
DRAFT
Findings of Fact

Covina Transit-Oriented Mixed-Use Development Project
Environmental Impact Report
SCH No. 2016051053

Prepared for:

City of Covina
126 East College Street
Covina, California 91723
Contact: Brian K. Lee, AICP

Prepared by:

DUDEK
38 N. Marengo Avenue
Pasadena, California 91101
Contact: Ruta K. Thomas, REPA

OCTOBER 2016



TABLE OF CONTENTS

<u>Section</u>	<u>Page No.</u>
ACRONYMS AND ABBREVIATIONS	3
CHAPTER 1.0 INTRODUCTION.....	4
1.1 Purpose.....	4
1.2 Organization of the Findings of Fact	5
CHAPTER 2.0 PROJECT DESCRIPTION	7
2.1 Project Location	7
2.2 Project Summary.....	7
2.3 Project Objectives	8
2.4 Discretionary Actions	9
CHAPTER 3.0 CEQA REVIEW AND PUBLIC OUTREACH	11
3.1 Record of Proceedings	12
3.2 Custodian and Location of Records	13
CHAPTER 4.0 IMPACTS DETERMINED NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT	14
4.1 Aesthetics	14
4.2 Agriculture and Forest Resources	14
4.3 Air Quality	15
4.4 Biological Resources	15
4.4 Cultural Resources	15
4.5 Geology and Soils.....	15
4.6 Greenhouse Gas Emission	16
4.7 Hazards and Hazardous Materials	16
4.8 Hydrology/Water Quality	16
4.9 Land Use and Planning	17
4.10 Mineral Resources	17
4.11 Noise	17
4.12 Population and Housing.....	17
4.13 Public Services.....	18
4.14 Recreation	18
4.15 Transportation/Traffic.....	18
4.16 Utilities and Service Systems.....	18
4.17 Cumulative Impacts	19
CHAPTER 5.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION	20
5.1 Aesthetics	20

TABLE OF CONTENTS (CONTINUED)

<u>Section</u>	<u>Page No.</u>
5.2 Air Quality	21
5.3 Biological Resources	22
5.4 Cultural Resources	24
5.5 Geology and Soils	26
5.6 Hazards and Hazardous Materials	27
5.7 Noise	28
5.7 Cumulative Impacts	31
CHAPTER 6.0 FINDINGS ON PROJECT ALTERNATIVES	35
6.1 Alternative 1 – No Project (Vacant K-Mart Building) Alternative	35
6.2 Alternative 2 – No Project (Planned Development) Alternative	36
6.3 Alternative 3 – Corner Parcel Acquisition Alternative.....	38
6.4 Alternative 4 – Reduced iTEC Alternative.....	39
6.5 Alternative 5 – Reduced iTEC with Senior Center Alternative.....	41
CHAPTER 7.0 OTHER CEQA FINDINGS	44

CHAPTER 1.0 INTRODUCTION

1.1 Purpose

This statement of findings addresses the environmental effects associated with the Covina Transit-Oriented Mixed-Use Development Project (proposed project) that are described in the Environmental Impact Report (EIR) for the project. This statement is made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources Code Sections 21081 and 21081.6 and the CEQA Guidelines (14 CCR 15000 et seq.), specifically Section 15091.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the lead agency, in this case the City of Covina (City), prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. CEQA Guidelines Section 15091 states, in part, that:

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

In accordance with Public Resource Code Section 21081 and CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable,” in which case the lead agency must adopt a formal statement of

overriding considerations. The Final EIR for the proposed project identified potentially significant effects that could result from project implementation. However, the City finds that the inclusion of certain mitigation measures as part of project approval will reduce all of the potentially significant effects to less than significant. As such, a statement of overriding considerations prepared pursuant to CEQA Guidelines Section 15093 is not required for this project.

As required by CEQA, in adopting these findings, the City also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The City finds that the MMRP, which is included in the Final EIR and is incorporated by reference and made a part of these findings, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

As required by CEQA, the City finds that the Final EIR for the project reflects the City's independent review and judgment. In accordance with the provisions of CEQA and the CEQA Guidelines, the City adopts these findings as part of its certification of the Final EIR.

1.2 Organization of the Findings of Fact

The content and format of this CEQA Findings of Fact is designed to meet the latest CEQA statutes and Guidelines. The Findings of Fact is organized into the following sections:

Chapter 1, Introduction outlines the organization of this document and identifies the location and custodian of the record of proceedings.

Chapter 2, Project Description summarizes the proposed project, including its location, and provides a list of project objectives.

Chapter 3, CEQA Review and Public Outreach describes the steps that the City has undertaken to comply with the CEQA statutes and Guidelines as they relate to public input, review, and participation during the preparation of the Draft and Final EIRs.

Chapter 4, Impacts Determined Not to Be Significant or Less than Significant provides a list of those environmental issue areas where no reasonably foreseeable impacts would occur and provides a list of those impacts determined to be below the threshold of significance without the incorporation of mitigation measures.

Chapter 5, Impacts Determined to be Less than Significant with Mitigation provides findings for all potentially significant environmental impacts for which implementation of identified feasible mitigation measures would avoid or substantially reduce the environmental impacts to less than significant levels.

Chapter 6, Findings on Project Alternatives provides a summary of the alternatives considered for the project and describes the associated findings.

Chapter 7, Other CEQA Findings addresses the City’s findings regarding growth inducing impacts, significant irreversible environmental changes, recirculation, and the mitigation monitoring and reporting program.

CHAPTER 2.0 PROJECT DESCRIPTION

2.1 Project Location

The proposed project site is located in the City of Covina in the southeastern portion of Los Angeles County, approximately 22 miles east of downtown Los Angeles. The proposed project site is composed of a former K-Mart property, located at 1162 North Citrus Avenue, and an existing private school property, located at 177 East Covina Boulevard. The project site encompasses approximately 10.66 acres on three parcels (Assessor's Parcel Numbers 8406-019-019, 8406-019-020, and 8406-019-017). The proposed project is located in an urban setting and is bounded by North Citrus Avenue to the west, East Covina Boulevard to the south, and residential developments to the north and east.

2.2 Project Summary

The proposed project would involve a General Plan Amendment and Specific Plan to develop a mixed-use transit-oriented development project. The proposed project would consist of three primary components: 1) a Transit Center and Park & Ride facility; 2) the Covina Innovation, Technology, and Event Center (iTEC)—an event center and professional office/business incubator space; and 3) residential townhome units. The proposed project is a result of coordination between three distinct entities, each of which would design, own, and operate their respective portion of the overall mixed-use development. The City would design, own, and operate the iTEC component; MLC Holdings, Inc./Meritage Homes (MLC) would develop the residential townhome component; and Foothill Transit would design, own, and operate the Transit Center and Park & Ride facility. Each of these project components is summarized below.

Transit Center and Park & Ride Facility. The Transit Center and Park & Ride facility would be located south of the residential component and north of the Covina iTEC component of the proposed project, consisting of a parking structure, transit-related retail, a bus depot, and electric bus charging stations. The Transit Center and Park & Ride facility would comprise approximately 2.99 acres of the total 10.66-acre project site. The parking structure would be located adjacent to the proposed residential uses, with ingress along North Citrus Avenue and egress along East Covina Boulevard, and would be approximately three levels in height and approximately 50,000 square feet in footprint. The parking structure would support approximately 350 to 400 parking stalls. Retail uses adjacent to the parking structure would consist of an approximately 4,800-square foot retail building. Bus bays would be located south of the parking structure for bus loading and unloading of passengers and for use during bus layovers. A proposed “Covina Express Line” and the existing local line #281 would stop at the transit center.

Covina Innovation, Technology, and Event Center (iTEC). The iTEC would be situated in the southeastern portion of the project site and would consist of the following uses (square footages are approximate): 10,000 square feet of event center space; 11,000 square feet of business/technology incubation areas that would provide shared workspace for small-scale and start-up businesses, as well as professional office space; and an outdoor plaza/public space area of 20,000 square feet. Additionally, 35,000 square feet of surface parking would be adjacent to the iTEC to the east with 111 spaces allocated for the event center. The iTEC would be a maximum of two stories (up to approximately 35 feet in height). The iTEC component of the proposed project would comprise approximately 1.55 acres of the total 10.66-acre project site.

Residential Townhome Units. The residential component of the proposed project would consist of up to 120 for-sale townhome units, covering roughly 6.12 acres in the northern portion of the project site. Each unit would average approximately 1,900 square feet in size, for a total residential square footage of approximately 228,000 square feet. The three-story residential buildings would be no more than 36 feet in height to the top of the roof (29 feet to the eaves) and configured in a courtyard arrangement allowing interaction between residents. The units are expected to include small private patios at the ground level to allow for outdoor living. This component of the overall proposed project would include a private recreation area of approximately 7,400 square feet along the eastern site boundary. The residential component would include two attached garage parking spaces for each unit (up to 240) and approximately .58 on-site guest parking stalls per unit (up to 69), for a total of approximately over 300 spaces.

2.3 Project Objectives

The proposed project is a result of coordination between three distinct entities, each of which would design, own, and operate their respective portion of the overall mixed-use development. The City would design, own, and operate the iTEC component; MLC would develop the residential townhome component to be sold at a later time to a separate operator; and Foothill Transit would design, own, and operate the Transit Center and Park & Ride facility. As such, the proposed project objectives include City objectives, Foothill Transit objectives, and objectives of the applicant. (Note: The City is an applicant, along with Foothill Transit and MLC)

The City and Foothill Transit's objectives are as follows:

- Repurpose the project site with a development concept that is innovative, high-quality in design, meets the community's need for public facilities, infrastructure, transportation and transit-related residences.
- Revitalize the project site with a development that creates a regional destination to attract new visitors to Covina, raise the positive image profile of Covina in the region and meet the daily needs of Covina residents and businesses.

- Introduce an innovative use of the property that will have a positive impact upon adjoining commercial properties.
- Close a north/south “transportation gap” that currently exists between the Metro Gold Line, the Covina Metrolink Station, and the Interstate 10 Freeway.
- Add new high-quality residences that will meet an emerging need for entry-level homeownership opportunities, focused on access to the regional transportation network.

Additionally, Foothill Transit’s objectives are also as follows:

- Increase the regional accessibility and mobility of bus patrons within Covina and nearby cities.
- Provide a transit center and parking facility in an area that will satisfy the parking demands for Foothill Transit customers, while decreasing on-street parking along city streets parallel to the proposed transit center location.
- Reduce automobile vehicle miles traveled (VMT) and associated emissions to benefit air quality.
- Include facility design features that minimize environmental impacts on surrounding land uses.

MLC’s objectives are as follows:

- Create a mixed-use, transit oriented project in the City of Covina.
- Incorporate a new residential community into an existing core of nearby retail services, restaurants, theatres and transit amenities.
- Minimize the impact to the regional environment through the incorporation of a mixed-use, transit oriented community.
- Provide a dedicated community area that includes a swimming pool, barbeque area, associated furniture, showers and restrooms for residents and guests of the community to enjoy time relaxing with family and friends.
- Provide an opportunity for residents to minimize the use of their cars and reduce the time spent commuting and reallocate that time to spend with family.
- Build homes and deliver the American dream in a sustainable and environmentally friendly manner.

2.4 Discretionary Actions

The proposed project would require the following land use entitlements to allow for multi-family residential development and public use development on the former commercial site:

1. Development Agreement with Purchase Agreement of 1.5 acres for Public Use;
2. General Plan Amendment to change 10.66 acres from the existing General Commercial (GC) land use designation to the Covina Forward Specific Plan land use designation;
3. Specific Plan to create a transit-oriented mixed-use development consisting of a residential component, a transit center component, and a civic/community use component, and to establish three distinct Planning Areas as follows:
 - a. Planning Area 1 – A transit-oriented attached single-family residential development on approximately 6.12 acres that will allow up to a maximum density of 22 dwelling unit per acre with accessory common area, recreation facilities and other amenities, as well as a pedestrian access link to Planning Area 2;
 - b. Planning Area 2 – A transit center on approximately 2.99 acres that will allow a transit center of up to a six-bay bus plaza, a “Park and Ride” vehicle parking structure accommodating between 350 and 400 vehicles, a retail building of up to 4,800 square feet, and approximately 5,000 square foot of pedestrian plaza accessible to Planning Area 3;
 - c. Planning Area 3 – A civic component on approximately 1.55 acres that will envision accommodating a potential menu of civic-oriented uses, such as but not limited to, approximately 10,000 square feet of civic event center space, approximately 5,000 to 10,000 square feet of professional office space, or approximately 10,000 to 15,000 square feet of a senior/community center. A surface parking area will be provided to service the civic uses;
4. Zone Change to change the 10.66-acre project site from the existing C-3A Commercial Zone (Regional or Community Shopping Center) to the Covina Forward Specific Plan Zone;
5. Subdivision map (Tentative Tract Map 74512) for the public use parcels and the for-sale residential development; and
6. Site Plan Review for the residential development and public use development.

CHAPTER 3.0 CEQA REVIEW AND PUBLIC OUTREACH

Pursuant to CEQA Guidelines Section 15082, the City issued a Notice of Preparation (NOP) dated May 11, 2016, to the State Clearinghouse, agencies, organizations, and interested parties. The NOP is intended to encourage interagency communication regarding the proposed project so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. In accordance with CEQA Guidelines Section 15082(a), a copy of the NOP was posted at the Los Angeles County Clerk's office. The NOP was also made available at the Covina City Clerk's office (125 College Street, Covina, California, 91723) and on its website during the public scoping period. The NOP was posted in the San Gabriel Valley Tribune newspaper on May 11, 2016. Copies of the NOP were sent to agencies via certified mail. The public scoping period ended on June 14, 2016. The City received four letters in response to the NOP. Copies of these comment letters have been provided in Appendix A of the EIR.

The Draft EIR was made available for public review and comment pursuant to CEQA Guidelines Section 15087. The 45-day public review period for the Draft EIR started on September 13, 2016, and ended on October 27, 2016. At the beginning of the public review period, 15 copies of the Draft EIR and one copy of the Notice of Completion (NOC) were submitted to the State Clearinghouse. Relevant agencies also received electronic copies of the documents. A Notice of Availability (NOA) and a copy of the Draft EIR on compact disc (CD) were distributed to 16 interested parties. The NOA was filed with the Los Angeles County Clerk and published in the San Gabriel Valley Tribune newspaper on September 13, 2016, the NOA described where the document was available and how to submit comments on the Draft EIR. The NOA and Draft EIR were also made available for public review at the Covina City Clerk's office (125 College Street, Covina, California, 91723), at the Covina Public Library (234 North Second Avenue, Covina, California, 91723), and on the City's website. The 45-day public review period provided interested public agencies, groups, and individuals the opportunity to comment on the contents of the Draft EIR.

During the Draft EIR public review period, the City received five comment letters on the Draft EIR. The 2015 Final EIR, which contains written responses to these letters, was completed and distributed on (date). Distribution of the Final EIR entailed providing copies of the Final EIR to public agencies and organizations that received and/or commented on the Draft EIR, and notifying individuals who commented on the Draft EIR of the Final EIR availability. The Final EIR was made available to the public at the City Clerk's office or the Community Development Department, Planning Division, located at 125 E. College Street, Covina, CA 91723 or at www.covinaca.gov. The Final EIR was prepared and distributed in accordance with CEQA

Guidelines Section 15088(b), which requires that written responses be provided to commenting agencies at least 10 days prior to certifying an EIR.

3.1 Record of Proceedings

For the purposes of CEQA, and the Findings herein set forth, the record of proceedings for the project consists of those items listed in CEQA Section 21167.6(e). The record of proceedings for the County's decision on the proposed project consists of the following documents, at a minimum, which are incorporated by reference and made part of the record supporting these findings:

- The Notice of Preparation, Notice of Availability, and all other public notices issued by the City in conjunction with the proposed project;
- The Draft EIR for the proposed project and all technical appendices and documents relied upon or incorporated by reference;
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the Draft EIR and the City's responses to those comments;
- The Final EIR for the proposed project;
- The MMRP for the proposed project;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project prepared by the City or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the proposed project;
- All documents submitted to the City by other public agencies or members of the public in connection with the proposed project, up through the close of the public hearing for the project on (DATE);
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the proposed project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- All resolutions adopted by the City regarding the proposed project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- The City's General Plan and all updates and related environmental analyses;
- Matters of common knowledge to the City, including, but not limited to Federal, State, and local laws and regulations;

- Any documents expressly cited in these findings, in addition to those cited above; and any other materials required for the record of proceedings by CEQA Section 21167.6(e).

3.2 Custodian and Location of Records

The documents and other materials that constitute the record of proceedings upon which Metropolitan’s project approval is based are located at the address below:

City of Covina, City Clerk’s Office
125 East College Street
Covina, California 91723

The City’s Planning Division is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with Public Resources Code section 21081.6(a)(2) and CEQA Guidelines section 15091(e).

CHAPTER 4.0

IMPACTS DETERMINED NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT

The following impacts were evaluated in the Draft EIR and determined to be below a level of significance due to the design, location, and scope of the proposed project and/or through adherence with existing laws, codes, and statutes. Based on the environmental analysis presented in the Draft EIR and the comments received by the public on the Draft EIR, no substantial evidence was submitted to or identified by the City indicating that the project would have a potentially significant impact with respect to the environmental categories listed below. Support for the environmental impact conclusions listed below are provided throughout Chapter 3.0, Environmental Analysis, of the Draft EIR.

4.1 Aesthetics

- Implementation of the proposed project would have a less than significant impact on scenic vistas.
- Implementation of the proposed project would have no impact on scenic resources within a state scenic highway.
- Implementation of the proposed project would have a less than significant impact on the existing visual character and quality of the site and its surroundings.

4.2 Agriculture and Forest Resources

- Implementation of the proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland).
- Implementation of the proposed project would have no impact on existing zoning for agricultural use or a Williamson Act contract.
- Implementation of the proposed project would have no impact relative to forest land, timberland, or timberland zoned Timberland Production.
- Implementation of the proposed project would have no impact relative to loss of forest land or conversion of forest land to non-forest use.
- Implementation of the proposed project would have no impact relative to changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

4.3 Air Quality

- Implementation of the proposed project would result in a less than significant impact relative to conflicts with the applicable air quality plan.
- Implementation of the proposed project would result in a less than significant impact relative to violation of air quality standards.
- Implementation of the proposed project would result in a less than significant impact relative to cumulatively considerable net increases in criteria pollutants.
- Implementation of the proposed project would result in a less than significant impact relative to objectionable odors.

4.4 Biological Resources

- Implementation of the proposed project would have no impact on riparian habitats or other sensitive natural communities.
- Implementation of the proposed project would have no impact on federally protected wetlands.
- Implementation of the proposed project would result in a less than significant impact relative to conflicts with local policies or ordinances protecting biological resources.
- Implementation of the proposed project would have no impact relative to conflicts with adopted habitat conservation plans.

4.4 Cultural Resources

- Implementation of the proposed project would have a less than significant impact on historical resources.
- Implementation of the proposed project would have a less than significant impact on tribal cultural resources.

4.5 Geology and Soils

- Implementation of the proposed project would result in a less than significant impact relative to risk involving rupture of a known earthquake fault.
- Implementation of the proposed project would have no impact relative to exposure of people or structures to risk involving landslides.
- Implementation of the proposed project would have a less than significant impact relative to soil erosion and topsoil loss.
- Implementation of the proposed project would have no impact relative to alternative wastewater disposal systems.

4.6 Greenhouse Gas Emission

- Implementation of the proposed project would have less than significant impacts relative to greenhouse gas emissions.
- Implementation of the proposed project would have less than significant impacts relative to conflicts with plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouses gases.

4.7 Hazards and Hazardous Materials

- Implementation of the proposed project would result in no impact relative to safety hazards caused by proximity to public airports.
- Implementation of the proposed project would result in no impact relative to safety hazards caused by proximity to private airstrips.
- Implementation of the proposed project would result in less than significant impacts relative to implementation of adopted emergency response plans and emergency evacuation plans.
- Implementation of the proposed project would result in less than significant impacts relative to safety hazards from wildland fire.

4.8 Hydrology/Water Quality

- Implementation of the proposed project would result in less than significant impacts relative to water quality standards and waste discharge requirements.
- Implementation of the proposed project would have a less than significant impact on groundwater supply and recharge.
- Implementation of the proposed project would result in less than significant impacts relative to alterations in existing drainage patterns in a manner that would result in erosion or siltation.
- Implementation of the proposed project would result in less than significant impacts relative to alterations in existing drainage patterns in a manner that would result in flooding.
- Implementation of the proposed project would have less than significant impacts relative to volume and water quality of stormwater runoff.
- Implementation of the proposed project would have a less than significant impact relative to degradation of water quality.
- Implementation of the proposed project would result in no impact relative to placement of housing within a 100-year flood hazard area.

- Implementation of the proposed project would result in no impact relative to impeding or redirecting flood flows.
- Implementation of the proposed project would result in less than significant impacts relative to risks involving flooding, including flooding as a result of levee or dam failure.
- Implementation of the proposed project would result in no impact relative to exposure of people or structures to risk of seiche, tsunami, or mudflow.

4.9 Land Use and Planning

- Implementation of the proposed project would result in less than significant impacts relative to physical divisions of an established community.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.
- Implementation of the proposed project would have no impact relative to conflicts with adopted habitat conservation plans or natural community conservation plans.

4.10 Mineral Resources

- Implementation of the proposed project would have no impact on known mineral resources of value to the region or the residents of the state.
- Implementation of the proposed project would have no impact on locally important mineral resource recovery sites.

4.11 Noise

- Implementation of the proposed project would have no impact relative to excessive noise levels from a public airport.
- Implementation of the proposed project would have no impact relative to excessive noise levels from a private airstrip.

4.12 Population and Housing

- Implementation of the proposed project would result in less than significant impacts relative to population growth.
- Implementation of the proposed project would result in no impact relative to displacement of housing.
- Implementation of the proposed project would result in no impact relative to displacement of people.

4.13 Public Services

- Implementation of the proposed project would result in less than significant impacts relative to the need for new or physically altered government facilities.

4.14 Recreation

- Implementation of the proposed project would result in less than significant impacts relative to recreational facilities.
- Implementation of the proposed project would result in less than significant impacts relative to construction or expansion of recreational facilities.

4.15 Transportation/Traffic

- Implementation of the proposed project would result in less than significant impacts relative to conflicts with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with the applicable congestion management program.
- Implementation of the proposed project would have no impact on air traffic patterns.
- Implementation of the proposed project would result in no impact relative to hazards caused by a roadway design feature or an incompatible roadway use.
- Implementation of the proposed project would result in less than significant impacts relative to emergency access.
- Implementation of the proposed project would result in less than significant impacts relative to conflicts with adopted policies, plans, or programs for public transit, bicycles, or pedestrian facilities and would have less than significant impacts relative to the performance or safety of such facilities.

4.16 Utilities and Service Systems

- Implementation of the proposed project would result in less than significant impacts relative to exceedances in the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board.
- Implementation of the proposed project would result in less than significant impacts to water and wastewater treatment facilities.
- Implementation of the proposed project would result in less than significant impacts relative to stormwater drainage facilities.

- Implementation of the proposed project would result in less than significant impacts on water supply.
- Implementation of the proposed project would result in less than significant impacts on wastewater treatment capacity.
- Implementation of the proposed project would result in less than significant impacts on landfill capacity.

Implementation of the proposed project would result in less than significant impacts relative to compliance with solid waste regulations.

4.17 Cumulative Impacts

The proposed project would result in no cumulative impacts or less than significant cumulative impacts for the following environmental issue areas: agriculture and forestry resources, air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and traffic, utilities and service systems.

CHAPTER 5.0 IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION

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

5.1 Aesthetics

Potential Effect. The proposed project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Support for this environmental impact conclusion is fully discussed in Section 3.1, Aesthetics, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to aesthetics were developed for the proposed project and are listed below.

MM-AES-1 New sources of exterior lighting on the project site shall be shielded and directed downward to avoid light spillover onto adjacent residential developments to the north and east. Exterior overhead lighting shall also be of the minimum required intensity to provide for safety and security of project residents and visitors. Nighttime operation of new sources of lighting shall be consistent with that of existing lighting sources in the area.

MM-AES-2 Prior to the issuance of building permits, the project applicants shall prepare and submit to the City for review a photometric study for the proposed residential townhome development and parking structure to ensure that off-site residential land uses to the north and east are not subjected to unnecessary light spillover and trespass. A detailed lighting plan shall be developed for the residential townhome development and parking structure and shall be utilized by a qualified photometric specialist to prepare the photometric study. If excessive light spillover is identified in the photometric, then appropriate measures including but not limited to use of lower intensity lighting shall be considered to avoid unnecessary light spillover and trespass.

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant aesthetic impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or

incorporated into the proposed project that mitigate or avoid the potentially significant aesthetic impacts of the proposed project identified in the EIR.

5.2 Air Quality

Potential Effect. The proposed project could expose sensitive receptors to substantial pollutant concentrations. Support for this environmental impact conclusion is fully discussed in Section 3.3, Air Quality, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to exposure of sensitive receptors to substantial pollutant concentrations were developed for the proposed project and are listed below.

MM-AQ-1 The following dust control measures shall be implemented by the contractor/builder to reduce fugitive dust PM₁₀ and PM_{2.5} emissions generated during earthmoving construction activities of all three components of the proposed project:

- a. During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the project site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the project site. At a minimum, this would include wetting down such areas later in the morning, after work is completed for the day, and whenever winds exceed 15 miles per hour.
- c. Soil stockpiled for more than 2 days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d. Speeds on unpaved roads shall be reduced to less than 15 miles per hour.
- e. All grading and excavation operations shall be halted when wind speeds exceed 25 miles per hour.
- f. Dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways shall be swept, vacuumed, and/or washed at the end of each workday.

- g. All trucks hauling dirt, sand, soil, or other loose material to and from the construction site shall be covered and/or a minimum 2 feet of freeboard shall be maintained.
- h. At a minimum, at each vehicle egress from the project site to a paved public road, a pad consisting of washed gravel (minimum size: 1 inch) shall be installed and maintained in clean condition to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long (or as otherwise directed by the SCAQMD).
- i. Any additional requirements of SCAQMD Rule 403 shall be reviewed and complied with.

MM-AQ-2 During project demolition, site preparation, and grading activities, off-road equipment with engines rated at 75 horsepower or greater, shall meet Tier 3 engine standards or better. An exemption from these requirements may be granted by the City of Covina in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Los Angeles County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment. Based on the anticipated equipment for these phases, this measure would be applicable to, but not limited to, excavators, graders, rubber tired dozers, and tractors/loaders/backhoes used during earth moving activities.

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant air quality impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid potentially significant air quality impacts of the proposed project identified in the EIR.

5.3 Biological Resources

Potential Effects. The proposed project could have a substantial adverse effect on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The proposed project could also interfere substantially with the movement of native resident wildlife species or with the use of native wildlife nursery sites. Support for these environmental impact conclusions is fully discussed in Section 3.4, Biological Resources, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to special-status species, migratory wildlife, and native wildlife nursery sites were developed for the proposed project and are listed below.

MM-BIO-1 Ground-disturbance and vegetation removal activities should take place outside of the general nesting bird season, from approximately March 1 through August 31 (as early as February 1 for raptors), to the greatest extent feasible. If vegetation removal and/or construction activities (including disturbances to vegetation, structures, and substrates) will occur during the general bird nesting season (i.e., between March 1 and August 31, and as early as February 1 for raptors), preconstruction surveys for nesting native birds and raptors shall be conducted by a qualified biologist, no more than 3 days prior to construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone (500-foot radius for raptors) to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds or raptors.

If active nests are found (California Department of Fish and Wildlife defines “active” as any nest that is under construction or modification; U.S. Fish and Wildlife Service defines “active” as any nest that is currently supporting viable eggs, chicks, or juveniles), clearing and construction shall be postponed or halted within a buffer area established by the qualified biologist that is suitable to the particular bird species and location of the nest (typically a starting point of 250 feet for most birds and 500 feet for raptors, but may be reduced as approved by a qualified biologist), until the nest is vacated and/or juveniles have fledged, as determined by the qualified biologist. The construction avoidance area shall be clearly demarcated in the field (i.e., fencing, staking, or flagging) for avoidance. A qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. The results of the surveys, including graphics showing the locations of any active nests detected, and documentation of any avoidance measures taken, shall be submitted to the City within 14 days of completion of the pre-construction surveys or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. Surveys, and resulting buffers, will be repeated if construction within any phase is paused for more than 30 days.

MM-BIO-2 No more than 30 days prior to construction (including demolition work and tree trimming/removal activities), a qualified biologist will conduct a visual and acoustic preconstruction survey for roosting special-status bats and/or sign (i.e.,

guano) within 300 feet of suitable bat roosting habitat (i.e., buildings and/or trees). A minimum of one day and one evening will be included in the visual preconstruction survey, which should concentrate on the period when roosting bats are most detectable (i.e., when leaving the roosts between one hour before sunset and two hours after sunset). If special-status bats are not detected, no additional measures are required.

If an active maternity roost is identified, the maternity roost will not be directly disturbed, and construction activities will maintain an appropriate distance (e.g., 300-foot avoidance buffer) until the maternity roost is vacated and juveniles have fledged, as determined by a qualified biologist. The rearing season for native bat species in California is approximately March 1 through August 31. If non-breeding special-status bat roosts (hibernacula or non-maternity roosts) are found, the individuals shall be safely evicted, under the direction of a qualified biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by a qualified biologist (e.g., installation of one-way doors). If flushing species from a tree roost is required, this shall be done when temperatures are sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed and temperatures should be sufficiently warm (for winter hibernacula) for bats to exit the roost. This action should allow all bats to leave during the course of one week. If a roost needs to be removed and a qualified biologist determines that the use of one-way doors is not necessary, the roost shall first be disturbed following the direction of the qualified biologist at dusk to allow bats to escape during the darker hours. Once the bats escape, the roost site shall be removed or the construction disturbance shall occur the next day (i.e., there shall be no less or more than one night between initial disturbance and the roost removal).

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant biological impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid potentially significant air quality impacts of the proposed project identified in the EIR.

5.4 Cultural Resources

Potential Effects. The proposed project could cause a substantial adverse change in the significance of an archaeological resource. The proposed project would also have the potential to adversely affect unique paleontological resources or sites and to disturb human remains,

resulting in potentially significant impacts. Support for these environmental impact conclusions is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize significant adverse impacts related to archaeological resources, paleontological resources, and human remains were developed for the proposed project and are listed below.

MM-CUL-1 Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

MM-CUL-2 Paleontological Mitigation Program. Prior to commencement of any grading activity on-site, the City, Foothill Transit and MLC shall retain a qualified paleontologist, subject to the review and approval of the City’s Building Official, or qualified designee. The qualified paleontologist shall attend the preconstruction meeting and be on-site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths as shallow as 10 feet below ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontology monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow grading to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).

MM-CUL-3 Inadvertent Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two

working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1), and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cultural resources impacts of the proposed project identified in the EIR.

5.5 Geology and Soils

Potential Effects. Potentially significant effects were identified for the proposed project in the following thresholds for geology and soils:

- The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.
- The proposed project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.
- The proposed project may be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- The proposed project may be located on expansive soil, creating substantial risk to life or property.

Support for these environmental impact conclusions is fully discussed in Section 3.6, Geology and Soils, of the Draft EIR.

Mitigation Measure. Consistent with CEQA Guidelines Section 15126.4(a)(1), a feasible measure that can minimize significant adverse impacts related to geology and soils was developed for the proposed project and is provided below.

MM-GEO-1 Prior to the construction phase, the proposed project shall be designed in accordance with the recommendations from the site-specific Geotechnical Evaluation. In the event that changes are made in the recommendations set forth in the final geotechnical report, the project design shall be updated in accordance with those changes. Prior to the issuance of a building permit, the City of Covina, Foothill Transit and MLC Holdings, Inc./Meritage Homes shall submit the final design and construction plans for review and approval by the City Building Official or designee and the City Engineer or designee. The final design and construction plans shall show that the recommendations from the Geotechnical Evaluation regarding earthwork, design, foundation, retaining wall, garden wall, soil corrosivity, import soils, concrete slabs, sidewalks, and driveways have been incorporated into the final design.

Finding. The City finds that the above mitigation measure is feasible, is adopted, and will reduce the potentially significant geology and soils impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant geology and soils impacts of the proposed project identified in the EIR.

5.6 Hazards and Hazardous Materials

Potential Effects. Potentially significant effects were identified for the proposed project in the following thresholds for hazards and hazardous materials:

- The proposed project could create a potentially significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- The proposed project could create a potentially significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- The proposed project could potentially emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- The proposed project could potentially be located on a site containing hazardous materials.

Support for these environmental impact conclusions is fully discussed in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize the significant adverse impacts related to hazards and hazardous materials were developed for the proposed project and are provided below.

MM-HAZ-1 Prior to demolition of the existing building, an asbestos survey and lead-based paint survey shall be conducted by a California Occupational Safety and Health Administration-certified asbestos and lead-based paint consultant and/or certified site surveillance technician. A report documenting material types, conditions, and general quantities will be provided, along with photos of positive materials and diagrams. Demolition plans and contract specifications shall incorporate any abatement procedures for the removal of material containing asbestos and/or lead-based paint. All abatement work shall be done in accordance with federal, state, and local regulations.

MM-HAZ-2 Prior to obtaining a certificate of occupancy, the removal of the underground storage tank shall be permitted and completed in accordance with the Los Angeles County Fire Department Health Hazardous Materials Division protocol.

MM-HAZ-3 Prior to obtaining a certificate of occupancy, the hydraulic lift units shall be removed by a licensed contractor and the soil beneath the reservoir area shall be sampled by a qualified environmental consulting firm. At a minimum, soil samples shall be analyzed for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and polychlorinated biphenyls (PCBs). Should visually stained soil be observed in the reservoir pit area, additional soil samples shall be collected to further evaluate subsurface impact. Should TPH, VOCs, or PCBs be detected in the soil sample(s), the environmental consult shall advise the City of Covina about additional steps to be taken, which may include regulatory agency notification and remediation. Additional sampling may also be required prior to the disposal of the hydraulic lift units.

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant hazardous materials impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant impacts of the proposed project related to hazards and hazardous materials that are identified in the EIR.

5.7 Noise

Potential Effects. Potentially significant noise effects were identified for the proposed project for the following thresholds:

- The proposed project could result in exposure of persons to or generation of noise levels in excess of applicable standards, resulting in potentially significant impacts.
- The proposed project could result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, resulting in potentially significant impacts.
- The proposed project could result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, resulting in potentially significant impacts.
- The proposed project could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, resulting in potentially significant impacts.

Support for these environmental impact conclusions is fully discussed in Section 3.12, Noise, of the Draft EIR.

Mitigation Measures. Consistent with CEQA Guidelines Section 15126.4(a)(1), feasible measures that can minimize the significant adverse impacts related to noise were developed for the proposed project and are provided below.

MM-NOI-1 Construction activities shall take place during the permitted time and day per Chapter 9.40.110 of the City’s Municipal Code. The applicant shall ensure that construction activities are limited to the hours of 7 a.m. to 8 p.m. Monday through Saturday, and not at all during other hours or on Sundays or public holidays. This condition shall be listed on the project’s final design to the satisfaction of the City Engineering Department.

MM-NOI-2 The City of Covina shall require the applicant to adhere to the following measures as a condition of approving the grading permit:

- The project contractor shall, to the extent feasible, schedule construction activities to avoid the simultaneous operation of construction equipment so as to minimize noise levels resulting from operating several pieces of high noise level emitting equipment.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Enforcement shall be accomplished by random field inspections by applicant personnel during construction activities, to the satisfaction of the City Engineering Department.
- Construction noise reduction methods such as shutting off idling equipment, construction of a temporary noise barrier, maximizing the distance between construction equipment staging areas and adjacent residences, and use of

electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible.

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive receptors.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent if necessary. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report of the action provided to the reporting party.
- If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.

MM-NOI-3 The proposed parking structure shall be designed such that the easternmost side of the structure is not open, for the purpose of preventing parking noise on upper floors emanating directly into the adjacent community. This feature (or other measures which otherwise ensure that noise from parking activities would not exceed City of Covina noise standards) shall be verified by City staff prior to final design approval.

MM-NOI-4 Because heating, ventilation, and air conditioning (HVAC) equipment and other mechanical equipment can generate noise that could affect surrounding sensitive receptors for all phases of the project and because the details, specifications, and locations of this equipment is not yet known, the project applicant shall retain an acoustical specialist to review project construction-level plans at each phase of the project to ensure that the equipment specifications and plans for HVAC and other outdoor mechanical equipment incorporate measures, such as the specification of quieter equipment or provision of acoustical enclosures, that will not exceed relevant noise standards at nearby noise-sensitive land uses (e.g., residential). Prior to the commencement of construction for each phase of the overall project (all three components), the acoustical specialist shall certify in writing to the City that the equipment specifications and plans incorporate measures that will achieve the relevant noise limits.

MM-NOI-5 Prior to certificate of occupancy, signs shall be posted at the planned recreation area prohibiting noisy activities between the hours of 10:00 p.m. and 7:00 a.m.

MM-NOI-6 The proposed residential balconies and patio areas located along the first row with a direct, unobstructed view of North Citrus Avenue would require a noise barrier

with a minimum height of 5 feet. The noise barriers may be constructed of a material such as tempered glass, acrylic glass (or similar material), masonry material, manufactured lumber (or a combination of these) with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.

MM-NOI-7 The residential units in the first row east of North Citrus Avenue will most likely require mechanical ventilation systems or air conditioning systems in order to ensure that windows and doors can remain closed while maintaining a comfortable environment. Additionally, sound-rated windows may be necessary. An interior noise analysis shall be required for the proposed dwelling units in the first row east of North Citrus Avenue prior to issuance of building permits. Installation of these systems (i.e., HVAC and sound-rated windows) shall be required if the interior noise analysis shows that impacts are above the State and City's 45 dBA L_{dn} interior standard. The interior noise analysis shall substantiate that with the required mitigation, the resulting interior noise levels will be less than the noise standard, and thus, will be a less than significant impact.

Finding. The City finds that the above mitigation measures are feasible, are adopted, and will reduce the potentially significant noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant noise impacts of the proposed project that are identified in the EIR.

5.7 Cumulative Impacts

Pursuant to CEQA Guidelines Section 15130, the following findings identify potentially significant cumulative impacts and the project's incremental contribution to those impacts. For the following environmental resource areas, the project's incremental effect would not be cumulatively considerable, after implementation of applicable mitigation measures.

Aesthetics

Potential Effect. Lighting and building materials associated with cumulative development in the project area, in combination with the lighting and building materials of the proposed project, could combine to create a cumulatively significant impact in the category of aesthetics. Support for this environmental impact conclusion is fully discussed in Section 3.1, Aesthetics, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential aesthetic effects. These measures, MM-AES-1 and MM-AES-2, are listed in

Section 5.1 of this document. These feasible measures would reduce the project’s incremental aesthetic effect to below a level of significance.

Finding. The City finds that mitigation measures MM-AES-1 and MM-AES-2 are feasible, are adopted, and will reduce the potentially significant cumulative aesthetic impact of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of aesthetics that are identified in the EIR.

Biological Resources

Potential Effect. The project site contains suitable bird nesting and bat roosting habitat that could be used by special-status species and/or migratory and nesting bird species protected under the Migratory Bird Treaty Act. Development of the proposed project in combination with the development of other project sites in the area that also contain suitable bird nesting and bat roosting habitat could result in a cumulatively considerable effect to biological resources. Support for this environmental impact conclusion is fully discussed in Section 3.4, Biological Resources, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to special-status species, migratory birds, and nesting birds. These measures, MM-BIO-1 and MM-BIO-2, are listed in Section 5.3 of this document. These feasible measures would reduce the project’s incremental biological effect to below a level of significance.

Finding. The City finds that mitigation measures MM-BIO-1 and MM-BIO-2 are feasible, are adopted, and will reduce the potentially significant cumulative biological impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of biological resources that are identified in the EIR.

Cultural Resources

Potential Effect. The project site and the sites of related development projects in the area have the potential to contain previously unknown, buried archaeological resources, paleontological resources, and/or human remains. In the event that such resources are significant under CEQA and are damaged during construction activities, construction at the project site and at the sites of related development projects in the area could potentially result in a cumulatively significant

impact to cultural resources. Support for this environmental impact conclusion is fully discussed in Section 3.5, Cultural Resources, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to archaeological resources, paleontological resources, and human remains. These measures, MM-CUL-1, MM-CUL-2, and MM-CUL-3, are listed in Section 5.4 of this document. These feasible measures would reduce the project's potential incremental effect on cultural resources to below a level of significance.

Finding. The City finds that mitigation measures MM-CUL-1, MM-CUL-2, and MM-CUL-3 are feasible, are adopted, and will reduce the potentially significant cumulative cultural resources impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of cultural resources that are identified in the EIR.

Geology and Soils

Potential Effect. The project site and the sites of related development projects in the area have the potential to be affected by seismic hazards and unstable geologic conditions. Development of the proposed project in combination with related projects would cause an increase in land use intensities in the region. As such, an increased number of persons and structures would become susceptible to geologic hazards that are present in the City and surrounding areas, such as seismic ground shaking, seismic-related ground failure, geologic instability, and soil expansion. As such, development of the proposed project in combination with the related projects could result in a cumulatively significant impact related to geology and soils. Support for this environmental impact conclusion is fully discussed in Section 3.6, Geology and Soils, of the Draft EIR.

Mitigation Measure. A Feasible measure has been developed for the proposed project to address its potential effects relative to geology and soils. This measure, MM-GEO-1, is provided in Section 5.5 of this document. This feasible measure would reduce the project's potential incremental effect related to geology and soils to below a level of significance.

Finding. The City finds that mitigation measure MM-GEO-1 is feasible, is adopted, and will reduce the potentially significant cumulative geology and soils impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative impacts of the proposed project in the category of geology and soils that are identified in the EIR.

Noise

Potential Effect. The proposed project would result in long-term operational noise. A cumulative impact could result if noise produced during operation of the proposed project were to combine with noise produced from the operations of the related projects to create a cumulatively significant permanent increase in ambient noise levels. As such, development of the proposed project in combination with the related projects could result in a cumulatively significant noise impact. Support for this environmental impact conclusion is fully discussed in Section 3.12, Geology and Soils, of the Draft EIR.

Mitigation Measures. Feasible measures have been developed for the proposed project to address its potential effects relative to long-term operational noise. These measures, MM-NOI-3, MM-NOI-4, MM-NOI-5, MM-NOI-6, and MM-NOI-7, are provided in Section 5.7 of this document. These feasible measures would reduce the project's potential incremental effect related to noise to below a level of significance.

Finding. The City finds that mitigation measures MM-NOI-3, MM-NOI-4, MM-NOI-5, MM-NOI-6, and MM-NOI-7 are feasible, are adopted, and will reduce the potentially significant cumulative noise impacts of the proposed project to less than significant levels. Accordingly, the City finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into the proposed project that mitigate or avoid the potentially significant cumulative noise impacts of the proposed project that are identified in the EIR.

CHAPTER 6.0

FINDINGS ON PROJECT ALTERNATIVES

Chapter 4.0, Alternatives, of the EIR discusses several alternatives to the proposed project in order to present a reasonable range of options. The alternatives evaluated included: No Project (Vacant K-Mart Building) Alternative, No Project (Planned Development) Alternative, Corner Parcel Acquisition Alternative, Reduced iTEC Alternative, and Reduced iTEC with Senior Center Alternative.

6.1 Alternative 1 – No Project (Vacant K-Mart Building) Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of “no project” along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. As specified in Section 15126.6(e)(3)(B) of the CEQA Guidelines, the no project alternative for a development project consists of the circumstance under which a proposed project does not proceed. As stated in Section 15126.6(e)(2) of the CEQA Guidelines, the lead agency is required to examine conditions that are reasonably expected to occur in the foreseeable future if the project were not approved. It is reasonably foreseeable that the K-Mart site would continue to remain vacant. Therefore, Alternative 1 assumes that the environmental conditions of the project site at the time that the Notice of Preparation was released (May 2016) would remain in place. Under Alternative 1, the K-Mart building and parking lot would remain vacant and unused and the private school would continue its operations, consistent with May 2016 environmental conditions.

Environmental Effects

Construction impacts associated with the proposed project would be avoided because no development would occur on the project site under the No Project (Vacant K-Mart Building) Alternative. Maintenance activities would occur as needed to maintain the existing facilities. Operational impacts associated with the proposed project would be avoided because no changes to the project site would occur. Overall, Alternative 1 would result in decreased environmental impacts relative to the proposed project. Support for this conclusion is fully discussed in Section 4.2.1, Alternative 1, of the Draft EIR.

Finding

The project site is currently an unutilized, vacant site that has a degraded appearance. Under Alternative 1, the generally vacant and degraded appearance of the project site would be maintained and the proposed project’s improvements relative to design and landscaping would

not occur. Unlike the proposed project, Alternative 1 would not implement General Plan policies that pertain to providing better links to transit and mixed uses. Further, this alternative would not achieve any of the objectives of the proposed project. It would not repurpose the project site with an innovative development concept, would not revitalize the project site with a development that creates a regional destination, would not introduce an innovative use of the property, and would not close the north/south transportation gap between existing transportation facilities. It would not help meet a need for entry-level homeownership opportunities, would not provide a transit center and parking facility, and would not increase accessibility for bus patrons. It would fail to incorporate a new residential community into the existing core of nearby commercial services and would fail to introduce a transit-oriented development into the project area. Under Alternative 1, the site would remain underutilized and would not contribute to the housing or the employment stock of the City. Rather, Alternative 1 would proliferate a sense of urban blight in the area.

For the reasons described above, the City rejects Alternative 1 because it fails to meet the project's underlying purpose of establishing a mixed-use and transit-oriented development at the project site. Furthermore, Alternative 1 would not meet the project objectives that support this underlying purpose. As such, the City finds that this alternative is not desirable or feasible and finds that the project is preferred over this alternative.

6.2 Alternative 2 – No Project (Planned Development) Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of “no project” along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. As specified in Section 15126.6(e)(3)(B) of the CEQA Guidelines, the no project alternative for a development project consists of the circumstance under which a proposed project does not proceed. As stated in Section 15126.6(e)(2) of the CEQA Guidelines, the lead agency is required to examine conditions that are reasonably expected to occur in the foreseeable future if the project were not approved. While it is reasonably foreseeable that the K-Mart building would continue to remain vacant (as described in Alternative 1 above), it is also reasonably foreseeable that if that proposed project were not approved, the project site would support a business similar to K-Mart in the future, because the project site has existing infrastructure to support a commercial use. Alternative 2 assumes that a similar commercial tenant would occupy the vacant building and would use the associated surface parking lot. Because the on-site commercial structure has been vacant for several years, Alternative 2 assumes that the new commercial tenant would make improvements to the project site and to the existing commercial structure. Improvements are anticipated to consist of re-surfacing the existing surface parking lot, exterior improvements to the existing structure, and interior modifications to the existing structure. The former K-Mart business also included a supplementary automotive service facility, which had approximately 12 service stalls. Depending

on the new commercial tenant, renovations could potentially involve removal of the existing hydraulic lift units and underground waste-oil storage tank on the project site that were associated with the previous automotive service facility. The existing landscaping would generally be retained and the K-Mart building would be retained. The private school would also remain in place, and its operation would continue in a manner consistent with existing conditions.

Environmental Effects

Construction activities for Alternative 2 would be minor relative to the construction activities that would be required for the proposed project. The construction activities for Alternative 2 would require fewer truck trips, fewer construction workers, less construction waste, and a shorter duration of construction when compared to the proposed project. Less ground disturbance would be required, since the existing on-site buildings and landscaping would remain in place. As such, construction-related impacts would generally decrease when compared to the proposed project. Operation would involve vehicular trips to and from the project site, since the new commercial tenant would require employees and would result in customers traveling to and from the project site. These vehicular trips would be associated with off-site traffic noise, air emissions, and greenhouse gas emissions that would represent an increase over the baseline conditions of the project site. However, the number of trips associated with a new commercial tenant is anticipated to be less than those caused by the proposed project, which includes residential, commercial, and transit uses. The new commercial tenant would also cause an increase in on-site noise sources relative to existing conditions due to the presence of additional people on the project site and the need for stationary noise sources, such as HVAC equipment. However, the noise produced is anticipated to be less than that of the proposed project. Overall, when compared to the proposed project, Alternative 2 would have reduced environmental impacts. Support for this conclusion is fully discussed in Section 4.2.2, Alternative 2, of the Draft EIR.

Finding

Unlike the proposed project, Alternative 2 would not implement General Plan policies that pertain to providing better links to transit and mixed uses. Further, Alternative 2 would not achieve any of the project objectives. It would not repurpose the project site with an innovative development concept, would not revitalize the project site with a development that creates a regional destination, would not introduce an innovative use of the property, and would not close the north/south transportation gap between existing transportation facilities. It would not help meet the need for entry-level homeownership opportunities, would not provide a transit center and parking facility, and would not increase the accessibility for bus patrons. It would fail to incorporate a new residential community into an existing core of nearby commercial services and would fail to introduce a transit-oriented development into the area. While Alternative 2 would improve the appearance of the site and would provide employment at the site, it would not

increase the City’s housing stock and would not create a modernized, innovative, transit-oriented, and community-oriented space within the City.

For the reasons described above, the City rejects Alternative 2 because it fails to meet the project’s underlying purpose of establishing a mixed-use and transit-oriented development at the project site. Furthermore, Alternative 2 would not meet the project objectives that support this underlying purpose. As such, the City finds that this alternative is not desirable or feasible and finds that the project is preferred over this alternative.

6.3 Alternative 3 – Corner Parcel Acquisition Alternative

The City does not currently control the lot that is located on the northeast corner of Covina Boulevard and Citrus Avenue. (This lot is currently occupied by a strip mall of approximately 21,719 square feet). As such, the proposed project does not include any development on this lot. However, Alternative 3 assumes that the City would successfully acquire this corner lot and would develop it as part of the proposed project. The configuration of the iTEC would be slightly modified to account for the incorporation of the corner lot into the project site. (Development of the residential townhomes and Transit Center and Park & Ride Facility would be the same as the proposed project.) Under Alternative 3, the event center and the office areas within the iTEC would be divided into two separate structures. The events center would be located in the southwestern corner of the site and would be 10,000 square feet in size. This building would be one story in height. To the east of the event center would be a separate building containing professional office space. This building would total 11,000 square feet. Of this area, approximately 5,000 square feet would be dedicated to business incubator use. This building would be one story in height. All other components of the iTEC would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 3 and the proposed project is the configuration of the iTEC and the height of the iTEC. Under Alternative 3, the uses contained within the iTEC would be distributed amongst two separate buildings: an event center and an office building containing both professional office space and business incubation space. The iTEC that would be developed as part of the proposed project would be two stories in height (approximately 35 feet), while the buildings comprising the iTEC under Alternative 3 would be one story (approximately 25 to 28 feet) in height. As such, the iTEC buildings proposed under Alternative 3 would be reduced in height compared to the proposed project. While the proposed two-story iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, developing single-story iTEC buildings would reduce impacts in the category of aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. The single-story iTEC buildings would be less visually prominent, as they would be on the low end of the

range of typical building heights in the project area. Additionally, the single-story iTEC buildings could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such, Alternative 3 would reduce impacts that were identified for the proposed project relative to aesthetics. Aside from the reconfiguration of the iTEC building and a reduction in the proposed project's aesthetic impact, all other project components and resulting environmental impacts for Alternative 3 would be the same as those that have been identified for the proposed project. Support for these conclusions is fully discussed in Section 4.2.3, Alternative 3, of the Draft EIR.

Finding

Alternative 3 would meet all the project objectives. Alternative 3 would also slightly reduce the proposed project's impacts in the category of scenic vistas and visual character and quality. However, the environmental analysis in the EIR determined that the proposed project would result in less than significant impacts in these categories; as such, Alternative 3 would not avoid or reduce any potentially significant impacts. Furthermore, the City has not acquired the corner parcel. As explained above, the City would need to control this parcel in order to approve Alternative 3. Because the City was unable to acquire this parcel, the City rejects Alternative 3 in favor of the proposed project.

6.4 Alternative 4 – Reduced iTEC Alternative

Under this alternative, the size of the proposed iTEC building would be reduced to 12,000 square feet from the proposed project's size of 21,000 square feet. The reduced iTEC and would be one story (approximately 25 to 28 feet) in height and would accommodate an event center and business incubator space. No professional office space would be provided within the iTEC. All other components of the iTEC would remain the same. The corner lot that would become part of the project site under Alternative 3 would not be part of the project. The residential and transit portions of the project would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 4 and the proposed project is the height and size of the iTEC. The iTEC that would be developed under the proposed project would be two stories (approximately 35 feet in height), while the iTEC that would be developed under Alternative 4 would be one story (approximately 25 to 28 feet) in height. As such, the iTEC building proposed under Alternative 4 would be reduced in height relative to the proposed project. While the proposed two-story iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, the one story (approximately 25 to 28 feet) iTEC building that would be developed under Alternative 4 would reduce impacts in the category of aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. An iTEC

building of a reduced height would be less visually prominent and could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such, Alternative 4 would reduce impacts that were identified for the proposed project relative to aesthetics.

A reduction in the size of the iTEC building by 9,000 square feet as compared with the proposed project could slightly reduce construction and operational impacts, when compared to the proposed project. As such, air quality impacts, noise impacts, and traffic and transportation impacts would be slightly reduced when compared with the proposed project. However, the same mitigation measures identified for air quality and noise in Chapter 3.0 of the EIR would still be required, since a slight reduction in the square footage of the iTEC would not eliminate the need for mitigation measures in these categories. For all other impact categories, the elimination of 9,000 square feet of floor area from the proposed iTEC would not change the construction or operational scenarios of the project to the extent that the impacts identified for the proposed project would be avoided, reduced, or increased. As such, all other environmental impacts for Alternative 4 would be the same as those that have been identified for the proposed project.

Finding

Alternative 4 is generally identical to the proposed project, with the exception of reduced square footage for the iTEC building. No professional office space would be provided in the iTEC building under Alternative 4. This change would not substantially affect the extent to which Alternative 4 would meet the project objectives. For example, reducing the iTEC by 9,000 square feet would not substantially reduce the extent to which the project would revitalize and repurpose the project site with an innovative development that would raise the positive image profile of Covina. Additionally, changes to the iTEC would not change the extent to which Alternative 4 would meet objectives pertaining to development of transit and residential uses. Elimination of the proposed professional office space from the proposed iTEC may slightly reduce the extent to which Alternative 4 would meet the needs of Covina businesses. However, the iTEC would still provide business incubation space and would support overall economic growth in the area. As such, most of the basic project objectives would be met by Alternative 4.

Alternative 4 would result in slightly reduced environmental effects related to the proposed project and has been identified as the environmentally superior alternative, not including the two “no project” alternatives. However, as described in Chapter 5.0 of this document, all of the proposed project’s potentially significant impacts have been reduced below a level of significance with incorporation of mitigation measures. As such, approval of Alternative 4 in place of the proposed project would not avoid, reduce, or eliminate any significant and unavoidable environmental impacts, since none would occur under the proposed project. Furthermore, Alternative 4 would not reduce environmental effects to the extent that the proposed project’s impacts would be eliminated or even to the extent that the mitigation measures listed in Chapter 5.0 above would no longer be required.

While Alternative 4 would meet most of the project’s basic objectives, the smaller iTEC building that would be developed under Alternative 4 is less desirable than the larger iTEC that would be developed under the proposed project. The iTEC will foster a greater sense of community at the proposed development and will provide a unique and innovative space for residents and businesses in Covina, and potentially those in surrounding communities as well. The City aims to maximize the iTEC space in order to provide more amenities for community members and local businesses. Under Alternative 4, less space would be provided for the innovative, community-oriented, and local business–friendly uses that are proposed for the iTEC. Additionally, the smaller iTEC that would be developed under Alternative 4 would omit professional office space, thereby lessening the extent to which the project would support local businesses and provide for employment at the project site. Additionally, without the professional office space, the iTEC would provide fewer new and innovative spaces for local businesses in a transit-oriented and mixed-use space. For these reasons, the City finds the proposed project to be more desirable than Alternative 4. Due to the marginal difference in environmental effect between the proposed project and Alternative 4, and due to the desirability of the proposed project over Alternative 4, the City rejects Alternative 4 in favor of the proposed project.

6.5 Alternative 5 – Reduced iTEC with Senior Center Alternative

Under this alternative, the size of the proposed iTEC building would be reduced to 15,000 square feet from the proposed project’s size of 21,000 square feet. The iTEC building would be one story (approximately 25 to 28 feet) in height. The office space area would no longer be part of the iTEC. Instead, the iTEC would accommodate an event center and a senior center. All other components of the iTEC would remain the same. The corner lot that would become part of the project site under Alternative 3 would not be part of the project. The residential and transit portions of the project would remain the same as the proposed project.

Environmental Effects

The key difference between Alternative 5 and the proposed project is the height and size of the iTEC. The iTEC that would be developed under the proposed project would be two stories (approximately 35 feet in height), while the iTEC that would be developed under Alternative 5 would be one story (approximately 25 to 28 feet) in height. The iTEC building proposed under Alternative 5 would be reduced in height when compared to the proposed project. While the proposed 35-foot iTEC building would be compatible with existing development in the project area and would not substantially obstruct any scenic vistas, the one-story (approximately 25 to 28 feet tall) iTEC building that would be developed under Alternative 5 would reduce impacts in the category aesthetics when compared to the proposed project. The existing development in the project area consists of low-rise buildings that are generally one to three stories in height. An iTEC building of a reduced height would be less visually prominent and could reduce the degree to which the proposed project would obstruct views of the San Gabriel Mountains. As such,

Alternative 5 would reduce impacts that were identified for the proposed project relative to aesthetics.

A reduction in the size of the iTEC building by 6,000 square feet as compared with the proposed project could slightly reduce construction and operational impacts, when compared to the proposed project. As such, air quality impacts, noise impacts, and traffic and transportation impacts would be slightly reduced when compared with the proposed project. However, the same mitigation measures identified for air quality and noise in Chapter 3.0 of this EIR would still be required, since a slight reduction in the square footage of the iTEC would not eliminate the requirement for mitigation in these categories. For all other impact categories aside from aesthetics, air quality, noise, and traffic, the elimination of 6,000 square feet of floor area from the proposed iTEC would not change the construction or operational scenarios of the project to the extent that the impacts identified for the proposed project would be avoided, reduced, or increased. As such, all other environmental impacts for Alternative 5 would be the same as those that have been identified for the proposed project.

Finding

Alternative 5 is generally identical to the proposed project, with the exception of reduced square footage for the iTEC building from 21,000 square feet under the proposed project to 15,000 square feet. No professional office space or business incubation space would be provided in the iTEC building that would be developed under Alternative 5. Instead, a senior center would be provided within the iTEC, along with the event center space. This change would not substantially affect the extent to which Alternative 5 would meet the project objectives. For example, reducing the iTEC by 6,000 square feet and eliminating the office component would not substantially affect the extent to which the project would revitalize and repurpose the project site with an innovative development that would raise the positive image profile of Covina. Additionally, the iTEC that is proposed under Alternative 5 would not change the extent to which this alternative would meet objectives pertaining to development of transit and residential uses. Elimination of the proposed office space and business incubation space from the proposed iTEC may slightly reduce the extent to which Alternative 5 would meet the needs of Covina businesses. However, the iTEC would still support overall economic growth in the area. As such, most of the basic project objectives would be met by Alternative 5.

Alternative 5 would result in slightly reduced environmental effects when compared with those of the proposed project. However, as described in Chapter 5.0 of this document, all of the proposed project's potentially significant impacts have been reduced below a level of significance with incorporation of mitigation measures. As such, Alternative 5 would not result in avoidance or reduction in significance for any potentially significant and unavoidable environmental impacts, as none would occur. Furthermore, Alternative 5 would not reduce environmental effects to the extent that any of the impacts identified for the proposed project

would be avoided or to the extent that the mitigation measures identified in the EIR would no longer be required.

While Alternative 5 would meet most of the project’s basic objectives, the smaller iTEC building that would be developed under Alternative 5 is less desirable than the larger iTEC that would be developed under the proposed project. The iTEC will foster a greater sense of community at the proposed development and will provide a unique and innovative space for residents and businesses in Covina, and potentially those in surrounding communities as well. The City aims to maximize the iTEC space in order to provide more amenities for community members and local businesses. Under Alternative 5, less space would be provided for the innovative, community-oriented, and local business-friendly uses that are proposed for the iTEC. Additionally, the smaller iTEC that would be developed under Alternative 5 would omit professional office space and business incubation space thereby lessening the extent to which the project would support local businesses and lessening the extent to which the project would provide for employment at the project site. Additionally, without the professional office space and business incubation space, the iTEC would not provide new and innovative spaces for local businesses in a transit-oriented and mixed-use space. For these reasons, the City finds the proposed project to be more desirable than Alternative 5, since it would provide for a larger iTEC with both business incubation space and professional office space. While a senior center is also an important community-building feature in the City, the provision of a senior center at the project site is not an objective of the proposed project. Furthermore, upon development of the two other project components (residential and transit uses), the site will contain entry-level homeownership opportunities and transit uses that would, in part, provide transportation opportunities for working professionals from the residential component of the project and surrounding neighborhoods. Seniors attending the senior center that would be developed under Alternative 5 would have convenient access to transit on the project site as well. However, overall, a senior center on the project site would be incongruous with the project concept of combining entry-level homeownership opportunities, commuting opportunities through alternative transportation, and on-site employment opportunities and business growth opportunities for small and local businesses. As such, the City considers innovative business incubation spaces and professional office spaces more desirable for the project site when compared to a senior center. Furthermore, this alternative would not reduce or avoid any potentially significant environmental effects of the proposed project, as none have been identified. Due to the marginal difference in environmental effect between the proposed project and Alternative 5, and due to the desirability of the proposed project over Alternative 5 for the reasons described above, the City rejects Alternative 5 in favor of the proposed project.

CHAPTER 7.0 OTHER CEQA FINDINGS

Findings Regarding Growth Inducing Impacts

The CEQA Guidelines Section 15126.2(d) requires that an EIR analyze ways in which projects may “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Section 3.13, Population and Housing, and Section 5.4, Growth Inducing Impacts, of the EIR specifically address whether the proposed project would induce substantial population growth. As explained in Section 3.13 and Section 5.4, the proposed project would have the potential to cause a direct increase in population of 360 people in the City. However, as substantiated in these sections, the addition of 360 people to the City would not exceed population projections and is not considered a substantial increase. The proposed project would also provide employment on the project site. However, the number of new jobs would be within employment growth projections, and it is anticipated that most of the jobs associated with the proposed project would be filled by existing City residents or by residents of neighboring cities in the densely populated Los Angeles metropolitan area. Therefore, it is not anticipated that the employment generated by the proposed project would lead to a substantial influx of residents to the City. The growth-inducing effects of providing additional employment opportunities at the project site would be minor. As such, the proposed project would not result in significant adverse secondary effects related to induced growth. Overall, the proposed revitalization of the project site would not result in substantial population growth or exceed local population projections. Based on the conclusions outlined above and the analysis provided in Sections 3.13 and 5.4 of the EIR, the City finds that the proposed project would not directly or indirectly induce substantial population growth.

Findings Regarding Significant Irreversible Environmental Changes

California Public Resources Code, Section 21100(b)(2)(B), and Section 15126.2(c) of the CEQA Guidelines require that an EIR analyze the extent to which the proposed project’s primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations will not be able to reverse. Nonrenewable resources that would be used on-site during construction and operation include natural gas, other fossil fuels, water, concrete, steel, and lumber. The proposed project would result in the commitment of such resources. Section 5.3, Significant Irreversible Environmental Changes, of this EIR specifically addresses the extent to which the project would commit nonrenewable resources. As substantiated and described in Section 5.3, the utilities that service the City, the City itself, and the design of the proposed project are all subject to regulations that are working to reduce the amount of nonrenewable resources that are committed to development projects. Additionally, the proposed project has incorporated voluntary sustainable design factors to go beyond the requirements. As

such, the proposed project is not anticipated to consume substantial amounts of nonrenewable resources, such as energy, in a wasteful manner, and the proposed project would not result in significant impacts from consumption of utilities. Based on the conclusions outlined above and the analysis provided in Section 5.3 of the EIR, the City finds that although irreversible environmental changes would result from the proposed project, such changes would not be considered significant.

Findings Regarding Recirculation

The City finds that the EIR does not require recirculation under CEQA (CEQA Section 21092.1, CEQA Guidelines Section 15088.5). CEQA Guidelines Section 15088.5 requires recirculation of an EIR prior to certification of the Final EIR when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review.” As described in CEQA Guidelines Section 15088.5:

New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

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

In addition, CEQA Guidelines Section 15088.5(b) provides that “recirculation is not required where the new information added to the EIR merely clarifies and amplifies or makes insignificant modifications in an adequate EIR.”

As such, the City makes the following findings:

1. None of the public comments submitted to the City regarding the Draft EIR present any significant new information that would require the EIR to be recirculated for public review.
2. No new or modified mitigation measures are proposed that would have the potential to create new significant environmental impacts.
3. The Draft EIR adequately analyzed project alternatives and there are no feasible project alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project.
4. The Draft EIR was not fundamentally and basically inadequate and conclusory in nature and did not preclude meaningful public review and comment.

The new information in the Final EIR has been provided merely to clarify or amplify information in the Draft EIR. The new information does not reveal that the project would cause significant new impacts not previously identified in the Draft EIR.

Findings Regarding the Mitigation Monitoring and Reporting Program

In accordance with CEQA and the CEQA Guidelines, the City must adopt a mitigation monitoring and reporting program (MMRP) to ensure that the adopted mitigation measures are implemented. The City adopts, and incorporates as conditions of approval of the proposed project, the mitigation measures set forth in the MMRP to reduce the potentially significant impacts of the project to below a level of significance. The City makes the finding that the measures included in the MMRP constitute changes or alterations which avoid or substantially lessen the potentially significant environmental effects of the proposed project on the environment. The MMRP is attached to these findings as Attachment A.