6] The number of additional residents is based upon the US Census Bureau 2006-2008 average household size for the City of Downey.

pupil transportation costs, possible adjustment to attendance boundaries, and alter the pupil food services capacity at sites (Condon, 2010).

According to DUSD, approximately 10 to12 percent of new enrollment consists of children with special needs, both physical and educational (Condon, 2010). The average excess cost of special education per student is approximately $4,500 (Condon, 2010). This raises the potential excess cost to the District to serve this larger special education population at $3.5 million per year ongoing (excluding any specialized transportation requirements such as handicap access vehicles, one-to-one instructional aides to assist in transport) (Condon, 2010).

No new public schools are planned by the DUSD within the project area. However, replacement of older portable classrooms and or additional portables or permanent construction to accommodate additional students are planned for some existing schools (Condon, 2010). At build-out, the proposed project would generate middle school students in excess of existing capacity at the applicable middle school. State Bill 50 (SB 50), or the Leroy F. Green School Facilities Act, provides that no land use proposal can be denied due to insufficient school capacity. It also provides for the mandated CEQA mitigation fee for schools. Level I fees are adjusted every two years according to the inflation rate. Higher fees are permitted for school districts that adopt long-range school facilities plans. SB 50 consists of an impact fee levied on a square footage basis for residential and commercial development. DUSD current impact mitigation fees (Level 1) are $2.97 per square foot of residential and $0.47 per square foot of commercial and industrial development (Condon, 2010).

The payment of these fees to DUSD would be used to offset the cost of providing additional educational facilities for the projected students at the applicable schools. As such, payment of required fees would reduce impacts to school services to a less than significant level.

Mitigation: None required.

Impact PUB-4: The proposed project could impact park and recreational services in the City of Downey. (Less than Significant)

Implementation of the Specific Plan would result in a net increase of approximately 735 dwelling units and a net population increase of approximately 2,470 additional residents[7] (see Section 3.2, *Population and Housing*, of this Draft EIR). The population generated by the proposed Specific Plan could result in a continued deficit of parkland acreage per resident.

According to the City's Vision 2025 General Plan, the majority of the City of Downey is primarily built-out; thus, open space opportunities within the City are limited to community and neighborhood parks, schools, golf courses, etc. And there are no major remaining open space opportunities in the City (City of Downey, 2005). As stated above, pursuant to the Subdivision

[7] The number of additional residents is based upon the US Census Bureau 2006-2008 average household size for the City of Downey.

Map Act, Chapter 4, Article 3, Section 66477, the City of Downey has adopted in-lieu park space fees to help achieve its acre-to-population ratio. Payment of these fees would offset the impacts that the increased population generated by the proposed project would have on park and recreational facilities. In addition, the Specific Plan anticipates creating additional park and recreational facilities in the downtown area and has identified open space opportunity sites. In general, these spaces now contain surface parking or are underutilized sites with buildings that are vacant or uses not appropriate for downtown use. Among the potential open spaces includes development of a green area, amphitheater and plaza in the Civic Center District. In addition, there are opportunities for smaller pocket parks and small open space areas in the downtown.

Finally, the Specific Plan proposes creation of a Parkland Acquisition Program. Under this program, the city would assemble space to "establish multiple open space areas throughout Downtown. This program would "utilize various techniques to acquire land to improve the area as a whole" (p. 50). Although the Specific Plan does not commit to a specific acreage of new parkland that would be required under the Specific Plan, the Parkland Acquisition Program would provide a means of establishing new parkland areas in the downtown.

According to the Specific Plan, "within the Downtown Specific Plan Area, on-site usable open space is not required. In lieu of private open space, the City will implement in-lieu open space fees associated with new construction and/or other means to assist in the funding of Downtown streetscape and open space improvements.

Although some nearby parks may experience more use, because of the urban nature of the proposed development, residents are likely to use alternatives to parks, such as on-site and nearby gyms, nearby school facilities, and other facilities, other than parks or use larger county facilities for recreational purposes. With new residents dispersed among a variety of local and regional recreational opportunities, there would not be a significant increase in the use of existing neighborhood or regional parks and/ or other recreational facilities such that deterioration of existing facilities would occur.

In addition, the proposed project would be subject to park and recreational impact fees. Payment of these fees would reduce project impacts to less than significant. Therefore, the proposed project would not result in a significant adverse impact to existing park and recreational facilities.

Mitigation: None required.

Impact PUB-5: The proposed Specific Plan could result in the need for new public services facilities or the expansion of existing public services facilities that would, in turn, have an adverse impact on the environment. (Less than Significant)

This analysis is based on the Cumulative Projects List provided in Chapter 2, *Project Description*, of this Draft EIR. The listed projects include various commercial and residential projects located in the City of Downey that are currently under construction, approved but not built, or proposed for development.

The population increase in the region associated with the related projects would be minimal. However, because the proposed project would also generate a population increase, the Specific Plan, combined with the related projects listed, could cumulatively increase the need for fire protection services, police services, parks and recreational facilities and/or schools facilities.

Fire

The proposed project would not have a significant project impact on fire services. Each proposed related project would also be required to obtain the necessary agreements with DFD (approval of design, widths of entrances, etc). In the event of a project impact, each project from the Cumulative Project List would be required to implement mitigation measure established by the jurisdiction in which the development would be located to reduce potential impacts to less than significant where feasible. The proposed project would not result in a significant impact on fire services, and would not contribute to a cumulatively considerable impact to fire protection services.

Police

The proposed project would not have an individually significant impact on law enforcement. In the event of a related project impact, each project from the Cumulative Project List would be required to implement mitigation measures established by the jurisdiction in which the development would be located to reduce its potential impacts to less than significant where feasible. Therefore, the proposed project, in conjunction with the listed projects, would have less than a significant cumulative impact related to police protection services.

Schools

The proposed project would be required to pay residential and commercial impact development fees for educational services, pursuant to SB 50. SB 50 establishes the mitigation measure under CEQA for potential impacts to schools affected by land use decisions. As a result, individual schools affected by land use decisions would receive funds to help remediate the potential for overcrowding. Therefore, the proposed project would not significantly impact schools services and would contribute to a cumulative impact.

Parks

The proposed project does not have an individually significant impact on parks and recreation after in-lieu fees are paid to the City. In the event of a related project impact, each project from the Cumulative Project List would be required to implement appropriate mitigation measures established by the jurisdiction in which the development is located to reduce their potential impacts to less than significant where feasible. Therefore, the proposed project, in conjunction with the listed projects, would have less than a significant contribution to a cumulative impact related to parks and recreational services.

Mitigation: None required.

CHAPTER 4
Other CEQA Considerations

This section examines other CEQA-related topics that resulted in less than significant impacts and which would not require extensive analysis. These topical issues include agriculture and forestry resources and mineral resources.

4.1 Agriculture and Forestry Resources

The Specific Plan area is located within the City of Downey, which is an urbanized area, surrounded by other urbanized communities and no longer is used for agricultural purposes. This well-known urban area is unsurveyed by the California Resources Agency for Prime Farmland and is not designated as Unique Farmland or Farmland of Statewide Importance. Agricultural uses in this area are limited to nurseries and/or small surviving plots of farmland. The City of Downey's General Plan Land Use Map includes an OS (Open Space) land use classification that allows utility easements, rivers, river beds, parks, cemeteries and golf courses. Apart from some farm-related manufacturing uses, no agricultural or farming operations are permitted under the City's zoning code. As a result no land in Downey would be subject to a Williamson Act Contract.[1]

Trees in Downey are limited to street trees and trees associated with residential yards and open space areas. According to the US Department of Forestry, Downey is located in a developed and/or non-forested location, with no forestry resources.

The proposed Specific Plan would have no impact on agriculture or forestry resources in the state or locally.

4.2 Mineral Resources

Although Los Angeles County contains several locations known statewide and locally for valuable mineral resources, there are no mineral resources or quarries in the City of Downey. The Downey General Plan does not identify any mining operations nor does it allow for mining operations. Although typically, quarries are often located next to rivers, both the Rio Hondo and the San Gabriel rivers are channelized with concrete banks and are inaccessible to the public. The Specific Plan area is already developed and land would not be disposed of for quarrying or other mining operations. The proposed Specific Plan would have no impact on mineral resources.

[1] The California Land Conservation Act, known as the Williamson Act, was adopted in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. Under this Act, private landowners may contract with counties and cities to voluntarily restrict their land to agricultural and compatible open-space uses for a rolling ten-year contract. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use instead of their potential market value.

CHAPTER 5
Impact Overview

5.1 Significant Unavoidable Environmental Impacts

Full build-out of the Specific Plan would result in significant adverse environmental impacts. Mitigation proposed as part of the project, as well as measures identified in this EIR, would avoid or reduce most of the impacts to a less-than-significant impact. The following significant adverse impacts would be unavoidable, even with the implementation of the mitigation measures proposed as part of the project and implementation of mitigation measures identified in this report:

> Impact AIR-2: Project construction could violate air quality standards or contribute substantially to an existing or projected air quality violation during the short-term duration of construction.
>
> Impact AIR-3: Project operations could violate air quality standards or contribute substantially to an existing or projected air quality violation during long-term operations.
>
> Impact AIR-6: Air pollutant emissions associated with the project would result in an adverse cumulative impact to air quality. (Cumulative Construction Emissions)
>
> Impact GHG-1: Construction and implementation of the project could result in a cumulatively considerable increase in GHG emissions.
>
> Impact NOI-4: The proposed project, together with anticipated future development could result in long-term traffic increases that could cumulatively increase noise levels particularly at Intersection No. 2 (Paramount Boulevard south of Third Street).

5.2 Effects Found not to be Significant

The environmental effects of the Specific Plan are identified and discussed in detail in Chapter 3. These effects are summarized in the Executive Summary].

The following environmental topics would have less than significant impacts with mitigation incorporated, less than significant impacts or no impact:

- Agriculture and Forestry Resources;
- Air Quality (conformance with AQMP, cumulative operational impacts);
- Biological Resources;

- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Mineral Resources;
- Noise (construction, project operations, ambient noise levels);
- Population and Housing;
- Public Services;
- Traffic and Circulation; and
- Utilities and Utility Service Systems.

CHAPTER 6
Alternatives

6.1 Introduction

This chapter addresses alternatives to the proposed project, and describes the rationale for including them in the Draft EIR. The chapter also discusses the environmental impacts associated with each alternative and compares the relative impacts of each alternative to those of the proposed project, and the project objectives.

6.2 Criteria for Selecting Alternatives

CEQA requires that an EIR compare the effects of a "reasonable range of alternatives" to the effects of a project. The alternatives selected for comparison should be those that would attain most of the basic project objectives and avoid or substantially lessen one or more significant effects of the proposed project (*CEQA Guidelines* Section 15126.6). The "range of alternatives" is governed by the "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (*CEQA Guidelines* Section 15126.6(f)). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time, while also taking into account economic, environmental, social, technological, and legal factors.

The alternatives addressed in this Draft EIR were selected in consideration of one or more of the following factors:

- The extent to which the alternative would feasibly accomplish most of the basic objectives of the proposed project;
- The extent to which the alternative would avoid or substantially lessen any of the identified significant environmental effects of the proposed project;
- The feasibility of the alternative, taking into account site suitability, economic viability, availability of infrastructure, specific plan consistency, and consistency with other applicable plans and regulatory limitations;
- The appropriateness of the alternative in contributing to a "reasonable range" of alternatives necessary to permit a reasoned choice; and
- The requirement of the *CEQA Guidelines* to consider a "no project" alternative; and to identify an "environmentally superior" alternative in addition to the no project alternative (Section 15126.6(e)).

Alternatives are ultimately compared to the project goals. The objectives for the proposed Specific Plan consist of the following:

- Provide an appropriate amount of land area to absorb the city's future population growth (see General Plan, Policy 1.1.2).
- Promote housing projects and mixed use projects that include housing within areas designated for the downtown area, transit-oriented developments, and areas in the vicinity of the Downey Landing Project (see General Plan, Program 1.1.2.2).
- Promote Downtown Downey as a destination draw for entertainment and dining uses (see General Plan, Program 1.1.5.2).
- Promote mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles (see General Plan, Program 1.2.1.2).
- Develop the downtown area as a destination point for entertainment, dining, civic, and other activities (see General Plan, Program 1.2.2.1).
- Capitalize on existing pedestrian traffic generated by the Downtown area by the movie theater, hotel, civic center and offices (see General Plan, Program 1.2.2.2).
- Promote housing, mixed use housing, and other land uses that will generate nighttime pedestrian traffic in the Downtown (see General Plan, Program 1.2.2.3).
- Promote project designs that reduce dependency on vehicles and promote pedestrian, transit, and alternate modes of travel (see General Plan, Program 1.2.1.1).
- Promote mixed-use developments with housing on the same site or in proximity to commercial services to reduce the need for trips by vehicles (see General Plan, Program 1.2.1.2).
- Provide dining opportunities within walking distances of employment centers (see General Plan, Program 1.2.1.4).
- Promote Downtown Downey as an economic core creating new employment opportunities.
- Strengthen pedestrian, bicycle, and transit-oriented characteristics while ensuring access for automobiles.
- Preserve and enhance the unique character of existing structures.
- Identify Downtown as a cultural center for Downey.
- Concentrate growth in Downtown while respecting and preserving surrounding residential neighborhoods.

6.3 Alternatives Considered But Rejected

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are potentially feasible

and, therefore, merit in-depth consideration, and which are infeasible and need not be considered further. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (*CEQA Guidelines* Section 15126.6(f), (f)(3)). This section identifies alternatives considered by the lead agency, but rejected as infeasible and provides a brief explanation of the reasons for their exclusion. As noted above, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects.

The following alternative was considered but rejected from further consideration:

6.3.1 Existing Downtown Plan Boundaries Alternative

In its Request for Proposal (RFP) for the Downtown Downey Specific Plan (February 27, 2009), the City outlined the area in which Specific Plan would be located, noting that:

> "*On May 2, 2001, the City Council adopted the Downtown Plan, which placed an overlay zone on 80 acres within the central portion of Downey. The intent of this overlay is to create a distinct downtown area that draws people into the downtown to shop, eat, and attend entertainment events. While the Downtown Plan has served a purpose, it has had limited success, and as such, the City of Downey is looking to replace the existing Downtown Plan with a new Downtown Downey Specific Plan. . . .*"

The RFP stated that the chosen consultant should review the current boundaries for the Downtown Overlay Zone and recommend any needed revisions to those boundaries. The original boundaries of the Downtown Overlay Zone were briefly considered. However, ultimately the City agreed that expansion of the Overlay Zone boundaries was needed to the north, east and west because some of these "edge" areas had the potential to evolve into barriers to the downtown that could in the future discourage implementation of the City's goals for the Specific Plan. As a result, the Specific Plan boundaries now encompass development along Paramount Boulevard, the City's civic center, and the residences near Paramount Boulevard.

6.4 Alternatives Selected for Consideration

This Draft EIR evaluates three feasible and reasonable alternatives to the proposed project: (1) No Project Alternative (No Build); (2) No Project Alternative (Build under the Existing Plan); and (3) 50 Percent Residential/50 Percent Commercial Alternative.

Descriptions of each alternative and their impacts are provided below, followed by Table 4-1, which provides a side-by-side comparison of the potential impacts of the alternatives to the impacts of the proposed project.

6.4.1 Alternative 1: No Project (No Build) Alternative

Under Alternative 1 or the No Project (No Build) Alternative, no expansion or additional development would occur. The existing Downtown Overlay Zone area would remain "as-is" with no improvements and no other new development other than changes related to normal repairs and maintenance. As a result, Alternative 1 would replicate the continuance of existing conditions in the Specific Plan area.

Environmental Impacts – No Project (No Build) Alternative

Alternative 1: Aesthetics

Under Alternative 1, no changes would be made to the Specific Plan area other than changes related to normal repairs and maintenance. Because no construction would occur, nothing would change – no new architectural elements would be added to the area, vacant buildings/boarded up buildings would remain vacant and boarded up, and no construction equipment or other signs of construction would be visible. No new light and glare would result from Alternative 1. As compared to the proposed Specific Plan, Alternative 1 would result in a greater impact to visual quality.

Alternative 1: Agricultural and Forest Resources

Because there are no agricultural or forestry resources in Downey, and because Alternative 1 would result in no change to the Specific Plan area, this proposed alternative would result in no impact to agricultural and forest resources. As compared to the proposed Specific Plan, Alternative 1 would result in the same impact to agricultural and forest resources.

Alternative 1: Air Quality

Under Alternative 1, air quality would remain unchanged. With no new construction, Alternative 1 would result in no impact to air quality during construction or operations of new businesses or new residences. As compared to the Specific Plan, Alternative 1 would result in a lesser impact to air quality.

Alternative 1: Biological Resources

Under Alternative 1, biological resources (mostly in the form of trees and migrating birds) would remain undisturbed with no new construction with some newly established businesses. As a result, Alternative 1 would result in a lesser impact to biological resources as compared to the proposed Specific Plan.

Alternative 1: Cultural Resources

Under Alternative 1, cultural resources in the Specific Plan area would continue to be unidentified by either the General Plan or the municipal code. Neither the General Plan EIR, the Municipal Code nor the General Plan itself identifies historic structures or potential Native

American, archaeological or paleontological resources.[1] However, with no construction, and therefore no foundation work, no demolition, and no change to the current use of historic resources, Alternative 1 would result in a less than significant impact to potential cultural resources through direct physical impacts. However, because potential resources would be left unidentified and possibly left to deteriorate further, Alternative 1 would result in greater indirect physical impacts. In comparison to the proposed Specific Plan, Alternative 1 would result in slightly more impacts to cultural resources, after accounting for the potential for further deterioration of potential cultural resources.

Alternative 1: Geology and Soils

Under Alternative 1, because no new construction would occur, no new impacts related to geology and soils (such as the exposure of new residents and/or newly developed property to rupture of known earthquake fault, strong seismic ground shaking, liquefaction, expansive soils, etc.) would occur. In comparison to the proposed Specific Plan, Alternative 1 would result in fewer impacts related to geology and soils.

Alternative 1: Greenhouse Gases and Global Warming

Under Alternative 1, because no new construction or demolition would occur apart from normal maintenance and repairs, no new impacts related to the emission of greenhouse gases and global warming would occur. In comparison to the proposed Specific Plan, Alternative 1 would result in fewer impacts with regard to greenhouse gas emissions and global warming.

Alternative 1: Hazards and Hazardous Materials

Under Alternative 1, because no new construction or demolition would occur, no new impacts related to the release of potential hazards and hazardous materials would occur. As a result, there would be no potential impacts related to exposure to hazardous materials. In addition, no new hazards would occur – no roadways would change, and because no airports are located within two miles of the Specific Plan area, no hazards would occur due to the proximity of the Specific Plan area to airports. In comparison to the proposed Specific Plan, Alternative 1 would result in less exposure to hazards or disturbance of existing hazardous materials.

Alternative 1: Hydrology and Water Quality

Under Alternative 1, because no new construction or demolition would occur, no new impacts related to the potential for erosion, violation of water quality standards or storm water discharge requirements, interference with groundwater supplies, alteration of existing drainage patterns, and/or related impacts would occur. In comparison to the proposed Specific Plan, Alternative 1 would result in fewer impacts related to hydrology and water quality.

[1] The Municipal Code defines historic structures in Section 8700.03 in relationship to floodplain management.

Alternative 1: Land Use, Plans and Policies

Under Alternative 1, no new development (construction or demolition) would occur within the Specific Plan area. Lack of development would, however, conflict with the goals and objectives of the General Plan, the Downtown Plan, and the Redevelopment Plan for the downtown area. Therefore, in comparison with the proposed Specific Plan, Alternative 1 would result in greater potential impacts related to land use, plans and policies.

Alternative 1: Mineral Resources

Because no mineral resources have been identified in Downey, Alternative 1 would result in no impacts to mineral resources. As compared to the Specific Plan, Alternative 1 would have the same impact related to mineral resources.

Alternative 1: Noise

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no new sources of noise, including new HVAC equipment, truck deliveries, construction equipment and traffic would occur. As compared to the proposed Specific Plan, Alternative 1 would result lesser impacts related to noise.

Alternative 1: Population and Housing

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no persons would be displaced. No housing would be displaced, and no substantial new population growth would occur. As compared to the proposed Specific Plan, Alternative 1 would result in fewer impacts related to population and housing.

Alternative 1: Public Services

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no new demand would be generated for public services, including police and fire protection services, parks, and/or emergency medical services. As compared to the proposed Specific Plan, Alternative 1 would result in fewer impacts to public services.

Alternative 1: Recreation

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no new demand for recreational facilities and parks would be generated within the Specific Plan area. As compared to the proposed Specific Plan, Alternative 1 would result in fewer impacts to recreation.

Alternative 1: Transportation and Circulation

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no additional traffic would be generated. As compared to the proposed Specific Plan, Alternative 1 would result in fewer or no new impacts related to traffic, transit, or circulation.

Alternative 1: Utilities and Service Systems

Under Alternative 1, because no new construction or demolition would take place in the Specific Plan area, no new demand for utilities and utilities service systems would be generated. As compared to the proposed Specific Plan, Alternative 1 would result in fewer or no new impacts related to utilities and utilities service systems.

Alternative 1: Conclusion

Under Alternative 1, potential environmental impacts would be minimized, although potential historic resources (buildings that have not been evaluated for their historic importance and are over 50 years old) would continue to decline. The lack of development would conflict with the City's goals for the downtown, particularly those that envision a pedestrian-friendly, vibrant area with people having a seven-day a week presence. The lack of development would also conflict with goals to make the downtown the center of entertainment and dining in the City, and goals to enhance the importance to the City as an economic center. The Specific Plan area would remain static and eventually decline, making future improvements to the area more difficult and more costly. The edge areas would be affected and would in turn further affect the Specific Plan area's viability. As new streetscape and the movie theater age, existing businesses, such as restaurants may decide to leave the area, further isolating the civic center and some areas of the Paramount Boulevard Professional District. Alternative 1 would not conform to the City's goals for the Specific Plan area.

6.4.2 Alternative 2: No Project (Build) Alternative

Alternative 2 or the No Project (Build) Alternative would continue existing policies and regulations for the Specific Plan area; and development would continue under existing regulations. The Downtown would continue to be defined by the Downtown Plan and would not include the proposed Civic Center District nor parts of the proposed Paramount Boulevard Professional District. Portions of these areas would be subject to C-P, C-1, C-2 and C-3 zoning. Some areas would be within the Downtown Plan Overlay, which includes height restrictions and use restrictions..

Alternative 2: Aesthetics

Under Alternative 2, building heights, setbacks, lot coverage, signage and landscaping would be subject to the Downtown Plan Overlay. However, without specific design guidelines for the Downtown Plan area, building designs could result in a variety of architectural styles without a unified focus. Development of the edges of the Specific Plan area would continue on a separate track, with a variety of building heights in close proximity to the currently defined downtown. Aesthetic impacts could be significant. As compared to the proposed Specific Plan, impacts under Alternative 2 to aesthetics or visual quality could be greater.

Alternative 2: Agricultural and Forest Resources

Because there are no agricultural or forestry resources in Downey, and because Alternative 2 would not propose agricultural or forestry-related uses in the Specific Plan area, this proposed

alternative would result in no impact to agricultural and forest resources. As compared to the proposed Specific Plan, Alternative 2 would result in the same impact to agricultural and forest resources.

Alternative 2: Air Quality

Under Alternative 2, because development would proceed under existing plans and zoning at a slower pace, development would conform to the South Coast Air Quality Management Plan. Although sporadic new construction would likely extend beyond 2025, Alternative 2 could result in significant construction impacts and significant operational impacts in the future, at a project-specific level and cumulatively. As compared to the proposed Specific Plan, Alternative 2 could result in similar impacts to air quality.

Alternative 2: Biological Resources

Under Alternative 2, biological resources (mostly in the form of trees and migrating birds) would be disturbed with new construction or newly established businesses. As a result, as compared to the proposed Specific Plan, Alternative 2 would result in a similar impact to biological resources as compared to the proposed Specific Plan.

Alternative 2: Cultural Resources

Under Alternative 2, demolition, grading and construction would have the potential to affect potential archaeological, paleontological, and Native American resources, and could affect previously unidentified historic buildings. Potential resources, such as these, are unidentified by the General Plan, the General Plan EIR and the Municipal Code. As a result, Alternative 2 would require the same mitigation measures as the proposed project. In comparison to the proposed Specific Plan, Alternative 2 would therefore have the same potential impacts to historic and cultural resources.

Alternative 2: Geology and Soils

Because Alternative 2 would be located in the same general vicinity as the proposed Specific Plan, the Specific Plan area and Alternative 2 would have the same impacts related to geology and soils (such as the exposure of people and/or property to rupture of known earthquake fault, strong seismic ground shaking, liquefaction, expansive soils, etc.). In comparison to the proposed Specific Plan, Alternative 2 would result in the same or very similar impacts related to geology and soils.

Alternative 2: Greenhouse Gases and Global Warming

Under Alternative 2, new construction and demolition would continue to be sporadic, and would likely extend beyond 2025. Because the Specific Plan would result in a significant and unavoidable cumulative impact, and because of the intensity of the Specific Plan build-out, impacts under Alternative 2, related to the emission of greenhouse gases and global warming, would occur and would be similar to the Specific Plan. When combined with development in the

region, like the Specific Plan, could also result in a significant and unavoidable impact (although less intense) to greenhouse gases.

Alternative 2: Hazards and Hazardous Materials

Under Alternative 2, the same impacts related to the release of potential hazards and hazardous materials would occur over the long-term. As a result, there could be potential impacts related to exposure to hazardous materials. In general, no significant hazards would occur – no airports are located within two miles of the Specific Plan area, and no traffic-related hazards exist within the Specific Plan area. In comparison to the proposed Specific Plan, Alternative 2 would result in the same impacts related to hazards and hazardous materials.

Alternative 2: Hydrology and Water Quality

Because development would continue, although at a slower pace, Alternative 2 would have the same potential impacts to hydrology and water quality as the Specific Plan. Development under Alternative 2 would be required to conform to the same mitigation measures, and federal, state and local regulations regarding water quality. In comparison to the proposed Specific Plan, Alternative 2 would result in the same impacts related to hydrology and water quality.

Alternative 2: Land Use, Plans and Policies

Under Alternative 2, new development (construction or demolition) could continue within the Specific Plan area. All development would be required to conform to existing zoning and existing General Plan land use designations. Potential land use conflicts could occur along the edges of the Specific Plan area because of the proximity of the Downtown Plan Overlay zone. In general, under Alternative 2 most of the area's development would conform to both SCAG and General Plan goals, policies, and programs. In comparison to the proposed Specific Plan, however, Alternative 2 would result in slightly greater potential conflicts related to land use, plans and policies because some adjacent land uses would conflict with specific land use policies for the Downtown Plan Overlay zone, particularly (as noted) those areas along the edge of the Specific Plan area. In general, in comparison to the proposed Specific Plan, Alternative 2 would result in slightly greater impacts related to land use, plans and policies since the Specific Plan area would include land uses that could conflict with those in the Overlay zone.

Alternative 2: Mineral Resources

Because no mineral resources have been identified in Downey, Alternative 2 would result in no impacts to mineral resources. As compared to the Specific Plan, Alternative 2 would have the same impact related to mineral resources.

Alternative 2: Noise

Under Alternative 2, new construction could take place near sensitive receptors. New construction or demolition would take place in the Specific Plan area, more slowly than under the Specific Plan. Over time, construction noise and new noise from additional traffic would occur,

and even though the General Plan anticipates build-out, it is unlikely by 2025. As compared to the proposed Specific Plan, Alternative 2 would result in similar impacts related to noise.

Alternative 2: Population and Housing

Under Alternative 2, because sporadic new construction or demolition would take place in the Specific Plan area, some persons could be displaced by private development, activity that may require new additional housing elsewhere. With the focus of the Downtown Plan Overlay zone on retail and commercial businesses, no substantial new population growth would occur. As compared to the proposed Specific Plan, Alternative 2 would result in fewer impacts related to population and housing.

Alternative 2: Public Services

Under Alternative 2, new demand for public services could be generated by development in the Specific Plan area. However, this population growth and demand was anticipated by the General Plan and would not, in the immediate future, result in the need for new or expanded facilities that could in turn result in environmental impacts. As compared to the proposed Specific Plan, Alternative 2 would result in fewer impacts related to public services.

Alternative 2: Recreation

Under Alternative 2, development would be sporadic and slower than development under the Specific Plan. Because there would be no new recreation space as part of the Downtown Plan, however, Alternative 2 could result in greater impacts to nearby recreational facilities and open space. As compared to the proposed Specific Plan, Alternative 2 could result in slightly greater impacts to recreation.

Alternative 2: Transportation and Circulation

Under Alternative 2, development would take place more slowly and more sporadically than under the Specific Plan. Although in the long-term, traffic could evolve to be the same as the traffic forecast under the Specific Plan, impacts related to traffic under Alternative 2 would be pushed more into the future. As compared to the proposed Specific Plan, however, Alternative 2 could result in similar impacts related to traffic, transit, or circulation if the Downtown Plan is built-out and the edge areas of the Specific Plan are also built-out. **[less development that SP, less traffic]**

Alternative 2: Utilities and Service Systems

Under Alternative 2, new demand for utilities and utilities service systems would be generated slowly and sporadically, probably well beyond 2025. However, impacts related to utilities and service systems to 2025 would be less than significant because full build-out under the existing General Plan is anticipated. As compared to the proposed Specific Plan, Alternative 2 would result in the same or slightly less impacts related to utilities and utilities service systems.

Alternative 2: Conclusion

Under Alternative 2, development would occur in conformance to existing General Plan land use designations and zoning, principally the Downtown Plan Overlay zone. The edges of the Specific Plan area would be outside of the downtown zoning and would instead be subject to a wide variety of uses, ranging from single-family housing to C-3 commercial zones. In some cases, potential building heights in close proximity could differ dramatically, as could potential land uses. Because of the lack of a unified and far-reaching vision for the entire downtown area, particularly the edges, and the continuation of existing uses for a longer period of time due to the slump in the housing market and the general economic slump, development is likely to take longer than 2025, the horizon year for Downey's General Plan. The lack of a unified vision for the Specific Plan area would conflict with the policies established by the General Plan for the downtown and make development in the downtown (as currently delineated by the Downtown Plan Overlay and the Redevelopment Plan) more difficult. As a result, Alternative 2 would have a greater impact than the proposed Specific Plan.

6.4.3 Alternative 3: 50 Percent Residential/50 Percent Commercial Alternative

Alternative 3 would use the 50 percent residential, 50 percent commercial approach to development in the Specific Plan area. This approach would establish a goal of 1,423 net new dwelling units in the Specific Plan area, and approximately 777,408 square feet of net new commercial space, for a total of 1,620 residential units and 2.6 million square feet of commercial space. (The proposed Specific Plan establishes a goal of 735 net new dwelling units and approximately 1.3 million square feet of net new commercial space.) Alternative 3 would result in a goal of 189 net new dwelling units in the Paramount Boulevard Professional District, 80 new dwelling units in the Downtown Residential District, 165 net new dwelling units in the Downtown Core, and 989 net new dwellings in the Firestone Boulevard Gateway District. (No new units would be proposed for the Civic Center District.) Most of the commercial development would take place in the Firestone Boulevard Gateway District, where approximately 873,470 net new square feet (for a total of 1.7 million square feet of commercial space in the Firestone Boulevard Gateway District), or approximately two-thirds of anticipated commercial development under Alternative 3, has been targeted.

This would be the only change to the Specific Plan. All other guidelines and requirements under the Specific Plan would remain the same, including design guidelines, proposed densities and floor-to-area ratios, and proposed building heights.

Alternative 3: Aesthetics

Under Alternative 3, development would occur in accordance with the Specific Plan, with the exception of the split between residential and commercial development, which (in comparison with the proposed Specific Plan) would increase residential development by ten percent and reduce commercial development by ten percent. The Specific Plan proposes heights, densities and floor-to-area ratios that allow transition among the five proposed districts, and provides guidance

related to building and street design. Alternative 3 would be required to follow the same densities, building heights, and floor-to-area ratios proposed in the Specific Plan. Although new light and glare would result from the development under Alternative 3, mitigation would be provided by the Specific Plan, which prohibits the use of reflective glass (see Appendix 3, p. 61). The Specific Plan area, in which Alternative 3 would be located, is not located within a scenic highway nor is it located within a designated scenic vista. As compared to the proposed Specific Plan, impacts under Alternative 3 to aesthetics or visual quality would be the same or similar.

Alternative 3: Agricultural and Forest Resources

Because there are no agricultural or forestry resources in Downey, and because Alternative 3 would not propose agricultural or forestry-related uses in the Specific Plan area, this proposed alternative would result in no impact to agricultural and forest resources. As compared to the proposed Specific Plan, Alternative 3 would result in the same impact to agricultural and forest resources.

Alternative 3: Air Quality

Under Alternative 3, because the total of new development would result in nearly the same amount of construction envisioned for the Specific Plan, construction, operations and this Alternative's contribution to cumulative air quality could exceed established thresholds. Alternative 3 could therefore result in significant and unavoidable impacts to air quality, despite mitigation proposed for impacts related to the Specific Plan. As compared to the proposed Specific Plan, Alternative 3 would result in nearly the same impacts to air quality.

Alternative 3: Biological Resources

Under Alternative 3, biological resources (mostly in the form of trees and migrating birds) could be disturbed by new construction or newly established businesses or residences. The Specific Plan and Alternative 3 would have the same Design Standards and Guidelines. Landscaping requirements would be part of the design guidelines and include the placement of one 24-inch box tree with a two-inch minimum trunk diameter for every 500 square feet of ground-level open to the sky. As a result, as compared to the proposed Specific Plan, Alternative 3 would result in similar impacts to biological resources.

Alternative 3: Cultural Resources

Under Alternative 3, demolition, grading and construction would have the potential to affect potential archaeological, paleontological, and Native American resources, and could affect previously unidentified historic buildings. Because no historic buildings, or potential Native American, archaeological, or paleontological resources are identified by the General Plan, General Plan EIR or the Municipal Code, Alternative 3 would require the same mitigation measures as the proposed Specific Plan. In comparison to the Specific Plan, Alternative 3would therefore have the same potential impacts to historic and cultural resources.

Alternative 3: Geology and Soils

Because Alternative 3 would encompass the same area as the proposed Specific Plan, the Specific Plan area and Alternative 3 would have the same impacts related to geology and soils (such as the exposure of people and/or property to rupture of known earthquake fault, strong seismic ground shaking, liquefaction, expansive soils, etc.). In comparison to the proposed Specific Plan, Alternative 3 would result in the same impacts.

Alternative 3: Greenhouse Gases and Global Warming

Under Alternative 3, which would have the same horizon year as the proposed Specific Plan (2025), and because the intensity of development under Alternative 3 would only shift the development around, and not change the total amount of development, impacts under Alternative 3 related to the emission of greenhouse gases and global warming would be generally the same as under the Specific Plan. When combined with development in the region, in comparison with the Specific Plan, Alternative 3, like the Specific Plan, could also result in a significant and unavoidable impact to greenhouse gases.

Alternative 3: Hazards and Hazardous Materials

Under Alternative 3, the same impacts related to the release of potential hazards and hazardous materials would occur over the long-term as those anticipated under the Specific Plan. As a result, there could be potential impacts related to exposure to hazardous materials. In general, no significant hazards would occur – no airports are located within two miles of the Specific Plan area, and no traffic-related hazards exist within the Specific Plan area. In comparison to the proposed Specific Plan, Alternative 3 would result in the same impacts as the Specific Plan.

Alternative 3: Hydrology and Water Quality

Because development would cover the same area as the Specific Plan, the same potential impacts to hydrology and water quality would occur. Development under Alternative 3 would be required to conform to the same mitigation measures, and federal, state and local regulations regarding water quality. In comparison to the proposed Specific Plan, Alternative 3 would result in the same development impacts related to hydrology and water quality.

Alternative 3: Land Use, Plans and Policies

Under Alternative 3, new development (construction or demolition) would follow the guidelines provided by the Specific Plan. The Firestone Boulevard Gateway district would result in the heaviest densities for both residential and commercial construction. In general, Alternative 3 would conform to both SCAG and General Plan goals, policies, and programs. The mitigation measures used for the Specific Plan would also apply to Alternative 3. In comparison to the proposed Specific Plan, Alternative 3 would result in the same or similar potential impacts related to land use, plans and policies.

Alternative 3: Mineral Resources

Because no mineral resources have been identified in Downey, Alternative 3 would result in no impacts to mineral resources. As compared to the Specific Plan, Alternative 3 would have the same impact related to mineral resources.

Alternative 3: Noise

Under Alternative 3, new construction could take place near sensitive receptors. Construction noise and new noise from additional traffic would occur and could exceed noise thresholds established by the City. As compared to the proposed Specific Plan, Alternative 3 would result in the same impacts related to noise as the Specific Plan.

Alternative 3: Population and Housing

Under Alternative 3, because the number of dwelling units proposed for development would exceed the number proposed under the Specific Plan, the number of residents in the Specific Plan area would increase, while the number of employees would decrease. Some persons could be displaced by development activity that may require new additional housing elsewhere. Alternative 3 could induce population increases in the City, but with fewer employees, that population growth would be less than under the Specific Plan. Alternative 3 would reduce the jobs-to-housing ratio so that fewer jobs would be available in Downey, as compared to the Specific Plan. As compared to the proposed Specific Plan, with more residents and fewer employees, Alternative 3 would result in fewer long-term impacts related to population and housing.

Alternative 3: Public Services

Under Alternative 3, new demand for public services could be generated by development in the Specific Plan area. However, this population growth and demand could be slightly more than anticipated by the General Plan, but would not, in the immediate future, result in the need for new or expanded facilities that could in turn result in environmental impacts. As compared to the proposed Specific Plan, Alternative 3 would result in slightly greater impacts to public services as the Specific Plan.

Alternative 3: Recreation

Under Alternative 3, open space and recreation would be allowed in portions of the area, as are allowed in the proposed Specific Plan. Although the City has a current deficit of local parks and recreational facilities, Alternative 3 would not result in a substantially greater deficit. As compared to the proposed Specific Plan, Alternative 3 would result in similar impacts to recreation as the proposed Specific Plan.

Alternative 3: Transportation and Circulation

Under Alternative 3, traffic would be slightly reduced because although the number of residents would increase, more residents would be within walking distance of places of employment,

shopping, restaurants and/or recreation. In the long-term, however, traffic could evolve to be nearly the same as the traffic forecast under the Specific Plan, depending on the course of development and build-out of projects throughout the region. As a result, as compared to the proposed Specific Plan, Alternative 3 would conservatively be estimated to result in the same impacts related to traffic, transit, or circulation.

Alternative 3: Utilities and Service Systems

Under Alternative 3, new demand for utilities and utilities service systems would be generated, with more residential use and less commercial use. However, given that residential use would increase only ten percent and commercial use would decrease only ten percent, as compared to the Specific Plan. potential impacts under Alternative 3 would be similar.

Alternative 3: Conclusion

Under Alternative 3, development would occur in conformance to the Specific Plan. New development would focus on developing more residential use and less commercial use than the proposed Specific Plan. In general, impacts to the environment under Alternative 3 would be mostly similar to those of the proposed Specific Plan. However, although there may be slight reductions in traffic because services for residences within walking distance, Alternative 3 would result in a lower jobs-to-housing ratio than under the Specific Plan. Although not a significant impact, the result would be a need to balance the need for jobs against the need for additional residences. Because of the ongoing slump in housing prices, it may be difficult to line up substantial housing development. However, this would not necessarily be a significant environmental effect.

6.4.4 Summary of Environmental Effects of Alternatives

Table 6-1, below, provides a summary comparison of the impacts of the proposed alternatives to the Specific Plan.

TABLE 6-1
IMPACT SUMMARY COMPARISON OF ALTERNATIVES TO THE PROPOSED PROJECT

Environmental Issue	Alternative 1 No Project (No Build)	Alternative 2 No Project (Build)	Alternative 3 50 Percent Residential / 50 Percent Commercial Alternative
Aesthetics	Greater	Greater	Similar / Same
Agriculture and Forestry Resources	Same	Same	Same
Air Quality	Less	Similar / Same	Similar / Same
Biological Resources	Less	Similar	Similar / Same
Cultural Resources	Greater	Similar / Same	Similar / Same

Environmental Issue	Alternative 1 No Project (No Build)	Alternative 2 No Project (Build)	Alternative 3 50 Percent Residential / 50 Percent Commercial Alternative
Geology and Soils	Less	Similar / Same	Similar / Same
Greenhouse Gases and Global Warming	Less	Similar / Same	Similar / Same
Hazards and Hazardous Materials	Less	Similar / Same	Similar / Same
Hydrology and Water Quality	Less	Similar / Same	Similar / Same
Land Use, Plans and Policies	Greater	Less	Similar / Same
Mineral Resources	Same	Same	Same
Noise	Less	Less	Similar / Same
Population and Housing	Less	Less	Less
Public Services	Less	Less	Greater
Recreation	Less	Greater	Similar / Same
Transportation and Circulation	Less	Similar / Same	Similar / Same
Utilities and Service Systems	Less	Less	Similar / Same

6.4 Environmentally Superior Alternative

The Environmentally Superior Alternative for the proposed project would be Alternative 1, or the No Project (No Build) Alternative. Few substantially adverse and long-term impacts would occur to the environment as a result of this No Project (No Build) alternative. However, *CEQA Guidelines* Section 15126.6(3)(1) states:

> *"The 'no project' analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. <u>If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives</u>"* [underline added].

Because neither the No Project (No Build) Alternative nor the No Project (Build) Alternative can be the Environmentally Superior Alternative under CEQA, the Environmentally Superior Alternative would be Alternative 3 (the 50 Percent Residential / 50 Percent Commercial

Alternative). Alternative 3 would result in similar long-term effects to traffic although residents would be able to use nearby neighborhood services and transit. Alternative 3 would, however, result in fewer employment opportunities and more proposed residential use in a sluggish housing market. Alternative 3 would not maximize employment opportunities and would result in a reduction in the jobs-to-housing ratio.

CHAPTER 7

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CHAPTER 8
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