

RESOLUTION NO. 9028-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR GENERAL PLAN AMENDMENT NO. GPA-1-10(A), PLANNED UNIT DEVELOPMENT NO. PUD-126-10, AND DEVELOPMENT AGREEMENT NO. DA-183-10

WHEREAS, the City of Garden Grove has received an application for General Plan Amendment No. GPA-1-10(A), Planned Unit Development No. PUD-126-10, and Development Agreement No. DA-183-10 for the establishment of a water park themed hotel resort with ancillary restaurant, retail, and meeting space uses to be developed on approximately 12.1 acres in an urbanized area in the city of Garden Grove located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, with addresses: 12581, 12591, 12681, and 12721 Harbor Boulevard, and 12602 and 12601 Leda Lane (Assessor Parcel Numbers: 231-441-27, 29, 39, and 40; 231-431-02 and 03)(collectively, the Project);

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. (CEQA) and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., an initial study was prepared and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment;

WHEREAS, a Mitigation Monitoring Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation;

WHEREAS, the Mitigated Negative Declaration and Mitigation Monitoring Program was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, the Planning Commission of the City of Garden Grove held duly noticed Public Hearings on September 16, 2010 and December 16, 2010, and considered all oral and written testimony presented regarding the initial study, the Mitigated Negative Declaration, the Mitigation Monitoring Program, and the Project;

WHEREAS, the Planning Commission of the City of Garden Grove recommended approval of the Mitigated Negative Declaration, the Mitigation Monitoring Program, and the Project during its meeting on December 16, 2010;

WHEREAS, a duly noticed Public Hearing was held by the City Council on January 25, 2011, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of January 25, 2011.

NOW, THEREFORE, the City Council of the City of Garden Grove does resolve, find, and determine as follows:

1. The City Council has considered the proposed Mitigated Negative Declaration and the Mitigation Monitoring Program, together with comments received during the public review process.

2. The City Council finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project will have a significant effect on the environment.

3. The City Council further finds that the adoption of the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.

4. Therefore, the City Council in regular session assembled on January 25, 2011, does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring Program.

5. The record of proceedings on which the City Council of the City of Garden Grove's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development.

Adopted this 25th day of January 2011.

ATTEST:

/s/ WILLIAM J. DALTON
MAYOR

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

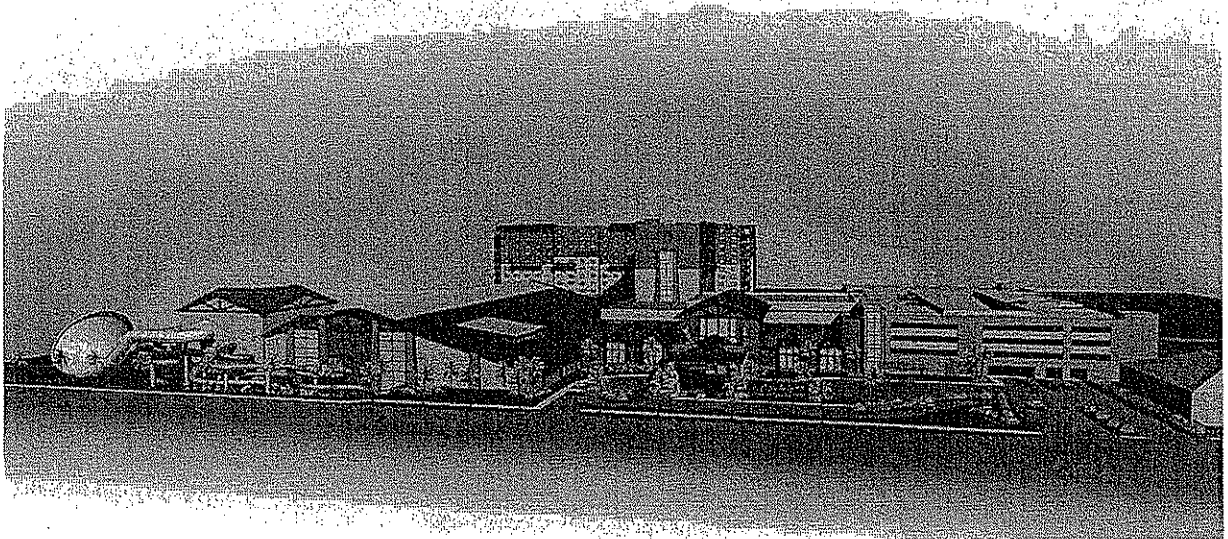
I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 25th day of January 2011, by the following vote:

AYES: COUNCIL MEMBERS: (5) BROADWATER, DO, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

City of Garden Grove

**Water Park Hotel
Mitigated Negative Declaration**



Prepared by the City of Garden Grove
October 2010

1.0 PROJECT DESCRIPTION

1.1 INTRODUCTION

The City has received a request for the development of a water park hotel facility on a 12.1 acre site located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue. The site is currently comprised of a vacant property, a recreational vehicle park, vacant commercial structures, and two single-family homes. Four of the properties maintain a General Plan Land Use Designation of International West Mixed Use and a zoning of Planned Unit Development No. PUD-121-98. The remaining two properties maintain a General Plan Land Use Designation of Low Density Residential and a zoning of R-1 (Single-Family Residential).

Implementation of the project includes consideration by the Planning Commission and City Council of a General Plan Amendment to change the General Plan Land Use designations of the two residential properties from Low Density Residential to International West Mixed Use; a zone change to establish a Planned Unit Development (PUD) zoning with development standards for the development of the hotel and water park; and a Development Agreement for payment of development related fees. Furthermore, the Planning Commission will consider a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel and hotel restaurants, and a Tentative Parcel Map to reconfigure the existing six properties into three separate properties.

For the purposes of the environmental analysis, the "Project Site" is defined as the 12.1 acres of improved and unimproved area located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, which consists of the following parcels addresses as and listed as Assessors Parcel Numbers respectively: 12581, 12591, 12681, 12721 Harbor Boulevard, and 12602 and 12601 Leda Lane (APN: 231-441-27, 29, 39, & 40; 231-431-02 & 03).

The properties to the north of the site are zoned PUD-121-98 and R-1 and are developed with commercial uses and with single-family homes, respectively. The properties to the south of the site are zoned PUD-121-98 and are developed with an integrated commercial center. The properties to the east of the site, across Harbor Boulevard are zoned R-1 and are developed with single-family homes. The properties to the west of the site are zoned PUD-121-98 and R-1 and are developed with an apartment complex and a church, respectively.

This Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000, *et seq.* ("CEQA") and the Guidelines for Environmental Quality Act, California Code of Regulations, Title 14, Sections 15000, *et seq.* ("CEQA Guidelines") to determine if the proposed project has the potential to cause significant environmental impacts. The City is the Lead Agency for CEQA purposes.

1.2 PROJECT DESCRIPTION

The proposed project is the development of a hotel and water park on an approximately 12.1 acre site in the City of Garden Grove. The water park will be for hotel guests only. The proposed project will include an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 9,500 square feet of restaurant space on a detached approximately 14,850 foot restaurant pad, and a 5-level parking structure. Hotel ancillary uses will include meeting space, retail, and restaurant uses inside the hotel facility. Project approval includes: a General Plan Amendment to change the General Plan Land Use designations of two properties from Low Density Residential to International West Mixed Use; establishing a Planned Unit Development zoning with development standards; a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel and hotel restaurants; and a Tentative Parcel Map to reconfigure the existing six properties into three separate properties. A Development Agreement is also proposed.

The development will have three ingress and egress points. The main access to the site will be from a lighted intersection that will allow both left and right turns in and out of the site. The main access point will allow direct access to the project's parking structure as well as the hotel's front entrance under a decorative porte-cochere. A second egress point, that will be restricted to right turn movements, will be located south of the main entrance. The third access point will be located along the northerly property line and will be restricted to right-turns in and right-turns out of the site. This third access point will be for emergency vehicle access to the rear of the site, access to the rear loading area, and employee entrance. The parking structure for the site will be a 5-level parking structure, 50 feet in height, located toward the north and west property lines. The parking for the development totals 1,050 parking spaces, which, with the exception of seven parking spaces located between the porte-cochere and the front property line, are within the confines of the parking structure.

Surrounding the site, on the northerly, westerly, and southerly property lines will be a minimum 8-foot high decorative wall that will separate the subject site and adjacent properties. The wall is required for screening and sound attenuation.

Landscaping will be provided within the project as well as along Harbor Boulevard. The landscaping along Harbor Boulevard will include a double row of palm trees with canopy trees, shrubs, and ground cover that will match the landscaping treatment used at the southwest corner of Harbor Boulevard and Chapman Avenue.

The physical improvements for the project site will be compatible with the Community Design Guidelines as stated in the General Plan. The proposed development will comply with the goals and objectives of the Community Design Element of the City's adopted General Plan including provisions for attractive building design, landscaping, and signage. All development plans will be subject to, and be governed by, the approved PUD for the site.

While aesthetic impacts are by their nature very subjective, the intent of the project is to create a themed resort environment through enhanced architectural elements as shown on the conceptual massing and building elevation plans submitted along with the PUD request. The concept has structures that vary in height and massing. The hotel structure

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will be 12 stories with a height of 162 feet to the top of the parapet wall. The enclosed water park building, including a tower feature, will be 70 feet high. The height of the 5-level parking structure will be 50 feet to the top of parapet wall and the future free-standing restaurant, located toward Harbor Boulevard, will be 35 feet high.

The design of the water park building and hotel will reflect a themed architectural style, which includes a decorative porte-cochere with carved wolves, stucco and vertical siding, building pop-outs, varied roof lines, windows on the water park building facing Harbor Boulevard, water park ride tubing extruding from the front façade of the water park structure, and decorative lighting. The PUD requirements will require that the parking structure be decorative, utilizing materials and details that are used on the hotel building.

1.3 FINANCING

The site is located within the Garden Grove Agency for Community Development's Redevelopment Project Area and, as such, financing assistance has been considered for related costs and improvements necessary for the site. The project proponent has entered into a Disposition and Development Agreement with the Garden Grove Agency for Community Development that details the financing points for the project.

1.4 PREVIOUSLY APPROVED PROJECTS IN AREA

In January of 2008, the City of Garden Grove (the "City") approved the expansion of the Embassy Suites Hotel that is located approximately one mile north of the project. The project proposed the expansion of an existing 374-room Embassy Suites Hotel, including the addition of a new 17-story, 238-room hotel tower to the existing 374-room hotel, along with the addition of 56,000 square feet of new banquet and meeting rooms to the existing facility. The overall improvement plans included creating a resort type hotel, adding a new restaurant and spa, and renovating the on-site circulation and parking arrangements that will also include the two existing hotels in front of the Embassy Suites. The project has not been constructed at this time.

The project has been considered in a previously adopted Environmental Impact Report (EIR). The EIR for the General Plan 2030 update included the project's intensity in analyzing build-out within the International West Mixed Use Land Use area.

1.5 PROJECT LOCATION

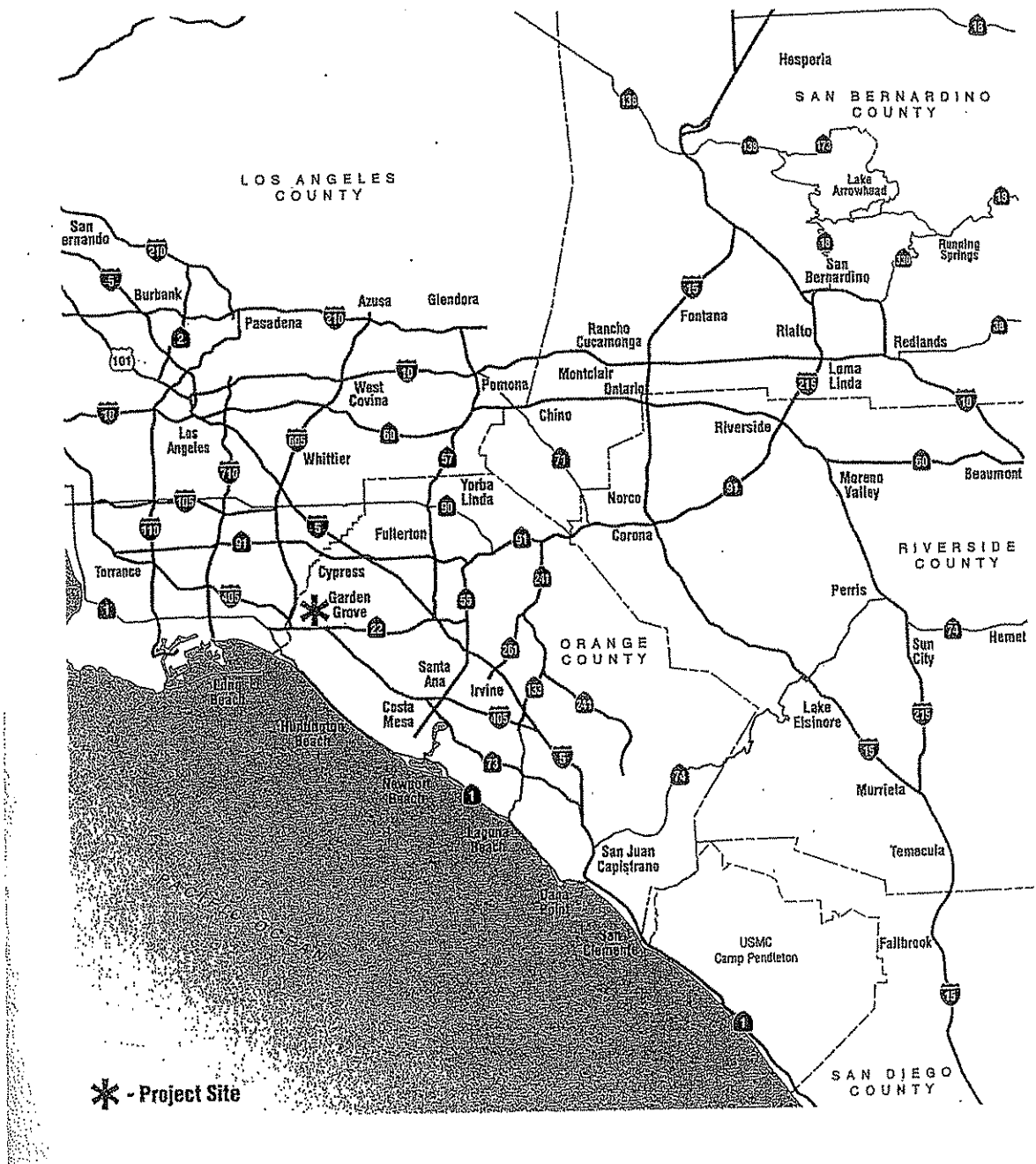
The City of Garden Grove is located in the central portion of Orange County, approximately 30 miles southeast of the City of Los Angeles (see Figure 1 for a general location). Garden Grove is bordered by the Cities of Anaheim, Stanton, and Cypress to the north, Los Alamitos to the northwest, Seal Beach to the southwest, Westminster and Fountain Valley to the south, Santa Ana to the south and southeast, and Orange to the east.

The City is in close proximity to a number of major Orange County attractions including: Disneyland and the Anaheim Convention Center, which are less than one-half mile to the north; Anaheim Stadium and "The Honda Center," which are approximately one-mile to the northeast of the City; the Pacific Ocean is nine miles to the southwest; Orange County "John Wayne Airport," is approximately seven miles to the southeast; and Knott's Berry Farm is six miles to the northwest. The Garden Grove Freeway (SR-22) runs in an east-west direction through the City. The Santa Ana Freeway (I-5) and the Orange

Freeway (SR-57), to the northeast, and the San Diego Freeway (I-405), to the southwest, provide connections to the SR-22.

The City is approximately 18.1 square miles (approximately 11,584 acres) of relatively flat topography. The average elevation is 85 feet above sea level. Most of the City is located east of Dale Street; however, there is an area west of Hoover Street, which is connected to the main portion of the City by a narrow strip of land extending along Garden Grove Boulevard. The northern boundary of the City is irregular; the furthest north the City extends is approximately 900 feet north of Katella Avenue. The southern boundary is also irregular, with a narrow strip of land extending as far south as Margarita Avenue, south of McFadden Avenue. To the west, Garden Grove extends past Valley View Street to the Bolsa Chica Channel. Much of the eastern boundary of the City is formed by Lewis Street; however, there is a small section in the southeast corner of the City, which extends beyond Lewis Street to Siemon Street.

FIGURE 1
REGIONAL LOCATION



The proposed Project Site is situated in the easterly portion of the City and is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue.

The proposed Project Site is in an area of Garden Grove that is developed with various residential, hotel, restaurant, and commercial uses.

1.6 ENVIRONMENTAL SETTING

The City is virtually built-out with approximately 98.4 percent of the community developed; the remaining 1.6 percent, approximately 121 acres, is vacant.

Demographics/Population

The State Department of Finance estimates that, as of May 2007, the City was home to 172,781 residents. Based on the Southern California Association of Governments, it is estimated that the City's population will be 178,457 in the year 2010 and it is estimated that the population will be 189,445 by the year 2030.

The recent demographic characteristics of the City reflect that the community is made up of approximately 30 percent Caucasian, 30 percent Asian, and 40 percent Hispanic and other.

Housing

The U.S. Census has the total number of housing for the year 2000 at 46,703 and the State Department of Finance estimates that as of May 2007 the total number of housing units in the City was 47,197. Of these, 31,150 units were considered detached. There are also 14,159 multi-family units and 1,887 mobile home units. The estimated number of residential dwelling units at year 2030 build-out is an additional 6,400 dwelling units.

Geology/Soils

While the City is not within an Alquist-Priolo Zone, the City is subject to ground shaking from a number of active or potentially active faults. Most of the City is considered to be in areas of moderate, high, or very high liquefaction potential. Much of the City is also in areas of moderate and/or high dynamic settlement potential.

Hydrology/Drainage

The City of Garden Grove is within the Westminster Watershed. The Westminster Watershed covers 74.1 square miles in the southwestern corner of Orange County. Three main tributaries drain this watershed. The Los Alamitos Channel drains into the San Gabriel River; the Bolsa Chica Channel empties into the Anaheim Bay-Huntington Harbour complex; and the East Garden Grove-Wintersburg Channel drains though Bolsa Bay into Huntington Harbour.

The City's Public Works Department, Water Services Division, is the primary water service provider of potable water to the residents of Garden Grove, serving an area of approximately 17.8 square miles. The Water Services Division is responsible for maintaining the City's wells, reservoirs, water connections for imported water, and distribution systems.

The City's Public Works Department is responsible for constructing and maintaining City flood control channels and storm drains within the City. The system is designed to

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control the movement of rainwater to a flood control channel where it flows to the ocean. Federal, State, regional, and local regulations require the City to control the discharge of pollutants to the storm drain system.

The City of Garden Grove is within a 100-year flood hazard area. The western portion of the City is also located within the dam inundation areas of the Prado Dam and Carbon Canyon Dam. According to United States Army Corps of Engineers dam inundation maps, in the event of a dam failure at the Prado Dam, the flood wave would reach Garden Grove in approximately 7.5 hours and would be approximately 4 feet deep. If Carbon Canyon Dam failed, the flood wave would reach Garden Grove in approximately 9.25 hours and would be two feet deep.

Biological Resources

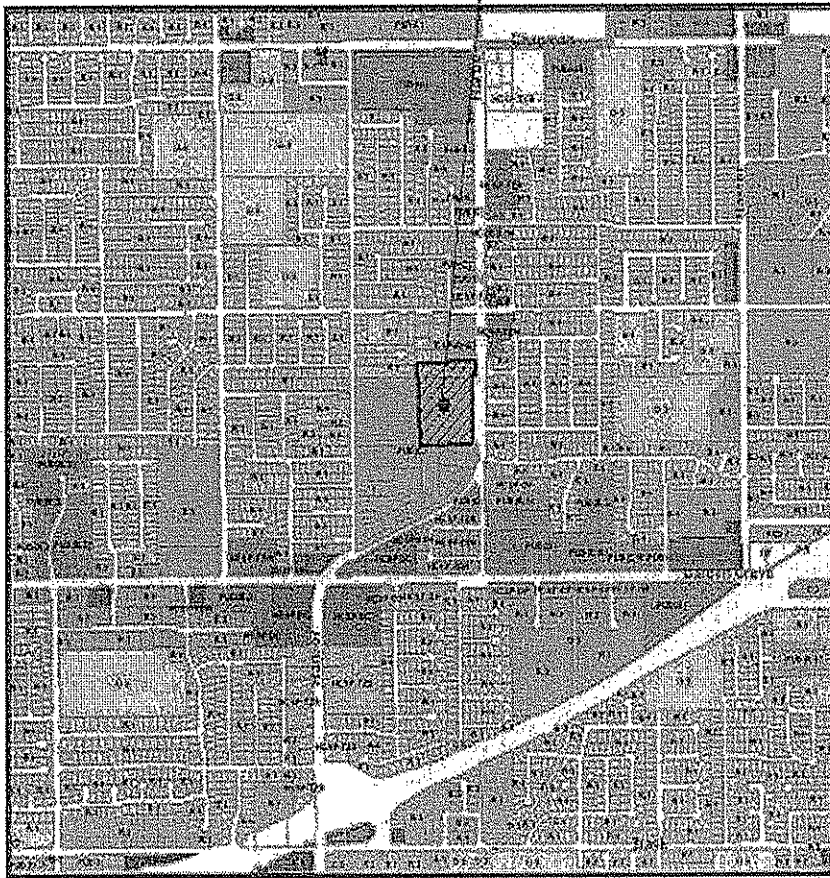
There are no known significant or endangered species present in the City.

FIGURE 2
GENERAL VICINITY



VICINITY MAP

PROJECT SITE
12581, 12587, 12591 & 12721 HARBOR BLVD.
12602 & 12601 LEDA LANE



LEGEND

 PROJECT SITE
12581, 12591, 12601
& 12721 HARBOR BLVD.
12602 & 12601 LEDA LANE



0 375 750 1500
Feet

CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
OCTOBER 2010

Noise

The City is impacted by freeway and roadway noise, as well as noise associated with the operations at the Los Alamitos Air Base and the railroad line (both of which are located on the western portion of the City and would not impact the Project Site).

Air Quality

The City is located in the South Coast Air Quality Basin. There are presently six ambient air pollutants which are of special concern in the Basin: carbon monoxide, ozone, sulfur dioxide, lead, particulate matter, and fine particulate matter. Federal and State standards for sulfur dioxide and lead are met in the Air Basin. The other four pollutants exceed both the State and Federal standards.

Cultural Resources

There is only one known prehistoric archaeological site in the City. This project site is not within the location identified as the prehistoric archaeological site, and, therefore, the prehistoric archaeological site will not be impacted by the proposed project. There are twelve known historic archaeological sites within the City. In addition, there are three existing historic structures that are considered candidates for nomination to the National Register of Historic Places. There are no known historical or cultural resources on the proposed project site.

Recreation

The City currently has nineteen public parks totaling 157 acres. Applying the total park acreage, the City population yields a ratio of parkland to population of .91 acres to 1,000 persons. In addition to the specific parks, the City also has six facilities that can and do incorporate unique recreational and related activities. These facilities are the Community Meeting Center, H. Louis Lake Senior Center, Garden Grove Sports and Recreation Center, Courtyard Center, and Atlantis Play Center.

Public Services

Public services include schools, libraries, and fire and police protection services.

There are seven school districts and three community college districts that serve the City. Most schools in the City are currently at, or may exceed, their designated enrollment capacity. The use of portable classrooms on their campuses helps reduce the overcrowding problems currently experienced.

The City provides fire protection throughout the community. There are currently seven stations located throughout the City, including Fire Station No. 1, which is approximately one mile east of the subject site, Fire Station No. 2, which is approximately one and a half miles north of the site, and Fire Station No. 7, which is approximately one and a half miles to the south of site. The Citywide average response time is approximately 4 minutes 25 seconds with a standard response time of being on the scene in five minutes. Due to the proximity of the Project Site to Fire Stations Nos. 1, 2, and 7, response time can be less than the average noted time.

The City of Garden Grove Police Department provides law enforcement within the community. The Garden Grove Police Department has 162 sworn law enforcement officers, 13 reserve officers, and 40 patrol cars. The current deployment standard for normal patrol conditions is one officer assigned to each patrol car. The average

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response time for emergency 911 calls within the City is approximately 4 minutes and 24 seconds. The Department has approximately 60 civilian personnel. The Police Department has several special units and services that support the community. These include neighborhood watch, gang suppression, anti-graffiti program, school resource officers, detective services, and youth services.

The County of Orange operates three libraries within the City. The main branch is located near the intersection of Euclid Street and Garden Grove Boulevard, the two satellite branches are located near the intersections of Chapman Avenue and Brookhurst Street, and Chapman Avenue and Valley View Street.

Utilities and Service Systems

Public facilities include water, wastewater, storm drainage as well as utilities such as natural gas and electricity.

The City of Garden Grove Water Services Division is responsible for providing water throughout the City. The Division has a Capital Improvement Program that identifies and prioritizes proposed improvements to the water delivery system. Older facilities are continually replaced with newer facilities, based on priority need. The City of Garden Grove Water Services Division has not identified any deficiencies in the existing service infrastructure in the immediate area of the proposed project.

The Garden Grove Sanitary District (GGSD), as a subsidiary district of the City of Garden Grove, is responsible for the collection, treatment and disposal of wastewater within the City. The Sewage Collection System Master Plan identifies a number of deficiencies within the City associated with total build-out of the City. The Garden Grove Sanitary District installed a new sewer line to accommodate future development of this site in October 2007. Aside from this recent sewer installation, the areas that contain deficient sewer capacities would not be impacted by the proposed Project.

The Orange County Flood Control District operates and maintains a number of flood control channels within the City. The City's Public Works Department also operates and maintains several storm drainage facilities. There are areas within the City that are subject to flooding during periods of significant rainfall, none of which would be impacted by the implementation of the proposed project. The City of Garden Grove's Master Plan of Drainage identifies areas where improvements are needed to reduce the impacts from storm drainage.

Solid waste within the City is handled by the City of Garden Grove. Transfer stations in Anaheim and the Olinda/Olinda Alpha Landfill in the City of Brea are used. The City's Source Reduction and Recycling Element (SRRE) addresses waste generation within the community. Additionally, the City has adopted development standards to ensure safe and efficient recycling facilities are provided in each project.

Southern California Edison (SCE) provides electricity within the City. There are currently two SCE 220 kv high voltage easements that traverse the City, neither of which would be impacted by the implementation of the proposed Project.

The Southern California Gas Company provides natural gas within the City. Three companies currently provide cable television services: Time Warner Cable, AT&T, and Verizon. AT&T and Verizon are providers of telephone services in the City.

Hazards and Hazardous Materials

There are more than 340 businesses that handle hazardous materials within the City. Of these, seven handle acutely or highly hazardous materials. Six of the seven businesses that handle acutely or highly hazardous materials are located within the Central Industrial District. There are no Federal Superfund sites located within the City. The City of Garden Grove Fire Department is responsible for responding to hazardous material releases within the City.

The Project site is more that two miles west of a closed landfill (the former Longsdon Pit). The landfill site was formerly operated by the County of Orange and is now owned by the Garden Grove Sanitary District. When in operation, the Longsdon Pit was licensed to accept ordinary household and commercial refuse, scrap metal, and inert nondecomposable solids. The license specifically prohibited the site from accepting deleterious chemicals or liquids containing such chemicals. The landfill was closed in 1960.

Aesthetics

The City offers a variety of visual images from an aesthetic point of view. Residential areas vary in appearance from well-maintained to run-down and from dense and intense to a more spacious, open character. New residential, commercial, and industrial developments are typically attractive, while many older developments are in need of repair and/or appropriate landscaping enhancements.

Project Site

The project site is approximately 12.1 acres in size and encompasses six properties, which consist of the following parcel addresses and Assessors Parcel Numbers, respectively: 12581, 12591, 12681, 12721 Harbor Boulevard, and 12602 and 12601 Leda Lane (APN: 231-441-27, 29, 39, & 40; 231-431-02 & 03). Currently, a portion of the site is vacant with the other areas developed with commercial buildings, a recreational vehicle park, and two single-family homes. Four of the properties maintain a General Plan Land Use Designation of International West Mixed Use and a zoning of Planned Unit Development No. PUD-121-98 with the other two maintaining a Low Density Residential Land Use designation and a zoning of R-1 (Single-Family Residential). The properties to the north are zoned PUD-121-98 and R-1 and are developed with commercial uses and with single-family homes, respectively. The properties to the south are zoned PUD-121-98 and are developed with an integrated commercial center. The properties to the east, across Harbor Boulevard are zoned R-1 and are developed with single-family homes. The properties to the west are zoned PUD-121-98 and R-1 and are developed with an apartment complex and a church, respectively.

The Project Site is located along the west side of Harbor Boulevard, which is a major street that provides access through the City to cities located in North Orange County as well as the beach communities to the south.

The City adopted a General Plan 2030 Update in August of 2008, and through this action, the site's land use designation along with the area along the Harbor Corridor, north of SR-22 and Trask Avenue to just north of Chapman Avenue, was designated as International West Mixed Use. This area is more commonly referred to as International West and is intended to function as the City's Resort Area.

The International West Mixed Use designation is intended to provide for a mix of uses including resort, entertainment, retail, hotel, and some higher density residential developments that are appropriate for a major entertainment and tourism destination. Development in the area is designed to enliven the street and embody the entertainment/resort theme. While the EIR for the General Plan 2030 Update did address build out for the area, it did not address the specifics of the proposed project and therefore additional environmental review is required.

1.7 EXISTING PLANS AND POLICIES

The recently adopted General Plan land use designation for the project site is International West Mixed Use. Proposed project approvals include the adoption of a Planned Unit Development in order to implement a hotel and water park development that is consistent with the International West Mixed Use General Plan land use designation.

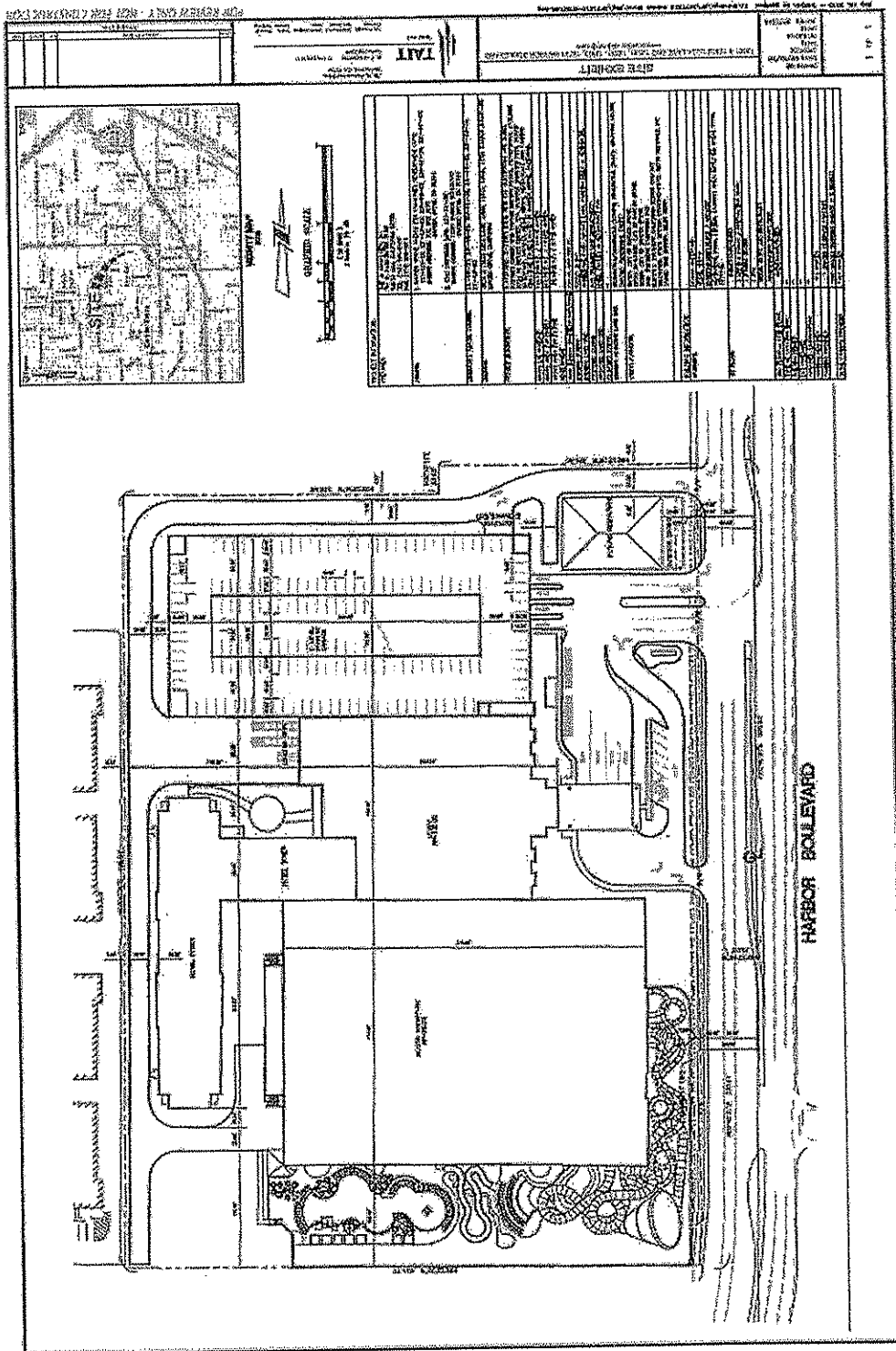
The existing zoning designations for the proposed Project Site are as follows: four of the properties maintain a General Plan Land Use Designation of International West Mixed Use and a zoning of Planned Unit Development No. PUD-121-98 with the other two maintaining a Low Density Residential Land Use designation and a zoning of R-1 (Single-Family Residential). While the two residential properties' General Plan Land Use Designations and zoning classifications are consistent with each other, they are not consistent with the remaining properties' Land Use Designations and zoning classifications. With the approval of the proposed General Plan Amendment and Zone Change to change the General Plan Land Use Designations of the two residential properties from Low Density Residential to International West Mixed Use and to change the zoning of all six properties to a new PUD designation, the Land Use Designations and the zoning of the properties will be consistent with each other.

1.8 REQUESTED DISCRETIONARY ACTIONS

Proposed Actions

General Plan Amendment to change the General Plan Land Use Designation of the two residential properties from Low Density Residential to International West Mixed Use; Planned Unit Development approval to rezone the property from R-1 (Single-Family Residential) and Planned Unit Development No. PUD-121-98 to Planned Unit Development No. PUD-126-10; a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel and hotel restaurants; and a Tentative Parcel Map to reconfigure the existing six properties into three separate properties. Approval of the proposed development agreement is also requested.

FIGURE 3
SITE PLAN



1.9 POSSIBLE ENVIRONMENTAL EFFECTS

The Mitigated Negative Declaration evaluates the potential impacts associated with implementation of the proposed Project. The Mitigated Negative Declaration provides project-level analysis of all potentially significant environmental issues. The Initial Study evaluated the following environmental disciplines for potential environmental effects associated with development of the proposed Project:

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

Upon completion of the Initial Study it was determined that the project could have the following potential environmental effects: Aesthetics, Air Quality, Hydrology/Water Quality, Transportation, and Noise. As a result, measures have been recommended for incorporation into the Project to reduce potential impacts to insignificant levels. The environmental disciplines for which mitigation measures have been recommended include:

Water Quality	Aesthetics	Noise
Transportation	Air Quality	

2.0 DISCUSSION OF ENVIRONMENTAL EVALUATION

The first step in the environmental evaluation process for the Project is completion of the City of Garden Grove Environmental Checklist Form. Completion of the Checklist identifies those environmental disciplines that could have significant environmental impacts with implementation of the proposed project. Included beside each environmental discipline is a box identifying the level of potential impact associated with that discipline. A box is checked depending upon the degree of potential impact of the Project for that specific discipline.

Once the Checklist is completed, the next step is to fully explain the box that was checked. If the project is anticipated not to have an impact on a specific discipline the explanation will briefly explain why the project will not have an impact. If the project could potentially have a significant impact, the explanation will provide information explaining how the project could impact or be impacted by the discipline. For those disciplines where significant potential impacts could occur, measures are recommended that can be incorporated into the project to mitigate the impacts to a level of insignificance.

The completed Environmental Checklist Form for the Project is attached as Appendix A of this Mitigated Negative Declaration along with Technical Appendices. Below are expanded explanations to each environmental discipline listed in the Checklist. Because measures have been recommended to reduce impacts to insignificant levels, a Mitigated Negative Declaration has been prepared for the proposed Project pursuant to the California Environmental Quality Act. Written responses are provided for each discipline checked, including "No Impact."

Proposed mitigation measures, which will reduce any potentially significant impacts identified in this section to a level of insignificance, are set forth in Section 3.3.

2.1 AESTHETICS

The area in which the project is proposed to be located is not adjacent to any scenic vistas or highways. The physical improvements for the Project Site will be compatible with the Community Design Guidelines as stated in the General Plan and with other modern improvements and developments in the area. The proposed project will comply with the goals and objectives of the Community Design Element of the City's adopted General Plan, including provisions for attractive building design, landscaping, and signage.

Aesthetic impacts are by their nature very subjective. The intent is to create an attractive hotel and water park development that would add to the visual interest of the streetscape and maintain a similar ambiance with the surrounding hotel, commercial and residential areas. The immediate area surrounding the proposed project is a mix of different architectural styles, with no specific theme or consistency between developments. However, north of the project area, there are larger hotels and restaurants that, through the use of street landscaping, are consistent in character and are also consistent with the overall vision that is encouraged by the goals and objectives of the General Plan for the International West Mixed Use area.

The subject development, as proposed, along with the incorporation of recommended conditions of approval and project related implementation measures, will be compatible with the goals and objectives of the Design Guidelines contained in the City's adopted General Plan. Additionally, the project will be in harmony with the existing improvements and hotel developments in the area and will assist in improving the visual character of the site. Therefore, there will be no degradation of the existing visual character or quality of the site and the surrounding area.

The proposed Tornado waterslide that is located on the exterior of the water park building, facing Harbor Boulevard, has a metal space frame structure that is lit up with decorative LED lights that will produce a color changing light show on the outside of the waterslide. The light show is intended to run from sunset until 12:00 midnight. The structure is a three dimensional cone resting on its side with an overall height of 65 feet. The ride is mounted approximately 12 feet below the finished pavement level of Harbor Boulevard and is located approximately 25 ft. from the site's easterly property line, along Harbor Boulevard. A technical study (under separate cover) was prepared to analyze the ride's light and glare impacts. To analyze the light, a model of the ride and elevated street level was constructed in a photometric software tool. Existing streetlights were inserted in the model to establish the existing light levels at the site. The proposed LED lights were attached to the model using the maximum light output of each floodlight (all colors of LEDs operating at maximum capacity) to establish the projected lighting levels after the installation of the ride.

The study concluded that the ride's lighting will not produce what is commonly known as disability glare or discomfort glare due to the positioning of the lighting and waterslide, but it will produce a minimal amount of nuisance or annoyance glare to the surrounding residences. Furthermore, the proposed lights will add a negligible amount of light to the pavement surface of Harbor Boulevard. However, since the lighting system is DMX controlled LEDs, the lights can be dynamically dimmed through the software that is controlling the light show. Furthermore, after the installation of the lights, the light output of the light show shall be adjusted to minimize light spillage to a level that is below the limitations imposed by City Code. Therefore, based on the lighting study, the proposed mitigation measure and conditions of approval for the project, no significant negative light and glare impacts are anticipated.

In addition to the light and glare study, a shade and shadow study (under separate cover) was conducted. The study analyzes the potential shade and shadow impacts of the hotel and conference center (up to 12 floors, 162 feet in height), water park (three floors, 70 feet in height), restaurant (one floor), parking structure (5 floors, 50 feet in height) and free-standing restaurant (35 feet in height) on adjacent properties. Shading refers to the effect of shadows cast upon adjacent areas by proposed structures. Consequences of shadows upon land use may be positive, including cooling effects during warm weather, or negative, such as the loss of natural light necessary for solar energy purposes or the loss of warming influences during cool weather. Shadow effects are dependent upon several factors, including the local topography, the height and bulk of the project's structural elements, sensitivity of adjacent land uses, season, and duration of shadow projection. Facilities and operations sensitive to the effects of shading include routinely usable outdoor spaces associated with residential, recreational, or institutional uses, commercial uses such

as pedestrian-oriented outdoor spaces or restaurants with outdoor areas, nurseries, and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comforts, or commerce.

In analyzing the project's potential shade and shadow impacts, existing and project-generated morning, noon, afternoon, and evening shade patterns were compared for each of the four seasons. The four dates used for analysis are the winter and summer solstices (December 21 and June 21), when the sun is at its lowest and highest point, respectively, and the spring and fall equinoxes (March 21 and September 21), when day and night are approximately equal length. The longest shadows are cast during the winter months and the shortest shadows are cast during the summer months.

Based on the study, the project would result in new shadows cast onto surrounding residential, commercial, and institutional uses, as well as onto adjacent roadways and sidewalks. The proposed project would not result in shadow impacts to off-site areas for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. during spring, or for more than four hours between the hours of 9:00 a.m. and 5:00 a.m. during summer and fall, compared to existing conditions. Therefore during three-quarters of the year, surrounding uses would not experience shadow impacts as a result of the proposed project. However, the project would cast shadows onto two residential properties adjacent to the project site to the north for more than three-hours between the hours of 9:00 a.m. and 3:00 p.m. during the winter months. One residence is located to the northwest of the project. The other residence is located to the northeast of the project. The areas of the northwest residence that would experience shade for more than three hours include the side and front yards. These areas are not considered to be shadow sensitive areas because these areas are not traditionally used for recreational, outdoor functions like a rear yard would be used. Therefore, impacts would be less than significant with regard to the northwest residence.

The portion of the northeast residence affected by project-related shadows for more than three hours include the side and front yard areas (areas not sensitive to shadows), and rear yard area (a potentially shadow-sensitive area). However, the area of the rear yard impacted by shadows for more than three hours is occupied by mature trees, which currently cast shadows at this portion of the residence. Thus, the portion of the residence that would be shaded by the project for three hours or more in the winter months is not considered to be shadow sensitive. Also, a portion of the rear yard currently experiences shade from an adjacent residence during the 3:00 p.m. hour. Thus, shadow-sensitive areas of the rear yard at the northeast residence would not be shaded for more than three hours between 9:00 a.m. and 3:00 p.m. A less than significant impact would occur in this regard. Therefore, as no significant impacts would result upon project implementation as they relate to shade and shadow, no mitigation measures are required.

Proposed mitigation measures, which will reduce any potentially significant impacts identified in this Section 2.1 to a level of insignificance, are set forth in Section 3.3.

2.2 AGRICULTURE AND FOREST RESOURCES

The project is located in an urbanized area that includes commercial and residential uses. The project is not zoned for farmland or forestland and is not located within an area that is used or zoned for farming or forest uses. The project will conform to the site's zoning, and the site and existing on-site structures are not subject to a Williamson Act contract. Therefore, the project will not conflict with the existing zoning of the site or a Williamson Act contract. The site has an existing General Plan Land Use Designation of Low Density Residential and International West Mixed Use and a zoning of R-1 (Single-Family Residential) and Planned Unit Development No. PUD-121-98. The existing zoning of the site, which allows for single-family homes, hotels, entertainment uses, and commercial uses will be changed to allow for the development of the proposed water park hotel. No impacts are anticipated to agricultural or forest resources.

No further mitigation required.

2.3 AIR QUALITY

The California Air Resources Board (CARB) has divided the state into air basins that share similar meteorological and topographical features. The project site is within the South Coast Air Basin, and thus, within the South Coast Air Quality Management District (SCAQMD). SCAQMD has adopted both regional and localized air quality significance thresholds. A project's air quality impacts can be separated into short-term impacts from construction and long-term permanent impacts from project operations. An Air Quality Study (under separate cover) was prepared to analyze the project's potential short-term and long-term air quality impacts.

Short-term impacts generally include fugitive dust from construction activities (i.e., demolition, grading, and dirt-hauling) and gaseous emissions from the use of heavy equipment in addition to the use of solvents and paint at the project site. These impacts may occur on a regional and local scale. The project is expected to begin construction in late 2010 and be completed by 2013. Project construction will include demolition of existing uses, grading, construction of project facilities, painting/architectural coating, and site paving. The project's potential short-term impacts were calculated and compared to SCAQMD significance thresholds. The project's unmitigated daily emissions during construction do not exceed any SCAQMD regional significance thresholds. The project's unmitigated construction emissions, however, exceed SCAQMD localized significance thresholds for particulate matter, PM10. According to SCAQMD criteria, the maximum amount of PM10 that may be released in a 24-hour period is 55 pounds per day. It is anticipated that, without imposing any mitigation measures, the maximum PM10 that would be released during project construction would be 62.5 pounds per day. Therefore, mitigation measures are required in order to reduce the project's potential short-term air quality impacts. After implementation of the identified air quality mitigation measures, all construction emissions will be reduced to a level considered less than significant.

Long term operational impacts typically include vehicles traveling in and out of the project site and land use emissions. Based on the study, no potential long-term impacts will exceed the SCAQMD significance thresholds. Therefore, operational emissions are not significant and require no mitigation.

While paint, coatings, solvents, and gas powered vehicles and equipment will be used, no significant objectionable odors would be created during construction or operation of the proposed development. According to the Air Quality Study, the project will not exceed any objectionable odor threshold and no mitigation measures are required.

Proposed mitigation measures which will reduce any potentially significant impacts identified in this Section 2.3 to a level of insignificance are set forth in Section 3.3.

2.4 BIOLOGICAL RESOURCES.

The project is located within a highly urbanized area and is devoid of any native vegetation. There are no identified species or habitats on the site. The site has been used for recreational vehicle park, commercial/retail uses, and two single family homes for many years with a portion of the site remaining vacant and unimproved. The now-vacant portion of the site had previously been developed with a motel. There are no areas where any type of favorable habitat has existed on the site for at least the past 30 years, and, therefore, the site does not support any significant biological resources. Endangered species are not expected to occur in the area due to the lack of suitable habitat.

The project site does not contain any standing surface water. Therefore, there would be no potential impact on riparian habitats or other sensitive riparian natural communities. Additionally, there would not be any potential impacts on federally protected wetlands, marsh, or vernal pools.

The project does not conflict with any local policies or ordinances protecting biological resources. Additionally, as indicated in the Environmental Impact Report for the City of Garden Grove's 2030 General Plan Update, the projected development intensity for the International West Mixed Use area would not conflict with any local, regional or state habitat conservation plan. No biological resource impacts are anticipated.

No further mitigation required.

2.5 CULTURAL RESOURCES

The site is located in an urbanized area, and, according to the Environmental Impact Report that was prepared for the City of Garden Grove's General Plan 2030 Update, no significant historical, archeological, paleontological, or geological resources were identified within the International West Mixed Use area. Nor were any known burial sites identified within the project site area. In addition, the Native American Heritage Commission was consulted, and no Native American resources were found within one-half mile of the site. Further, a large percentage of the site has already been altered by previous development on the site. However, the project includes earthmoving and the excavation of soils. If unanticipated archeological resources, paleontological resources, or human remains are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with CEQA Section 21083.2. No cultural resources impacts are anticipated.

No further mitigation required.

2.6 GEOLOGY AND SOILS

According to the Environmental Impact Report prepared for the City of Garden Grove General Plan 2030 Update, the nearest major active fault along which a rupture or a major seismic event could occur is the Newport-Inglewood Fault. This fault is located just west of Dana Point Harbor and continues north through Newport Beach into south Los Angeles County. The seismic parameters of the site are similar to those of other areas in Orange County during the maximum credible event along the Newport-Inglewood Fault Zone that is estimated to be of 7.5 magnitude. No fault rupture is expected in the immediate vicinity of the project. Liquefaction could potentially occur during a maximum intensity event along the Newport-Inglewood fault due to the possibly saturated nature of the sandy soils in the area.

Some exposure to seismic-related hazards, therefore, is expected. All construction, however, shall comply with applicable building codes including, but not limited to, the California Building Code, Fire Code, and other related City requirements. In general, seismic issues are common for most of South California, and adherence to project design features, the California Building Code, Fire Code, and City requirements will ensure that the impacts due to seismic ground shaking or failure would be less than significant. As a result, the risk of loss, injury, or death involving seismic rupture or shaking would be considered less than significant and no mitigation measures would be necessary.

Additionally, the project area is relatively flat and, therefore, would not normally be subject to landslides or mudslides. The construction of the proposed project will likely involve excavations and such excavation work will be required to be made in accordance with all applicable codes and standards to minimize the threat of a landslide or mudslide. No impacts are anticipated.

The Environmental Impact Report for the City of Garden Grove's General Plan 2030 Update provides that, "the City of Garden Grove is characterized by gentle slopes ranging from 0 to 2 percent. Alluvial sediments, deposited by ancestral Santa Ana River, underlie the City. Alluvium sediments are typically comprised of a variety of materials including fine particles of silt and clay and larger particles of sand and gravel. The City is 99 percent built out as an urbanized city. The proposed General Plan Update focuses on preserving existing residential neighborhoods, guiding the remaining development and redevelopment opportunities and encouraging revitalization of selected areas. Much of the area available for new development or redevelopment would be on infill sites covered by primarily disturbed vegetation or impermeable surfaces. This would result in minimal soil erosion or loss of top soil." The project will require excavation and grading of the site in order to accommodate the proposed project, which will require preparation of a grading plan. Site drainage will be required to meet Engineering Services Division standards requiring storm water drainage to flow off the site. This storm water drainage, however, must also comply with applicable Water Quality Management Plan ("WQMP") provisions. This will allow the overall drainage pattern to flow to the adjoining streets or storm drains in and around the subject site depending on the magnitude of the project's intensity and density. Drainage easements may be required for storm drain purposes. The location of the easement(s) and the size of storm drains will be determined before site preparation begins. In order to mitigate potential site drainage issues, all construction involving excavation and/or grading is required to adhere to the

requirements of the Engineering Services Division. All improvements are required to adhere to applicable federal and state laws and regulations including the California Building Code, and State and Federal Occupational Safety requirements and project impacts are considered to be less than significant.

Vertical displacement or subsidence of the land surface can be caused by several factors, including the withdrawal of oil, gas, or water from underlying formations, decomposition of buried organic material, and construction of heavy manmade structures above underlying poorly consolidated materials. None of these or any other conditions typically contributing to subsidence are expected in the project area. All new construction is required to adhere to the requirements of the Engineering Services Division to address any subsidence of the land. All improvements are required to adhere to applicable federal and state laws and regulations including the California Building Code, and State and Federal Occupational Safety requirements.

Vertical displacement or subsidence of the land surface can be caused by several factors, including the withdrawal of oil, gas, or water from underlying formations, decomposition of buried organic material, and construction of heavy manmade structures above underlying poorly consolidated materials. None of these or any other conditions typically contributing to subsidence are expected in the project area. All new construction is required to adhere to the requirements of the Engineering Services Division to address any subsidence of the land. All improvements are required to adhere to applicable codes including the California Building Code, and State and Federal Occupational Safety requirements. Project impacts are considered less than significant.

Finally, the subject site and project will be served by the City's sewers system and therefore no alternative wastewater disposal system is needed to support the project.

No further mitigation required.

2.7 GREEN HOUSE GAS EMISSIONS

Since the adoption of AB 32, there has been little regulatory guidance regarding quantification of potential greenhouse gas (GHG) impacts. Given the complexity of the overall interactions between various global and regional scale air emissions, it is difficult to determine whether any proposed project would alter existing conditions. No statewide significance threshold has been adopted. Further, the recent amendments to the CEQA guidelines regarding GHG impacts do not identify a threshold of significance, nor do they specify an assessment methodology or specific mitigation measures. In the absence of a statewide significance threshold, SCAQMD is in the process of devising an acceptable methodology to properly analyze GHG emissions. Specifically, SCAQMD has recently adopted an interim GHG significance threshold of 10,000 metric tons per year (mtpy) CO₂ equivalent for projects in which SCAQMD is the lead agency.

The Harbor Boulevard Hotel and Water Park Air Quality Impact Study (under separate cover) analyzed the project's potential GHG impacts. The project GHG's emissions are generated by mobile sources, electrical use, and combustion of natural gas. These emissions include CO₂, in addition to N₂O and CH₄ that can be converted to CO₂ equivalents for study purposes. As indicated in the Air Quality Impact Study,

the URBEMIS 2007 computer program can quantify the amount of CO₂ generated by vehicles from identified area sources, however, the model does not take into account the CO₂ generated by electrical use or generation. The SCAQMD, however, has established the typical electrical usage of certain land uses based on square footage.

Using the URBEMIS 2007 model and SCAQMD figures, the Air Quality Impact Study calculated the following project emissions. Because the project's land use has an existing carbon footprint, the existing estimated GHG emissions were calculated. As indicated in Table 12 of the Air Quality Study, the existing land uses are generating 2,799.1 mtpy CO₂eq. The project is projected to generate 9,648.3 mtpy CO₂eq. The project's net GHG emissions, therefore, are 6,849.2 mtpy CO₂eq, well-below the 10,000 mtpy CO₂ eq. threshold adopted by SCAQMD.

Further, in accordance with the 2007 AQMP, the emission levels in California are estimated to be approximately 600 million metric tons of CO₂ equivalents for 2010. At approximately 6,849 metric tons per year, or 0.00685 Tg CO₂ per year, the project represents less than 0.00014 percent of California's annual emissions budget.

Finally, the project would not conflict with any applicable plan, policy or regulation adopted for the purposes of reducing GHG emissions. Less than significant impacts are anticipated.

No further mitigation required.

2.8 HAZARDS AND HAZARDOUS MATERIALS

Similar to other large developments that include commercial/retail uses, hazardous materials, including paints, solvents, and other materials, may be stored on-site and utilized in daily operations or maintenance of the property. All proposed uses within the project, however, must comply with applicable Federal, State, and local regulations pertaining to the transport, storage, use and/or disposal of hazardous materials on the site. There will be no health hazards or potential for health hazards created by the proposed development or uses. The development will not create any health hazards or increase the potential of exposure to existing hazards through the day-to-day operations of the project or through any transport of hazardous materials. The project will not increase the risk of accidental explosion or release of hazardous substances or waste within one quarter mile of a school.

The project is not located on a site that has been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Since the site is not located on a hazardous materials site, no impact is anticipated.

The project is not located on a site that has been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Since the site is not located on a hazardous materials site, no impact is anticipated.

The project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

Finally, the project is within a highly urbanized area and is not located adjacent to any wildlands or an area where residences are intermixed with wildlands. Therefore,

based on the location of the project, no exposure of people or structures to a risk of loss, injury, or death involving a wildfire is anticipated.

No further mitigation required.

2.9 HYDROLOGY AND WATER QUALITY

The federal Clean Water Act establishes a framework for regulating potential water quality impacts from construction activities through the National Pollutant Discharge Elimination System (NPDES) program. Construction activities that involve more than five acres are required to obtain coverage under the NPDES Permit for storm water discharges. The proposed project is required to comply with State regional, and local water quality standards, including the requirements of the California Regional Water Quality Board implementing the NPDES program and the requirements of the Garden Grove Sanitation District and the Garden Grove Public Works Water Services Division.

A Water Quality Impact Report (under separate cover) was conducted for the project that addressed water quality and run-off issues that may arise due to the construction and operation of the proposed project. The project site is located within an urbanized area with existing residential, and commercial uses. The area surrounding the site is almost entirely covered with impermeable surfaces. The site has been designed to minimize the drainage slopes across the site, thereby decreasing storm water velocities. The decreased velocity will minimize the amount of pollutants transported from the site. Also, the parking stalls, land widths, and other impermeable areas have been set at the minimum in order to maximize landscaped area. Impermeable areas are separated to the maximum extent practicable, and therefore minimize directly connected impervious areas. The project design also includes the installation of on-site catch basins and hydrodynamic separators that will treat water before entering the public storm drain system. The project will receive its water from municipal supply, not onsite groundwater resources. Construction of the proposed project would not substantially alter the existing drainage pattern or increase offsite storm water flows. The project is not expected to result in storm water flows which could exceed capacity or existing or planned storm water drainage systems. The project is not anticipated to substantially deplete groundwater supplies or to interfere with the recharge capability of any aquifers. When the applicable NPDES provisions are implemented, the project will not result in violations of any water quality standards or waste discharge requirements. With application of the identified mitigation measures, the proposed project would not result in significant impacts to hydrology and water quality.

The project area is located within 100-year flood zone (Flood Zone Map, Flood Zone "A" 060220-0143-H, December 3, 2009). The western portion of the City is located within the dam inundation areas of the Prado Dam and Carbon Canyon Dam. Prado dam is located approximately 24 miles northeast of Garden Grove, on the Santa Ana River, west of the City of Corona. The Prado dam provides flood control and water conservation storage for Orange County. The Carbon Canyon Dam is located approximately 14.1 miles northeast of the City, and along with the Brea and Fullerton dams, provides flood protection for the coastal plains of Orange County.

Titles 6, 9, and 14 of the City's Municipal Code provide regulations to minimize flooding, and losses resulting from flooding. In particular, Title 9, Chapter 12 establishes a Flood Hazard Overlay Zone which includes the City's floodplain management regulations. The risk of flood is also addressed in the City's Emergency Management Plan. In addition, grading improvement plans will be required to address potential flooding in designing the placement of the buildings, the height of the building pads, and related improvements to ensure the development meets the Federal Emergency Management Agency ("FEMA") requirements. Compliance with the City's Municipal Code, the City's Emergency Management Plan and grading improvement plan restrictions reduce potential flood impacts a level of less than significance.

Seiches, tsunamis, and mudflows are not anticipated to occur in the vicinity of this project due to its distance from the coast, absence of large bodies of water, or hilly or mountainous areas that potentially could cause mudflows.

Proposed mitigation measures which will reduce any potentially significant impacts identified in this Section 2.9 to a level of insignificance are set forth in Section 3.3.

2.10 LAND USE AND PLANNING

The project site area has approximately half of the site vacant and unimproved and the other half occupied with two vacant commercial buildings, a recreational vehicle park, and two single family homes that will be completely removed upon improvement of the site with the intended development. The proposed Planned Unit Development zoning designation and subsequent intended development of the site is compatible with the surrounding area in intensity and density, and will not disrupt the physical arrangement of any existing residential, or commercial, or office development in the area. During construction there may be disruptions in traffic patterns or an increase in noise. These impacts are considered to be less than significant as these disruptions are temporary in nature and were addressed in the Environmental Impact Report for the City's General Plan 2030 Update.

The subject site is comprised of six properties with a combined land area of 12.1 acres. Four of the properties maintain a General Plan Land Use Designation of International West Mixed Use and a zoning of PUD 121 98 with the other two maintaining a Low Density Residential Land Use designation and a zoning of R 1 (Single Family Residential). The International West Mixed Use Land Use designation and Zoning allow for resort, entertainment, retail, hotels and higher density residential that are appropriate for a major entertainment and tourism destination. The Low Density Residential designation and R 1 zoning allows for the development of single-family residential homes. The project entitlements include changing the General Plan Land Use Designation of the two residential properties from Low Density Residential to International West Mixed Use and changing their zoning from R 1 to PUD. In addition, the other properties' zoning will be changed from PUD 121 98 to PUD. Conditional Use Permit and Tentative Parcel Map applications are also included as part of the entitlement submittal. The proposed project will include an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 18,000 square feet of retail, approximately 30,000 square feet of meeting space and restaurants within the hotel facility, a 5 level parking structure, and an approximately 14,850 square foot restaurant pad. The Conditional Use Permit application will allow

for the sale of alcoholic beverages in the hotel and hotel restaurants, and the Tentative Parcel Map will allow the applicant to reconfigure the existing six properties into three separate properties. With the changing of the two residential properties' General Plan Land Use designation and zoning, the project will be consistent with the General Plan Land Use designation and zoning of the property. Therefore, no conflict with the General Plan Land Use designation or the property's zoning is anticipated, since the project is a resort hotel with a water park component, which is the intended land use for properties within the International West Mixed Use area.

The proposed project is located within a highly urbanized area of Orange County and is in conformance with applicable federal, state and City of Garden Grove environmental requirements and plans. The project is not located within an area that is subject to any habitat conservation plan or natural community conservation plan. The Final Environmental Impact Report prepared and certified, in August 2008, as a part of the General Plan Update (State Clearinghouse No. 2008041079, the General Plan EIR), analyzed intense commercial development for this area, including hotels, restaurants, and entertainment venues, such as the proposed water park, and associated potential impacts such as increased traffic in the area, water and sewer concerns, and design issues. Projects that are proposed within this area require additional site-specific environmental studies. For the proposed project, additional studies were prepared that address traffic, air quality, water quality, noise, shade and shadow, and light and glare, and water supply (the studies have been included as attachments). The studies, along with the review of the project, indicate that the project with the implementation of the mitigation measures does not have the potential to conflict with environmental plans adopted by agencies with jurisdiction over the project.

No further mitigation required.

2.11 MINERAL RESOURCES

The City's General Plan and the Harbor Boulevard Specific Plan identify known areas with mineral resources. The project is not located in any known area with mineral resources identified in the City's General Plan or the Harbor Boulevard Specific Plan. No impacts are anticipated.

2.12 NOISE

An Acoustical Study (under separate cover) was prepared for the project that analyzed noise generated from the additional traffic the project would create (roadway noise), exterior noise generated from the water park, the loading/unloading area, the trash compactor, the parking structure, noise generated during construction of the project, and interior noise levels. Three sensitive noise areas (residential houses and apartments) are located directly north, west, and east of the project. The acceptable exterior noise level standard for residential and commercial land uses within the City is 65 dBA CNEL.

In the Acoustical Study, the RK Engineering, Group, Inc. utilized the project's Traffic Study and short-term noise measurements to calculate roadway noise projected to 2013. The results of the analysis indicated that the roadway network currently experiences noise levels of 59.4 to 68.0 dBA CNEL at a distance of 100 feet from the centerline of Harbor Boulevard. The 2013 noise levels will range from 59.5 to 68.2

dba CNEL without the project. With the project, the 2013 noise levels will range from 59.6 to 68.3 dba CNEL. Based on the minimal projected increase, the project's contribution to the adjacent roadway noise environment is considered insignificant.

Stationary noise impacts associated with the project include trash compactor noise, loading/unloading area noise, parking structure noise, outdoor pool equipment/outdoor pool area noise, and noise from the large water tube slide ride/music equipment. The ride is identified as the Tornado waterslide that is a large cone shaped ride that is partially exposed on the exterior of the water park building facing Harbor Boulevard. According to the Acoustical Study, noise emanating from parking structure, outdoor pool equipment, and outdoor pool area will not exceed the City's noise criteria. Data from the Tornado ride was not included within the study, since the actual readings from a similar ride were unavailable. However, conditions of approval for the project will require an acoustical study to be submitted to the City along with the plans submitted for building permits demonstrating that the ride will not exceed the City's Noise Ordinance criteria. The noise created by the trash compactor and loading/unloading activities require construction of a minimum 8 foot high sound wall along the north and westerly property lines to reduce any potential noise impacts to adjacent residential uses.

Noise created by construction activity is a short-term impact. The intensity of construction activity may vary for different areas of the project site; as a result, noise levels associated with construction will vary. The peak noise level for most of the equipment that will be utilized will be approximately 70 to 90 dba at a distance of 50 feet from the noise source. The analysis assumes a worst-case scenario. The noise levels at the property lines will fluctuate depending on the distance and number of equipment operating at the same time. According to the noise study, the noise level will range from 74.0 to 79.4 dba equivalent noise level (Leq) during the different phases of construction. The City has adopted Noise Performance Standards from the City's Noise Ordinance and construction must follow the Noise Ordinance regulations. Mitigation measures have been recommended that would reduce potential construction noise impacts to a less than significant level. Furthermore, in order to ensure that any noise generated by the project, whether it is from a stationary, interior, or roadway source, is reduced to a level of insignificance, additional mitigation measures have been recommended. Therefore, with the implementation of the recommended mitigation measures and conditions of approval for the project, noise generated by the project is considered less than significant.

The project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip. No impacts are anticipated.

Proposed mitigation measures which will reduce any potentially significant impacts identified in this Section 2.12 to a level of insignificance are set forth in Section 3.3.

2.13 POPULATION AND HOUSING

There are two single family residential units existing on the site that will be displaced as a result of the proposed development. These residential units are not designated as affordable housing. This minimal displacement will not necessitate the construction of replacement housing elsewhere. The proposed development will not increase

population and housing in the immediate area, other than temporary transient occupancy due to the nature of the proposed development. In addition, the proposed project is located in a highly urbanized area and all infrastructure is already in place. The proposed development is in conformance with the development standards for the proposed zoning designation of hotel development as well as within the existing Planned Unit Development No. PUD-121-98 zoning. Additionally, the project is within the density limits permitted under the current General Plan land use designation of International West Mixed Use. The development of the project is within the thresholds that were considered and addressed within the EIR for the City's current General Plan.

No further mitigation required.

2.14 PUBLIC SERVICES

The City of Garden Grove Fire Department provides emergency response service and The City of Garden Grove Fire Department provides emergency response service to the project area. The project is not likely to induce significant growth and will not result in a substantial new demand for fire protection services. New construction, however, will occur, and due to the nature of the uses, there will be a slight increase in need for fire protection services. In order to mitigate any potential impacts associated with this development, the development shall comply with the conditions of approval of the Fire Department including but not limited to providing a fire sprinkler system, ensuring clearly unobstructed emergency paths of travel, providing and maintaining a water storage system for fire fighting purposes, and providing other regulations per the Fire Department's specifications that address this type of development.

The Garden Grove Police Department provides police protection in the area. The project is not likely to induce growth beyond that planned for the site and will not result in substantial new demand for police protection services. There are no anticipated physical changes within the area that would significantly affect police protection. However, due to the nature of the proposed use, it is likely that there will be minimal increased demand for police protection. In order to mitigate the anticipated impacts associated with the project, such as an increase in calls for service, the development shall comply with the conditions of approval of the Police Department.

The proposed development is a transient use that will not increase the number of children within the Garden Grove Unified School District. This development is subject to the applied mitigation school fees currently applied to new development in the City by the Garden Grove Unified School District. The Developer shall provide the Community Development Department proof of payment of appropriate school fees, adopted by the Garden Grove Unified School District, prior to the issuance of building permits in accordance with the provisions of state law.

The proposed development is not located on a site that was previously developed as a park or is a site that is designated for park land. The proposed project includes an indoor water park facility that will provided recreation for persons staying at the hotel. The project will not require the creation of additional parkland. The proposed project

would not result in population growth which could otherwise increase the burden on parks and/or other recreational facilities.

It is not anticipated that the project will increase demands on other governmental services other than those addressed in this analysis.

No further mitigation required.

2.15 RECREATION

The proposed project is a hotel with a large water park amenity for guests staying at the hotel. Based on the commercial/resort orientation of the project, no increase in use of the existing parks within the immediate area is anticipated that could substantially cause the deterioration of an existing park.

The project itself involves the construction of recreational and community facilities for which this initial study analyzes the impacts of construction. The project is not creating housing that would require the creation of open space or require the payment of park in-lieu fees to assist in mitigating the impacts to the existing park system within the City.

No further mitigation required.

2.16 TRANSPORTATION

A Traffic Study (under separate cover) was prepared for the subject project. The Traffic Study analyzes existing traffic conditions as well as the projected traffic that the subject project would generate and has recommended mitigation measures to reduce any potential impacts. The Study concluded that the project is expected to generate approximately 2,981 trips per day with 190 net vehicles per hour during the AM peak hour and 284 vehicles per hour during the PM peak hour. The study analyzed the Level of Service (LOS) of intersections within the area of the site that would be directly impacted by the proposed project. According to the City's updated General Plan, the acceptable Level of Service (LOS) for intersections within the City is D or better. For project build out (year 2013) without project traffic conditions, all intersections that were studied are projected to operate at an acceptable level with the exception of two intersections: Harbor Boulevard/Blue Spruce Avenue and Harbor Boulevard/Trask Avenue. For Project build out (year 2013) with project traffic conditions, all intersections that were studied are projected to operate at acceptable levels of service during peak hours, except for the two intersections at Harbor Boulevard/Trask Avenue and Harbor Boulevard/Blue Spruce Avenue.

However, it should be noted that an impact to an intersection is also considered significant if the Intersection Capacity Utilization (ICU) value at a lighted intersection is increased by more than 1%. The Harbor Boulevard/Trask Avenue is a lighted intersection that currently maintains an LOS of D in the AM peak hours and E in PM peak hours. With project conditions, the intersection will operate at the same level of service. With project conditions, however, the ICU value at this intersection will increase by 1% or greater. Therefore, it is recommended that northbound right turn overlap phasing be installed. While this will not alter the level of service at this intersection, it will reduce the ICU value, thereby reducing the impact to the

intersection to a level of less than significance. The Harbor Boulevard/Blue Spruce intersection is not a lighted intersection and the LOS has not changed.

Finally, during construction, increased vehicle trips or traffic congestion may occur, but would be temporary in nature and would not create a significant impact. All projects involving construction in the public right-of-way will be required to submit a traffic safety plan to minimize traffic congestion. Therefore, with the appropriate mitigation measures, any potential impacts to the area can be mitigated to a level of less than significance.

Emergency access to the proposed development and surrounding area will not be impacted. The project has been reviewed by emergency personnel and it has been determined that there is adequate emergency access. Police and Fire services in the area are adequate to accommodate the development provided the project complies with the conditions of approval.

The proposed development would not impact existing or proposed policies pertaining to public transportation, bicycle, or pedestrian facilities, and alternative transportation. It should be noted that mass transit stops are in close proximity to the development and will not change with the development of the proposed project.

2.17 UTILITIES AND SERVICE SYSTEMS

The project area is a highly urbanized area and storm water drainage facilities are in place and adequate to meet the needs for this area including those generated by this project. As explained above, the project is required to implement the requirements of the Regional Water Quality Control Board. As a result, the proposed project would not exceed treatment requirements of the Regional Water Quality Control Board.

Because the proposed project met the thresholds established by Senate Bill 610, a Water Supply Assessment Study (WSA), under separate cover, was prepared to assess the availability of water to serve the project over a 20 year period. The assessment reached the following conclusions:

In 2009/10, the City's water demand was approximately 25,820 AFY which was actually 3,480 AFY less than what was projected in the 2005 Urban Water Management Plan and 3,972 less than what was projected in the 2008 Water Master Plan. These water demands include unaccounted for water. This means that City businesses and residents are using less water than was originally forecast, which is likely due to a number of factors including:

1. The 2005 UWMP and 2008 Water Master Plan conservatively over-estimated water demand;
2. Water demand is being reduced due to effective conservation efforts being undertaken by the City and its constituents and increased water efficiencies resulting from more stringent building codes and more efficient fixtures/appliances (e.g., high-efficiency clothes washing machines, low- and ultra low-flow toilets, waterless urinals, etc.);
3. 2009/10 was the first year the Metropolitan Water District of Southern California ("Metropolitan") enacted its Water Allocation Plan;
4. The City adopted substantial water rate increases over the past few years;
5. The overall economic downturn has had an impact on water demands; and

6. Precipitation was above average for 2009/10.

Given all of these factors, it would not be prudent to use last year's actual water demand as a normal year demand for the purposes of projecting demands into the future. However, it is recognized that some of the reduction in demand over the past few years is, and will continue to be, permanent. Therefore, it is recommended that the projections included in the 2008 Water Master Plan, which included a detailed review of land use development projections and the corresponding additional water demand growth, be adjusted downward slightly at the initial (2010) period and then followed from 2010 into the future for purposes of additional water demand growth. At the end of the 20-year planning period, City water demand for 2029/30 is projected to be approximately 30,472 AFY including the proposed project.

Since the proposed project was a part of the Harbor Boulevard Development Area, which was included in the land use and water demand projections of the 2008 Water Master Plan, it can be considered included in these projections. The proposed project's estimated net additional demand of 139 AFY can then be subtracted from the 30,472 AFY, generating a total 2030 demand without the proposed project of 30,333 AFY. It should be noted that the additional net demand for the proposed project is less than 0.5 percent of the total projected Citywide demand at the end of the 20-year planning period.

Analysis of water supply projections for the City demonstrates that projected supplies will meet demands through fiscal year 2029/30. These projections consider water development programs and projects, as well as water conservation, as described in the City's 2005 UWMP (Urban Water Management Plan) and Metropolitan's Draft 2010 Regional Urban Water Management Plan (RUWMP), August 2010. Metropolitan's 2010 RUWMP projects significant surplus supply conditions in all normal, single dry, and multiple dry-year scenarios. Since the City's original demand projections that were provided to the Municipal Water District of Orange County (MWDOC), and in turn Metropolitan, were higher than the revised projections, Metropolitan's demand projections should be overstated and also include the proposed project's demands. The City's groundwater and imported water supplies are anticipated to remain stable based on Orange County Water District (Orange County Water District) and Metropolitan studies and reports.

The City's water supply projection is based on utilizing up to 62 percent groundwater (normal, single dry and multiple dry years) based on an expected average long-term BPP (Basin Production Percentage), and its share of imported water is confirmed as reliable by Metropolitan. Analysis of normal, single dry, and multiple dry year scenarios also demonstrate the City's ability to meet demand during the 20-year planning period.

Additionally, if required by extraordinary circumstances, the City can meet its water demand by (1) increasing production of groundwater beyond the BPP up to the basin safe yield; (2) increasing imported water purchases; and/or (3) decreasing demand through water conservation measures, which has proven to be extremely effective over the past year and under Metropolitan's Water Allocation Plan.

Reliability of future water supplies to the region will be ensured through continued implementation of the OCWD Groundwater Management Plan, OCWD's Long Term Facilities Plan, local agency programs, and the combined efforts and programs among member and cooperative agencies of Metropolitan. These agencies include all water wholesalers and retailers, the Orange County Sanitation District, the Santa Ana Regional Water Quality Control Board, and the Santa Ana Watershed Project Authority.

Collectively, the information included in the WSA identifies a sufficient and reliable water supply for the City, now and into the future, including a sufficient water supply for the proposed project.

The Garden Grove Sanitary District provides sewer service to the City of Garden Grove. The Garden Grove Sanitary District and the Orange County Sanitation District charge fees for sewerage connection. These fees are required to construct new sewer infrastructure and/or incremental expansions to the existing sewerage system to accommodate individual development. New developments are not permitted to connect to sewer systems unless there is sufficient capacity to accommodate the new development. Therefore, new development is not permitted to exceed the available capacity of wastewater conveyance systems or treatment facilities. The Garden Grove Sanitary District has concluded that the existing infrastructure and wastewater treatment capacity is sufficient to meet projected increased sewage flows from the proposed project. No new or expanded wastewater treatment facilities would be required.

Solid waste disposal services are administered by the Garden Grove Sanitary District. Collection services are provided via a contract with a private trash collection contractor. According to the Garden Grove Sanitary District, there is sufficient capacity to accommodate the solid waste generated by the project. As part of the development of this site, the overall solid waste disposal system will be coordinated with the Garden Grove Sanitary District and their contractor for specific matters such as trash pick up times, number and types of trash receptacles, and the locations of such trash receptacles.

No further mitigation required.

2.18 MANDATORY FINDINGS OF SIGNIFICANCE

Based on the above analysis and the mitigation measures set forth in Section 3.0 of this Mitigated Negative Declaration, the Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Based on the above analysis and the mitigation measures set forth in Section 3.0 of this Mitigated Negative Declaration, implementation of the proposed Project would not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.

Based on the above analysis and the mitigation measures set forth in section 3.0 of this Mitigated Negative Declaration, implementation of the proposed Project would not have impacts that are not individually, but cumulatively considerable ("cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of current projects and the effects of probable future projects).

Implementation of the proposed project would not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

3.0 MITIGATION MONITORING

3.1 INTRODUCTION

In accordance with CEQA Section 21081.6, a Mitigation Monitoring Program has been prepared for the Project. CEQA states that a public agency shall adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The report or monitoring program shall be designed to ensure compliance during project implementation.

The discussion in Section 3.0 recommends several mitigation measures that shall be incorporated into the Project to reduce or eliminate potential adverse effects. Measures described herein are to be applied in addition to Project compliance with all applicable federal and California law, including, but not limited to, the Clean Water Act as implemented through the NPDES Program, the California Building Code and applicable City codes and ordinances.

The Mitigation Monitoring Program contained in this Section 3.0 lists each required mitigation measure categorized by impact area, with an accompanying identification of the factors listed below. Measures are numbered sequentially. For each mitigation measure the following items are specified:

- Implementation mechanism;
- Timing and verification; and
- Responsible Agency

The Mitigation Monitoring Program will serve to document compliance with adopted mitigation measures and conditions of approval required to render insignificant the project's potential environmental impacts.

The Agency and Project developer shall demonstrate compliance with each mitigation measure in a written report submitted to the applicable enforcement agency prior to the specified compliance date and provide periodic (at a minimum annual) reports regarding compliance with such conditions.

It is further referenced that any mitigation measure and implementation measure identified in the General Plan 2030 Update Program EIR for the Brookhurst Triangle not listed here, shall still be applied and implemented as part of this mitigation-monitoring program.

3.2 PROJECT SUMMARY

The proposed project is the development of a hotel and water park on an approximately 12.1 acre site in the City of Garden Grove. The water park will be for hotel guests only. The proposed project will include an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 9,500 square feet of restaurant space on a detached approximately 14,850 foot restaurant pad and a 5-level parking structure. Hotel ancillary uses will include meeting space, retail, and restaurant uses inside the hotel facility. Project approval includes: a General Plan Amendment to change the General Plan Land Use designations of two properties from Low Density Residential to

Water Park Hotel GPA-1-10(A), PUD-126-10, CUP-303-10, PM-2010-1178, DA-183-10

International West Mixed Use; establishing a Planned Unit Development zoning with development standards; a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel and hotel restaurants; and a Tentative Parcel Map to reconfigure the existing six properties into three separate properties. A Development Agreement is also proposed.

3.3 MITIGATION MONITORING PROGRAM

Mitigation Measure	Verification	Timing	Responsible Party
Air Quality			
Vehicle Emissions All construction contractors shall comply with applicable SCAQMD regulations.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Construction equipment shall be maintained in proper tune.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Utilize gasoline or electric powered equipment instead of diesel equipment whenever possible.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Suspend use of heavy construction equipment during first stage smog alerts.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
All construction vehicles shall be prohibited from idling more than five minutes.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Encourage use of "clean diesel" equipment if modified engines (catalyst equipped or newer Moyer Program retrofit) are available.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Fugitive Dust Emissions and Control Water all active construction areas three times a day.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Cover all haul trucks or maintain at least 2 feet of freeboard capacity on trucks hauling dirt.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works

Mitigation Measure	Verification	Timing	Responsible Party
Pave or apply water three times daily to all unpaved parking or staging areas.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Reduce speed on unpaved roads to less than 15 mph.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Sweep or wash any site access points within 30 minutes of any visible dirt deposition on any public roadway.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Cover or water twice daily any on-site stockpiles of debris, dirt or other dusty material.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Suspend all operations on any unpaved surface if winds exceed 25 mph.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Limit daily disturbance area to 5-acres or less.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Off-site Impacts			
Encourage car-pooling for construction workers.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Limit lane closures to off-peak travel periods.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Park construction vehicles off traveled roadways.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Wet down or cover dirt hauled off-site.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works

Mitigation Measure	Verification	Timing	Responsible Party
Wash or sweep access points daily.	Grading and building inspections	construction	Community Development/ Public Works
Encourage receipt of materials during non-peak traffic hours.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Sandbag construction sites for erosion control.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Operational Emissions Reduction Measures			
1. Encourage the building design to exceed the minimum statewide energy requirements of Title 24; this may include but is not limited to: <ul style="list-style-type: none"> a. Use of low emission water heaters. b. Use of central air/heating systems. c. Use of energy efficient appliances. d. Use of increased insulation. e. Use of energy efficient parking lot lights. f. Use of lighting controls and energy efficient lighting. 	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Transportation Management Techniques to Reduce Vehicle Emissions			
Encourage use of shuttle service, public transit, and carpooling.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Participate in City's existing TDM (Transportation Demand Management) programs.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works

Mitigation Measure	Verification	Timing	Responsible Party
Encourage a mix of uses on the site (i.e. hotel, restaurant, recreation, and retail) to minimize off-site travel.	Grading and building inspections	During grading and building construction	Director of Community Development
Aesthetics			
Light and Glare			
The project shall comply with the City's Municipal Code regarding lighting and shall not produce light and glare above what is permitted by the City Code. After the installation of the waterside lighting, but prior to final of building permits for the project, the light output of the light show shall be adjusted to a level that is satisfactory to the City, that will minimize light spillage, and will not produce a light above what is allowed by City Code.	Grading and Building Plan Review Inspections	Prior to final of building permits	Director of Community Development
Noise			
Roadway Noise Reduction Measures			
Provide a 5-foot high shielding wall along the exterior patio of the future restaurant pad.	Building Plan Review and Inspections	Prior to final of building permit for future restaurant	Director of Community Development
Stationary Noise Reduction Measures			
Provide an 8-foot high shielding wall along the north, south, and west property lines.	Building Plan Review and Inspections	Prior to final of building permit	Director of Community Development
Delivery truck operations and loading and unloading activities shall be limited to daytime hours between the hours of 7:00 a.m. to 10:00 p.m.	Grading and Building inspections and during operation of project	On going	Director of Community Development/ Police Department/ Code Enforcement
Idling trucks shall be limited to five minutes in length.	Grading and Building Inspections and during operation of project	On going	Director of Community Development/ Police Department/ Code Enforcement
Any trash compactor/pool equipment shall be shielded by a parapet wall, or fully enclosed. The mechanical	Building Plan Review and Inspections	Prior to final of building permit	Director of Community Development/ Police Department/ Code Enforcement

Mitigation Measure	Verification	Timing	Responsible Party
equipment shall be placed at a distance furthest from the nearest residential dwelling units. The height of the walls shall be at least as high or higher than the mechanical equipment.			Development
The parking structure shall have 4-foot high shielding walls for each floor that faces the northerly and westerly residential units.	Building Plan Review and Inspections	Prior to final of building permit	Director of Community Development
All water park mechanical equipment shall to be fully enclosed or inside the indoor water park.	Building Plan Review and Inspections	Prior to final of building permit	Director of Community Development
Noise levels of the speakers located along the sidewalk shall not exceed approximately 70.0dB at a distance of two feet away from the source. In any case the noise levels shall not exceed the noise levels that are permitted by the City of Garden Grove's Noise Ordinance.	Building Inspection	Prior to final of building permit and on going	Director of Community Development
Once the project is in operation, noise monitoring shall occur to ensure that the project site is operating within the Noise Ordinance City's criteria.	After final	On going	Director of Community Development
Construction Noise Reduction Measures All construction operation shall follow the City's General Plan and Noise Ordinance criteria.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Construction operation shall not occur during the hours of 10:00 p.m. – 7:00 a.m.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Idling equipment shall be turned off when not in use.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works
Equipment shall be maintained so that parts of vehicles and their loads are secured from rattling and banging.	Grading and building inspections	During grading and building construction	Director of Community Development/ Public Works

Mitigation Measure	Verification	Timing	Responsible Party
Transportation			Director of Community Development/ Public Works
On-site			Director of Community Development/ Public Works
Construct the on-site circulation system per the detailed site plan	Grading and Building Plan Review Inspections	Prior to final of building permits	Director of Community Development/ Public Works
Provide the following project access points. a. Project Access 1 - right in/out only access. b. Project Access 2 – full access, signalized. c. Project Access 3 – right out only access.	Grading and Building Plan Review Inspections	Prior to final of building permits	Director of Community Development/ Public Works
Install stop signs, stop bars, and stop legends at Project Access 1 and Project Access 3.	Grading and Building Plan Review Inspections	Prior to final of building permits	Director of Community Development/ Public Works
Area-wide			Director of Community Development/ Public Works
Complete any remaining street half-section improvement on Harbor Boulevard, directly adjacent to the project boundaries. The project should participate in the installation of the following off-site improvements: a. Harbor Boulevard (NS) at Project Access 1 (EW): It should be noted that an SB exclusive right turn only lane is not necessary at this intersection due to the low volumes of right turning vehicles during the peak hours. b. Harbor Boulevard (NS) at Project Access 2 (EW): 1. Install traffic signal. 2. Install NB left turn pocket with 150 feet of storage. Refer to Section 6.0 of the Traffic Study (under separate cover) for the minimum queuing capacity required for this lane. 3. The project site plan utilized in the Traffic Study shows a southbound exclusive right-turn lane at this intersection. Given the results of the queue analysis shown in Section 6.0 of the Study, it is concluded that an exclusive right-turn lane is not required at this intersection. An extra set of the	Grading and Building Plan Review Inspections Grading and Building Plan Review	Prior to final of building permits Prior to final of building permits	Director of Community Development/ Public Works Director of Community Development/ Public Works

Mitigation Measure	Verification	Timing	Responsible Party
<p>Traffic analysis ICU worksheets for this intersection, analyzed without an exclusive southbound right-turn lane, is available in Appendix B of the Traffic Study.</p> <p>c. Harbor Boulevard (NS) at Trask Avenue (EW): Install NB right turn overlap traffic signal phase. Traffic signing/stripping should be implemented in conjunction with detailed construction plans for the project site.</p>	<p>Grading and Plan Review</p>	<p>Prior to final of Building Permit</p>	<p>Director of Public Works</p>
<p>Water Quality</p>	<p>Grading and Plan Review and Inspection</p>	<p>Prior to final of Building Permit</p>	<p>Director of Public Works</p>
<p>On-site catch basins and hydrodynamic separator(s) shall be installed to treat storm water run-off.</p>	<p>Grading and Plan Review and Inspection</p>	<p>Prior to final of Building Permit</p>	<p>Director of Public Works</p>
<p>All required NPDES provisions shall be implemented in order to ensure that there is no impact on water quality.</p>	<p>Grading and Plan Review and Inspection</p>	<p>Prior to final of Building Permit</p>	<p>Director of Public Works</p>
<p>Any water that is pumped out will be subject to the discharge requirements of the Regional Water Quality Control Board, the Garden Grove Sanitation District, and the Garden Grove Public Work's Water Services Division.</p>	<p>Inspection</p>	<p>Building and Grading Inspections</p>	<p>Director of Public Works</p>

4.0 PERSONS CONTACTED AND REFERENCES

4.1 CITY OF GARDEN GROVE

Community Development Department

Susan Emery, Director
Karl Hill, Planning Manager
Ding Victoria, Building Manager
Lee Marino, Senior Planner

Economic Development

Greg Blodgett, Senior Redevelopment Manager

Police Department

Ed Leiva, Sergeant, Intelligence Investigator

Fire Department

Dave Barlag, Deputy Chief/Operations

Public Works

Bill Murray, City Engineer
Dan Candelaria, Traffic Engineer
David Entsminger, Water Services Division Manager

4.2 OTHER ORGANIZATIONS AND INDIVIDUALS CONTACTED

Trae Rigby, McWhinney
Kim Perry, McWhinney
Michael Silvey, Tait and Associates
RK Engineering Group
LBD Incorporated
Michael Swan, PSOMAS
Native American Heritage Commission

4.3 REFERENCES

City of Garden Grove General Plan 2030 Update, August 2008.

City of Garden Grove Existing Conditions Report, August 2008.

City of Garden Grove Final Environmental Impact Report for the General Plan 2030 Update, August 2008, State Clearinghouse No. 2008041079.

State of California, CEQA - California Environmental Quality Act, Statutes and Guidelines

Title 9 of the Garden Grove Municipal Code.

Water Park Hotel GPA-1-10(A), PUD-126-10, CUP-303-10, PM-2010-1178, DA-183-10

4.4 TECHNICAL STUDIES

1. Water Quality Impact Report, (Revised) September 14, 2010
2. Harbor Boulevard Hotel and Water Park Air Quality Impact Study (Revised) September 14, 2010
3. Harbor Boulevard Hotel and Water Park Acoustical Study (Revised) September 14, 2010
4. The Garden Grove Water Park Hotel Traffic Impact Study (Revised) September 14, 2010
5. Shade and Shadow Study September, 2010
6. Garden Grove Lighting Study dated August 4, 2010/Exhibits dated August 2, 2010
7. Water Supply Assessment dated October 2010

5.0 DISTRIBUTION LIST

State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

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City of Garden Grove
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Garden Grove, CA 92840

City of Garden Grove Fire Department
David Bertka, Fire Chief
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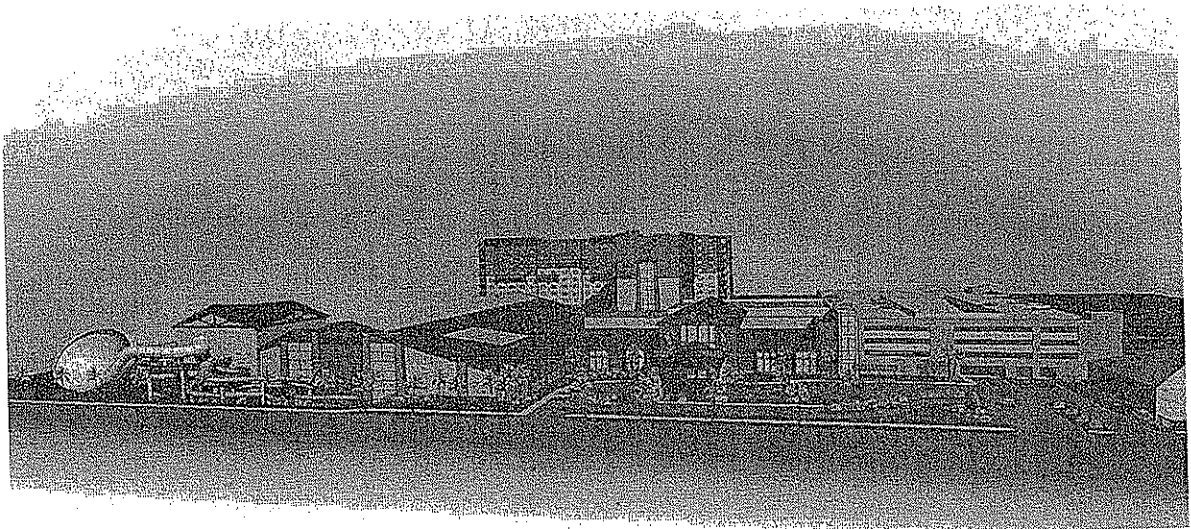
Southern California Edison Company
Planning Department
1241 S. Grand Avenue
Santa Ana, CA 92706

Southern California Gas Company
District Operations Manager
12631 Monarch Avenue
Garden Grove, CA 92841-9998

Time-Warner
General Manager
7441 Chapman Avenue
Garden Grove, CA 92841

Orange County Public Library
Garden Grove Regional Branch
11200 Stanford Avenue
Garden Grove, CA 92840

**RESPONSE TO COMMENTS
FOR
WATER PARK HOTEL
MITIGATED NEGATIVE DECLARATION**



December 15, 2010

WRITTEN COMMENT LETTERS AND RESPONSES:

All correspondence from those agencies or individual comments on the Draft Mitigated Negative Declaration is reproduced on the following pages. Following each comment letter are responses to each letter.

Comment Letters

A total of two written comment letters were received at the end of the 30 day public review period.

1. Department of Toxic Substances Control, letter dated December 3, 2010, received December 6, 2010.
2. Department of Transportation, letter dated December 6, 2010, received December 6, 2010.
3. Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, letter dated December 7, 2010.



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

RECEIVED
CITY OF GARDEN GROVE

DEC 6 2010

COMMUNITY DEVELOPMENT
PLANNING SERVICES

December 3, 2010

Mr. Lee Marino
City of Garden Grove, Department of Planning
11222 Acacia Parkway
Garden Grove, California 92840

DRAFT MITIGATED NEGATIVE DECLARATION FOR WATER PARK HOTEL (SCH#
2010111029)

Dear Mr. Marino:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "The project site is located on the west side of Harbor Boulevard, south of Lampson Avenue and north of Garden Grove Boulevard in the City of Garden Grove. Currently, the project site has an RV Park, 1,600 square foot drinking place and 8,265 square foot specialty retail center. The existing structures will be razed for new construction. The project site is located directly adjacent to residential units to the west, residential and commercial uses to the north, commercial uses to the south, and residential uses to the east, across Harbor Boulevard. The proposed project will consist of site grading, infrastructure design (electrical, parking, etc.), the construction of a 605 room resort hotel with a water park included for hotel guests only and approximately 9,500 square feet of restaurant space included on-site via a detached PAD. Hotel ancillary uses will include meeting space, retail, 5-level parking structure, and restaurant uses inside the hotel".

Based on the review of the submitted document DTSC has the following comments:

- 1) The ND should identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances.
- 2) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

Mr. Lee Marino
December 3, 2010
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- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - EnviroStor, a database primarily used by the California Department of Toxic Substances Control, at [www. Envirostor.dtsc.ca.gov](http://www.Envirostor.dtsc.ca.gov).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.
- 4) The project construction may require soil excavation and soil filling in certain

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December 3, 2010
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areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

- 5) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 6) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 7) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 9) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken

Mr. Lee Marino
December 3, 2010
Page 4

during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

- 10) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Sham
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3065

**1. RESPONSES TO COMMENTS FROM AL SHAMI, PROJECT MANAGER,
BROWNFIELDS AND ENVIRONMENTAL RESTORATION PROGRAM**

Comments 1 through 5 and 7:

The following are responses to comments for items 1 through 5 and 7:

As a part of the project and as a condition of the development agreement between the Garden Grove Agency for Community Development and Garden Grove, MXD, LLC (the "Developer"), the Agency is required to deliver a site to the Developer that is clear of contamination. According to Paul Guerrero, Senior Economic Development Specialist from the Garden Grove Agency for Community Development, environmental assessments were prepared for the site by Phase One, Inc., consistent with EPA-established protocols to determine potential, prior site contamination from historic uses. The existing uses of the site include two single-family homes, a vacant commercial building, a vacant bar/lounge building, a recreational vehicle park, and a vacant property that was formerly developed with a motel. According to the environmental assessments that were completed, the two single-family home sites and the bar/lounge site were formerly used for agricultural purposes. It appears that the remainder of the site was used commercially.

The proposed project consists of the redevelopment of the site to include a 605 room resort hotel with a 130,000 square foot water park for hotel guests only, an approximately 9,500 square foot free-standing restaurant located on an approximately 14, 580 square foot restaurant pad, and a 5-level parking structure. Hotel ancillary uses will include meeting space, retail and restaurant uses inside the hotel facility. The five-level parking structure will be constructed over the northerly properties that are currently developed with two single-family homes and a portion of the two vacant commercial buildings. The remainder of the site that currently includes the vacant site and the recreational vehicle park will be developed with the hotel and water park and freestanding restaurant.

Based on the environmental assessments that were completed, and according to Paul Guerrero, the subject site is not on any of the lists identified in the comment. Further, the site assessments analyzed the site for contaminants that would require remediation. Due to the past agricultural uses on the properties that are now developed with single-family homes, low levels of arsenic were detected that ranged from 3.03 ppm (parts per million) to 4.90 ppm (12061 and 12062 Leda Lane). Naturally occurring arsenic ranging as high as 171 ppm in Southern California is common. These samples fall within the Department of Toxic Substance Control ("DTSC") guidelines and are considered naturally occurring background levels. As to the property located at 12062 Leda Lane only, organochlorinated pesticides were detected. Based on the soil sample results in the Phase One, Inc. report for the property, evidence of two minor areas of contamination were found that are from the previous agricultural use. However, based on the shallow nature and small footprint of the contamination, the impact is

considered insignificant to the project. Additionally, it should be noted that Phase One, Inc. concluded that the removal and confirmation sampling of these insignificant "hot spots" after demolition and prior to grading would completely eliminate any existing and/or future concerns.

Finally, the project is subject to conditions of approval that address any potential site contamination and remediation, including, but not limited to:

No. 86. Prior to obtaining any building permits, if any structure or portion thereof, is to be removed, demolished, or relocated on the subject site, a written report shall be provided verifying whether any hazardous materials exist (e.g., asbestos, lead based paint, termites or other) or do not exist to the City Building Division and the report shall declare how such hazardous material will be properly removed and properly discarded. This includes, but is not limited to, obtaining permits from the Air Quality Management District, Environmental Protection Agency and any other affected Agency by such action, which can include tenting for termites or rodents/vermin, and/or any other action to remedy the situation of hazardous type materials, termites or pests. All of which is to be done to the satisfaction of affected agencies.

No. 87. If suspected hazardous materials are discovered, the appropriate agencies will be notified immediately. Upon notification and coordination with the appropriate agencies, suspected hazardous materials will be sampled and submitted for analytical testing to a State-certified laboratory. Should such testing confirm the hazardous nature of excavated materials, they will be disposed of in accordance with State and Federal hazardous waste laws.

The above conditions further ensure that the project will comply with all environmental laws that require the remediation of any potential contamination that is found during the demolition phase of the project, the excavation of land, or the construction of on-site improvements.

Comment 6:

Comment noted. During all phases of the project, and per conditions of approval, if suspected hazardous materials are discovered, the appropriate agencies will be notified immediately. Upon notification and coordination with the appropriate agencies, suspected hazardous materials will be sampled and submitted for analytical testing to a State-certified laboratory. Should such testing confirm that the materials are hazardous, they will be disposed of in accordance with State and Federal hazardous waste laws.

Comment 8:

Comment noted.

Comment 9:

As part of the demolition of any improvement (*i.e.* building, paved areas), and prior to issuance of building permits, a written report shall be provided to the City Building Division verifying whether any hazardous materials exist (*e.g.*, asbestos, lead based paint, termites or other) or do not exist to the and the report shall declare how such hazardous material will be properly removed and properly discarded. This includes, but is not limited to, obtaining permits from Air Quality Management District, Environmental Protection Agency and any other Agency affected by such action, which can include tenting for termites or rodents/vermin, and/or any other remedial action. All of which is to be done to the satisfaction of affected agencies. The project approval includes a condition, as mentioned above, that addresses this issue.

Comment 10:

Comment noted.

STATE OF CALIFORNIA - BUSINESS TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894
Tel: (949) 724-2267
Fax: (949) 724-2592



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Be energy efficient!

Post-it® Fax Note	7671	Date	12/6/10	# of pages	2
To	Lee Marino	From	John Xu		
Co./Dept.	Garden Grove	Co.	Caltrans		
Phone #		Phone #	949-724-2338		
Fax #	714-741-5578	Fax #			

December 6, 2010

Lee Marino
City of Garden Grove
11222 Acacia Parkway
Garden Grove, California 92840

File: IGR/CEQA
SCH #: 2010111029
Log #: 2619
SR-22, 1-5

Subject: Water Park Hotel

Dear Mr. Marino:

Thank you for the opportunity to review and comment on the Mitigated Negative Declaration and Initial Study for the Water Park Hotel Project. The proposed project includes General Plan Amendment, Planned Unit Development, Conditional Use Permit, Tentative Parcel Map and Development Agreement, to allow for the development of an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 9,500 square feet of restaurant space on a detached approximately 14,850 foot restaurant pad and a 5-level parking structure on an approximately 12.1 acre site. The water park will be for hotel guests only. The project site is located on the west side of Harbor Boulevard, south of Lampson Avenue, north of Garden Grove Boulevard at 12581, 12591, 12681, 12721 Harbor Boulevard, and 12602 and 12601 Leda Lane in the City of Garden Grove.

The California Department of Transportation (Department), District 12 is a commenting agency on this project, and has the following comments:

1. The Department's Traffic Operations Branch requests all applicants to use the method outlined in the latest version of the Highway Capacity Manual (HCM) when analyzing traffic impacts on State Transportation Facilities. The use of HCM is preferred by the Department because it is an operational analysis as opposed to the Intersection Capacity Utilization (ICU) method, which is a planning analysis. In the case of projects that have direct impacts on State Facilities, the Department recommends that the traffic impact analysis be based on HCM method. Should the project require an encroachment permit, Traffic Operations may find the Traffic Impact Study based on ICU methodology inadequate resulting in possible delay or denial of a permit by the Department. All input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to the Department for review and approval. Appropriate mitigation measures should be included to offset any potential impacts.

The traffic impact on the state transportation system should be evaluated based on the Department's Guide for the Preparation of Traffic Impact Studies which is available at:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

2. It is stated in the Environmental Document that the water park is for hotel guest only. Please explain what constitutes a "hotel guest".
3. The current Traffic Impact Study (TIS) only evaluates the traffic impacts at the Project opening year 2013 with 1% growth every year for over three years from the existing conditions. A long-term future year (2035 or General Plan buildout) scenario should also be included to evaluate the Project's cumulative traffic impacts.
4. Exhibit F shows the Project's trip distribution. 25% of both Outbound and Inbound trips are anticipated on Harbor Boulevard north of Katella Avenue. These additional trips may have a significant impact on the segment of Harbor Boulevard between Katella Avenue and I-5 Freeway, including I-5 on/off-ramps and the ramp intersections. The TIS should analyze the Project's impacts on these State facilities.
5. Exhibit F shows 16% of the inbound trips using the Eastbound SR-22 off-ramp at Harbor Boulevard (South) to access the project site, which is not realistic. Please revise the TIS to allow inbound trips from Eastbound SR-22 to use the Harbor Boulevard (North) off-ramp instead.
6. Please submit calculation/output sheets including electronic Synchro files to the Department for review and provide support for any assumptions made.
7. Peak Hour Factors calculated from traffic counts should be used instead of the default values.
8. Actual signal timing should be used for signalized intersections. The Department would be happy to assist the City or its consultant in obtaining such information for State operated signals.
9. Queue length analysis should be done for Eastbound SR-22 off-ramps at Trask Avenue and Westbound SR-22 off-ramp at Harbor Boulevard.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. All future Public Notices and Environmental Documents regarding local development projects should be sent to District 12's Local Development/Intergovernmental Review Branch at 3347 Michelson Drive, Suite 100, Irvine, CA 92612. If you have any questions or need to contact us, please do not hesitate to call Zhongping (John) Xu at (949) 724-2338.

Sincerely,



CHRISTOPHER HERRE
Branch Chief, Local Development/Intergovernmental Review

cc: Terry Roberts, Office of Planning and Research

**2. RESPONSES TO COMMENTS FROM CHRISTOPHER HERRE, BRANCH
CHIEF, LOCAL DEVELOPMENT/INTERGOVERNMENTAL REVIEW**



transportation planning • traffic engineering
acoustical engineering • parking studies

December 7, 2010

Mr. Michael Silvey
TAIT & ASSOCIATES, INC.
701 North Parkcenter Drive
Santa Ana, CA 92705

**Subject: Response to Comments Made by the California Department of
Transportation Pertaining to the Garden Grove Water Park Hotel Traffic
Impact Study, City of Garden Grove**

Dear Mr. Silvey:

RK ENGINEERING GROUP, INC. (RK) would provide the following clarifications in response to comments made by the California Department of Transportation in a letter dated December 6, 2010 pertaining to the analysis methodology of the Garden Grove Water Park Hotel Traffic Impact Study:

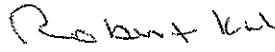
1. RK utilized the Intersection Capacity Utilization (ICU) methodology in order to calculate volume to capacity ratios, establish levels of service and analyze traffic impacts at signalized study area intersections. ICU methodology is the standard and preferred signalized intersection analysis methodology for most agencies within Orange County, including the City of Garden Grove, and it is also required by the Orange County Transportation Authority (OCTA). In addition, general plan traffic operating conditions for signalized intersections within the City of Garden were analyzed using ICU methodology. In order to maintain consistency and assess traffic impacts as they relate to existing and general plan conditions, it was important for the study to reflect the same methodology.
2. The proposed Garden Grove Water Park Hotel would include a water park as an amenity to the property. Only guests of the hotel who have booked rooms will be allowed to use the water park.
3. The proposed location for the Garden Grove Water Park Hotel is within the limits of the International West Mixed Use zone. The proposed land uses for the project are consistent with the zoning. Therefore, a General Plan Buildout (Year 2035) analysis is not required, since this has previously been analyzed by the City in their General Plan Update and EIR.

4000 westerly plaza, suite 200
newport beach, california 92660
tel 949.474.0909 fax 949.474.0902
<http://www.rkengineer.com>

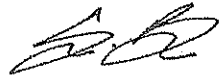
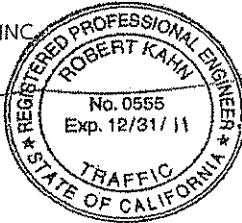
4. The location of the proposed project lends itself to easy access to many of the regional recreational opportunities, including the Disneyland theme park. Although Exhibit F of the study shows 25% of the project's trips heading northbound on Harbor Boulevard, a large majority of these trips will never reach the I-5 freeway ramps because the Disneyland theme park is situated south of these ramps. As a result, the I-5 freeway ramps north of Katella Avenue, intersecting Harbor Boulevard, are not projected to meet the criteria for a traffic impact study and will not be required to be included in the prepared study.
5. The project's trip generation and distribution figures have been carefully prepared by RK's traffic engineers with local experience in this vicinity and have been reviewed by City's traffic engineer prior to starting analysis. Both the scope of work for the traffic study and the traffic impact study itself have been approved by the City staff and followed City and OCTA process. It is not immediately clear what comment #5 pertains to in its reference to the existing SR-22 freeway interchange at Harbor Boulevard.
6. As explained in item 1 above, the methodology used to analyze traffic impacts in this study is ICU. Traffix analysis software was utilized to generate the traffic model, not Synchro software. Traffix analysis software is utilized nationally to calculate a variety of methodologies, including ICU. Additionally, the California Department of Transportation (Caltrans) Guide for the Preparation of Traffic Impact Studies also allows for the use of Traffix software.
7. Peak hour factors are consistent with the ICU methodology standards. The City and OCTA methodologies do not require a peak hour factor adjustment.
8. Traffic signal timing and other analysis assumptions used in the study are consistent with ICU standards within the City of Garden Grove and the OCTA.
9. A queue length analysis was not prepared for the EB SR-22 off-ramps at Trask or the WB SR-22 off-ramps at Harbor Boulevard because the project did not have a significant impact at these intersections.

RK is pleased to assist TAIT & ASSOCIATES, INC. on the Garden Grove Water Park Hotel and looks forward to working with you again in the future. RK's traffic impact study followed City of Garden Grove and OCTA standards. If you have any questions regarding this study, or would like further review, please do not hesitate to call us at (949) 474-0809.

Sincerely,
RK ENGINEERING GROUP, INC.



Robert Kahn, P.E.
Principal



Sorin Boer
Senior Engineer

Letter 3



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Cathleen Cox
Acting Director

December 7, 2010

Lee Marino
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840

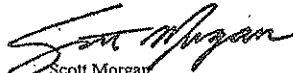
Subject: GPA=1-10(A)/PUD-126-10/CUP-303-10/PM-2010-1178/DA-183-10
SCH#: 2010111029

Dear Lee Marino:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Document Details Report
 State Clearinghouse Data Base

SCH# 2010111029
Project Title GPA=1-10(A)/PUD-126-10/CUP-303-10/PM-2010-1178/DA-183-10
Lead Agency Garden Grove, City of

Type MND Mitigated Negative Declaration

Description To establish a Planned Unit Development zoning with development standards for the development of a hotel and water park on an approximately 12.1 acre site along with a General Plan Amendment to change the General Plan Land Use designations of two properties from low Density Residential to International West Mixed Use, a Conditional Use Permit to allow for the sale of alcoholic beverages in the hotel and hotel restaurants, and Tentative Parcel Map to reconfigure the existing six properties into three separate properties. The proposed project will include an approximately 605 room hotel, an approximately 130,000 square foot water park, approximately 18,000 square feet of retail space located within the facility, approximately 30,000 square feet of meeting space, restaurants within the hotel facility, a 5-level parking structure, and an approximately 14,850 square foot restaurant pad.

Lead Agency Contact

Name Lee Marino
Agency City of Garden Grove
Phone (714) 741-5312
email
Address 11222 Acacia Parkway
City Garden Grove
Fax
State CA **Zip** 92840

Project Location

County Orange
City Garden Grove
Region
Lat / Long
Cross Streets West side of Harbor Blvd., south of Lampson Ave., north of Garden Grove Blvd.
Parcel No. 231-441-27, 29, 39, 40; 231-431-02,03
Township 04S **Range** 10W **Section** 34 **Base**

Proximity to:

Highways SR 22 Freeway
Airports
Railways
Waterways
Schools

Land Use The site is encompasses 6 properties totaling 12.1 acres. Currently, a portion of the site is vacant with the other areas developed with, commercial buildings, a recreational vehicle park, two single-family homes, and an unimproved lot. The General Plan designation of two properties are Low Density Residential with a zoning of R-1 (Single-Family Residential). The remaining four properties maintain a General Plan Land Use designation of International West Mixed Use with a zoning of Planned Unit Development No. PUD-121-98.

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Note: Blanks in data fields result from insufficient information provided by lead agency.