

**Subject:** Site C Map

**From:** Thanh Nguyen <thanhn@ci.garden-grove.ca.us>

**Date:** Mon, 2 May 2016 09:30:32 -0700 (PDT)

**To:** Matthew Reid <matt.reid@landanddesign.com>, Ziad Khan <zkhan@langdonwilson.com>

**CC:** "Brady, Nate" <nathanb@ci.garden-grove.ca.us>

Good Morning,

The fire marshal and I will be attending future meetings, and I would like to brief him on what you're proposing. At your earliest convenience, can you email me the maps we had discussed regarding Site C?

**Thanh Nguyen**

Captain

*Garden Grove Fire Department*

thanhn@garden-grove.org

Desk (714) 741-5628

Cell (714) 980-2622



[Twitter](#) | [Facebook](#) | [Instagram](#) | [Photos](#) | [Video](#) | [Web](#)

Parcel map

**Subject:** Parcel map

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Tue, 3 May 2016 16:00:39 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Any updated news on the parcel map??

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)



**Subject:** Information needed from SCG  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Thu, 5 May 2016 08:50:38 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Greg,

Per our call yesterday. Please let me know what information you will need from SCG to present to City Council to consider approving them as our development partner/assignee.

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

**Subject:** SCG America financial statement  
**From:** Lorraina Pang <lorraina\_usa@yahoo.com>  
**Date:** Tue, 10 May 2016 00:54:55 +0000 (UTC)  
**To:** Matt Reid <matt.reid@landanddesign.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>

Hello Matt and Greg,

Can you kindly sign the attached confidential agreement to release SCG America Group Inc. financial statement, it's 118 pages, SCG America Group Inc. is incorporated in Delaware.

Best regards,

Lorraina

<b>CONFIDENTIALITY - City of Garden Grove.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---	---

— CONFIDENTIALITY - Land and Design, Inc.pdf —

<b>CONFIDENTIALITY - Land and Design, Inc.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---	---

## **CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

This CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT dated May \_\_, 2016 [AGREEMENT DATE] (the "Agreement")

### **BETWEEN:**

City of Garden Grove, whose principal place of business is located at \_\_\_\_\_, (hereinafter, "Receiving Party")

**and**

SCG America, Inc, whose principal place of business is located at \_\_\_\_\_ (hereinafter, "Company" or "Disclosing Party")

(each a "Party" and collectively, the "Parties")

### **RECITES:**

A. The Parties consider it desirable for Company to disclose Confidential Information relating the Company's Financial Statement to the Receiving Party for the limited purpose of evaluating a real estate project in the City of Garden Grove, California (the "Permitted Purpose"); and

B. The Parties wish to define herein the obligations of the Receiving Party with respect to the handling and disclosure of Confidential Information that may be disclosed to the Receiving Party by Company in connection with the Permitted Purpose.

### **TERMS**

In consideration of the mutual covenants and conditions set forth herein, the Receiving Party, intending to be legally bound, agrees as follows:

#### **1. Definitions**

- (a) **"Business Information"** includes, but is not limited to, information relating to Company's Financial Statement, intellectual property, business plans, financial information, products, services, manufacturing processes and know-how, technical information, sources of supply, strategic plans, advertising and marketing plans, customer lists, sales, profits, pricing methods, personnel and business relationships.
- (b) **"Confidential Information"** includes, but is not limited to, Company's Financial Statement, Intellectual Property Information, Business Information and Trade Secrets, whether or not reduced to writing or other tangible expression, which Company may disclose to the Receiving Party; provided however that Confidential Information shall not include any

information which (i) was already known to the Receiving Party prior to the time of disclosure by Company as evidenced by written records, (ii) is available or becomes generally available to the public other than through a breach of this Agreement by the Receiving Party, (iii) is acquired or received rightfully and without confidential limitation by the Receiving Party from a third party, or (iv) is independently developed by the Receiving Party without breach of this Agreement.

- (c) **"Effective Date"** means the date written at the top of the first page of this Agreement;
- (d) **"Intellectual Property Information"** includes, but is not limited to, information relating to research and development, discoveries, improvements, processes, know-how, drawings, blueprints, specifications, samples, formulae, notes, patents, copyrights, trademarks, trade names, and patent, trademark and copyright applications; and
- (e) **"Trade Secrets"** means information that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

2. The Receiving Party agrees that it shall only use Confidential Information for the Permitted Purpose and for no other purpose whatsoever.

3. The Receiving Party agrees to take all necessary and appropriate steps to keep confidential and protect

Confidential Information including: (i) restricting access to all Confidential Information received from the other to those employees who have a "need to know" and advising such employees of their obligations to handle the Confidential Information with the highest degree of care and prudence to prevent a violation of this Agreement; and (ii) not using, disclosing, or allowing access to such Confidential Information by any third party, except as authorized by Company in writing. The Receiving Party further agrees to keep confidential the existence of this Agreement and that it is meeting with or receiving information from Company, except as may be required by law.

4. The Receiving Party agrees it shall be liable for any breach of this Agreement by its employees, employees of its affiliates or subsidiaries and by any consultant, agent, or other third party to whom it has communicated Confidential Information.

5. If the Receiving Party becomes legally required to disclose Confidential Information, or any part thereof, the Receiving Party will give Company prompt notice of such requirement to the extent that the Receiving Party is legally able to do so. If Company waives compliance with any of the terms of this Agreement or is unable to obtain a protective order or other appropriate remedy with respect to such disclosure of Confidential Information, then the Receiving Party will disclose only that portion of the Confidential Information necessary to ensure compliance with such legal requirement. Any Confidential Information that is disclosed pursuant to a legal obligation shall maintain its confidential character if the disclosure does not result in the information becoming generally known or available to third parties

without restrictions on further disclosure. The Receiving Party has the burden of proving the foregoing exceptions and must notify Company within forty-eight hours from the time of disclosure upon such exceptions.

6. The Receiving Party agrees that Confidential Information is and will remain the property of Company and all such Confidential Information in tangible form and copies thereof will be returned promptly to Company upon request, except that the Receiving Party may retain one copy of Company's confidential information for regulatory and risk management purposes provided that such copy is securely maintained in a secure location at the Receiving Party's principal place of business or by the Receiving Party's legal counsel. No use of such Confidential Information is permitted except as provided in this Agreement, and the Receiving Party agrees not to rely upon, in any manner, Confidential Information except as authorized by this Agreement. No grant of any of Company's intellectual property rights, including any license implied or otherwise, is given or intended to be given.

7. This Agreement will be effective as of the Effective Date, but will apply to any Confidential Information

disclosed to the Receiving Party by Company prior to such date. This Agreement shall expire:

(a) as to subsequent disclosures of Confidential Information, on the later of five (5) years from and after the Effective Date or five (5) years from the expiry or termination of any other agreement between the Parties related to the supply of goods and/or services in relation to the Permitted Purpose; and

(b) as to any Confidential Information disclosed prior to the date of any termination under subsection (a) above, for a further period of five (5) years from and after such date; provided that this Agreement shall continue in full force and effect with respect to any Trade Secret for such additional period as such information remains a Trade Secret.

8. The Receiving Party acknowledges and will not contest that unauthorized disclosure or other violation, or threatened violation of this Agreement by the Receiving Party will cause irreparable damage to Company. The Receiving Party agrees that Company will be entitled to seek an injunction prohibiting the Receiving Party from any such disclosure, attempted disclosure, violation or threatened violation without the necessity of proving damages or furnishing a bond or other security. The Receiving Party hereby indemnifies and holds Company harmless from and against all damages, losses and costs (including reasonable attorneys' fees) resulting from any such actual, attempted or threatened disclosure or violation.

9. Neither this Agreement nor anything disclosed or provided pursuant to this Agreement creates or should be construed to create, in any manner, any obligation to enter into any contract or business arrangement nor does it obligate either Party to purchase any service or item from the other or offer for sale any products using or incorporating Confidential Information.

10. The Receiving Party agrees and acknowledges that neither Company nor its shareholders, officers, employees, agents or advisors make any representation or warranty (express or implied) as to the

accuracy and completeness of Confidential Information except as may be expressly represented or warranted in any subsequent agreement concluded between the Parties.

11. This Agreement may not be amended or modified, nor may any right or remedy of any Party be waived,

except in writing, signed by such Party. The waiver by any Party of the breach of any term or provision hereof by any other Party will not be construed as a waiver of any other subsequent breach.

12. The rights and obligations of the Parties pursuant to this Agreement shall be in addition to and shall not derogate from either Party's obligations under any other agreement between them. In the event of any conflict between any provision(s) of this Agreement and those of any other agreement between them, the more restrictive provision(s) shall apply.

13. This Agreement is governed by and will be construed in accordance with the laws of the State of California. The Receiving Party agreed to the exclusive venue and jurisdiction of the Courts of the State of California in Orange County and waives any arguments under the conflict of laws removing such exclusive venue, jurisdiction or governing law.

14. The Receiving Party affirms that the individual(s) executing this Agreement has the authority to bind the Receiving Party to the terms hereof.

15. The Parties acknowledge and agree that each and every term of this Agreement is of the essence. If any one or more of the provisions contained in this Agreement should be declared invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement shall not in any way be affected or impaired thereby so long as the commercial, economic and legal substance of the transaction contemplated hereby are not affected in any manner materially averse to any Party. Upon such a declaration, the Parties shall modify this Agreement so as to carry out the original intent of the Parties as closely as possible in an acceptable manner so that the purposes contemplated hereby are consummated as originally contemplated to the fullest extent possible.

16. An electronic copy or facsimile of a party's signature shall be binding upon the signatory with the same force and effect as an original signature.

Dated:

Receiving Party

---

For and On Behalf of the City of Garden Grove

Name

Title

## **CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

This CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT dated May \_\_, 2016 [AGREEMENT DATE] (the "Agreement")

### **BETWEEN:**

Land & Design Inc., whose principal place of business is located at \_\_\_\_\_, (hereinafter, "Receiving Party")

**and**

SCG America, Inc, whose principal place of business is located at \_\_\_\_\_ (hereinafter, "Company" or "Disclosing Party")

(each a "Party" and collectively, the "Parties")

### **RECITES:**

A. The Parties consider it desirable for Company to disclose Confidential Information relating the Company's Financial Statement to the Receiving Party for the limited purpose of evaluating a real estate project in the City of Garden Grove, California (the "Permitted Purpose"); and

B. The Parties wish to define herein the obligations of the Receiving Party with respect to the handling and disclosure of Confidential Information that may be disclosed to the Receiving Party by Company in connection with the Permitted Purpose.

### **TERMS**

In consideration of the mutual covenants and conditions set forth herein, the Receiving Party, intending to be legally bound, agrees as follows:

#### **1. Definitions**

- (a) **"Business Information"** includes, but is not limited to, information relating to Company's Financial Statement, intellectual property, business plans, financial information, products, services, manufacturing processes and know-how, technical information, sources of supply, strategic plans, advertising and marketing plans, customer lists, sales, profits, pricing methods, personnel and business relationships.
- (b) **"Confidential Information"** includes, but is not limited to, Company's Financial Statement, Intellectual Property Information, Business Information and Trade Secrets, whether or not reduced to writing or other tangible expression, which Company may disclose to the Receiving Party; provided however that Confidential Information shall not include any

information which (i) was already known to the Receiving Party prior to the time of disclosure by Company as evidenced by written records, (ii) is available or becomes generally available to the public other than through a breach of this Agreement by the Receiving Party, (iii) is acquired or received rightfully and without confidential limitation by the Receiving Party from a third party, or (iv) is independently developed by the Receiving Party without breach of this Agreement.

- (c) **"Effective Date"** means the date written at the top of the first page of this Agreement;
- (d) **"Intellectual Property Information"** includes, but is not limited to, information relating to research and development, discoveries, improvements, processes, know-how, drawings, blueprints, specifications, samples, formulae, notes, patents, copyrights, trademarks, trade names, and patent, trademark and copyright applications; and
- (e) **"Trade Secrets"** means information that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

2. The Receiving Party agrees that it shall only use Confidential Information for the Permitted Purpose and for no other purpose whatsoever.

3. The Receiving Party agrees to take all necessary and appropriate steps to keep confidential and protect

Confidential Information including: (i) restricting access to all Confidential Information received from the other to those employees who have a "need to know" and advising such employees of their obligations to handle the Confidential Information with the highest degree of care and prudence to prevent a violation of this Agreement; and (ii) not using, disclosing, or allowing access to such Confidential Information by any third party, except as authorized by Company in writing. The Receiving Party further agrees to keep confidential the existence of this Agreement and that it is meeting with or receiving information from Company, except as may be required by law.

4. The Receiving Party agrees it shall be liable for any breach of this Agreement by its employees, employees of its affiliates or subsidiaries and by any consultant, agent, or other third party to whom it has communicated Confidential Information.

5. If the Receiving Party becomes legally required to disclose Confidential Information, or any part thereof, the Receiving Party will give Company prompt notice of such requirement to the extent that the Receiving Party is legally able to do so. If Company waives compliance with any of the terms of this Agreement or is unable to obtain a protective order or other appropriate remedy with respect to such disclosure of Confidential Information, then the Receiving Party will disclose only that portion of the Confidential Information necessary to ensure compliance with such legal requirement. Any Confidential Information that is disclosed pursuant to a legal obligation shall maintain its confidential character if the disclosure does not result in the information becoming generally known or available to third parties



without restrictions on further disclosure. The Receiving Party has the burden of proving the foregoing exceptions and must notify Company within forty-eight hours from the time of disclosure upon such exceptions.

6. The Receiving Party agrees that Confidential Information is and will remain the property of Company and all such Confidential Information in tangible form and copies thereof will be returned promptly to Company upon request, except that the Receiving Party may retain one copy of Company's confidential information for regulatory and risk management purposes provided that such copy is securely maintained in a secure location at the Receiving Party's principal place of business or by the Receiving Party's legal counsel. No use of such Confidential Information is permitted except as provided in this Agreement, and the Receiving Party agrees not to rely upon, in any manner, Confidential Information except as authorized by this Agreement. No grant of any of Company's intellectual property rights, including any license implied or otherwise, is given or intended to be given.

7. This Agreement will be effective as of the Effective Date, but will apply to any Confidential Information

disclosed to the Receiving Party by Company prior to such date. This Agreement shall expire:

(a) as to subsequent disclosures of Confidential Information, on the later of five (5) years from and after the Effective Date or five (5) years from the expiry or termination of any other agreement between the Parties related to the supply of goods and/or services in relation to the Permitted Purpose; and

(b) as to any Confidential Information disclosed prior to the date of any termination under subsection (a) above, for a further period of five (5) years from and after such date; provided that this Agreement shall continue in full force and effect with respect to any Trade Secret for such additional period as such information remains a Trade Secret.

8. The Receiving Party acknowledges and will not contest that unauthorized disclosure or other violation, or threatened violation of this Agreement by the Receiving Party will cause irreparable damage to Company. The Receiving Party agrees that Company will be entitled to seek an injunction prohibiting the Receiving Party from any such disclosure, attempted disclosure, violation or threatened violation without the necessity of proving damages or furnishing a bond or other security. The Receiving Party hereby indemnifies and holds Company harmless from and against all damages, losses and costs (including reasonable attorneys' fees) resulting from any such actual, attempted or threatened disclosure or violation.

9. Neither this Agreement nor anything disclosed or provided pursuant to this Agreement creates or should be construed to create, in any manner, any obligation to enter into any contract or business arrangement nor does it obligate either Party to purchase any service or item from the other or offer for sale any products using or incorporating Confidential Information.

10. The Receiving Party agrees and acknowledges that neither Company nor its shareholders, officers, employees, agents or advisors make any representation or warranty (express or implied) as to the

accuracy and completeness of Confidential Information except as may be expressly represented or warranted in any subsequent agreement concluded between the Parties.

11. This Agreement may not be amended or modified, nor may any right or remedy of any Party be waived,

except in writing, signed by such Party. The waiver by any Party of the breach of any term or provision hereof by any other Party will not be construed as a waiver of any other subsequent breach.

12. The rights and obligations of the Parties pursuant to this Agreement shall be in addition to and shall not derogate from either Party's obligations under any other agreement between them. In the event of any conflict between any provision(s) of this Agreement and those of any other agreement between them, the more restrictive provision(s) shall apply.

13. This Agreement is governed by and will be construed in accordance with the laws of the State of California. The Receiving Party agreed to the exclusive venue and jurisdiction of the Courts of the State of California in Orange County and waives any arguments under the conflict of laws removing such exclusive venue, jurisdiction or governing law.

14. The Receiving Party affirms that the individual(s) executing this Agreement has the authority to bind the Receiving Party to the terms hereof.

15. The Parties acknowledge and agree that each and every term of this Agreement is of the essence. If any one or more of the provisions contained in this Agreement should be declared invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement shall not in any way be affected or impaired thereby so long as the commercial, economic and legal substance of the transaction contemplated hereby are not affected in any manner materially averse to any Party. Upon such a declaration, the Parties shall modify this Agreement so as to carry out the original intent of the Parties as closely as possible in an acceptable manner so that the purposes contemplated hereby are consummated as originally contemplated to the fullest extent possible.

16. An electronic copy or facsimile of a party's signature shall be binding upon the signatory with the same force and effect as an original signature.

Dated:

Receiving Party

---

For and On Behalf of Land & Design Inc.

Name

Title

**Subject:** Re: SCG America financial statement  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Mon, 9 May 2016 21:37:48 -0700  
**To:** Lorraina Pang <lorraina\_usa@yahoo.com>  
**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, "Carrie M. Risatti" <risattic@gtlaw.com>

Lorraina,

FYI, you may not know this....Greg cannot sign this as anything that is sent to a city employee is legally public information.

We can, however, submit information through the City's outside legal council and as long as they are told its confidential information, it will be treated as such.

I will review the document, sign and send back.

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On May 9, 2016, at 5:54 PM, Lorraina Pang <lorraina\_usa@yahoo.com> wrote:

Hello Matt and Greg,

Can you kindly sign the attached confidential agreement to release SCG America Group Inc. financial statement, it's 118 pages, SCG America Group Inc. is incorporated in Delaware.

Best regards,

Lorraina

<CONFIDENTIALITY - City of Garden Grove.pdf>

<CONFIDENTIALITY - Land and Design, Inc.pdf>

**Subject:** Phase 1 reports  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Thu, 12 May 2016 10:44:17 -0400  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

---

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
matt.reid@landanddesign.com

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

<b>Environmental Site Assessment - Phase One Report - 12252 Harbor Blvd08.26.2009.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---	---

— Part 1.1.3 —

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> 7bit
-------------------	---

Environmental Site Assessment - Phase One Report - 12262, 12272, 12292 Harbor Blvd.pdf

<b>Environmental Site Assessment - Phase One Report - 12262, 12272, 12292 Harbor Blvd.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---	---

— Part 1.1.5 —

<b>Part 1.1.5</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> quoted-printable
-------------------	---

Thur 12 May 2016  
10:44:17 - 0400

# PHASE I ENVIRONMENTAL SITE ASSESSMENT

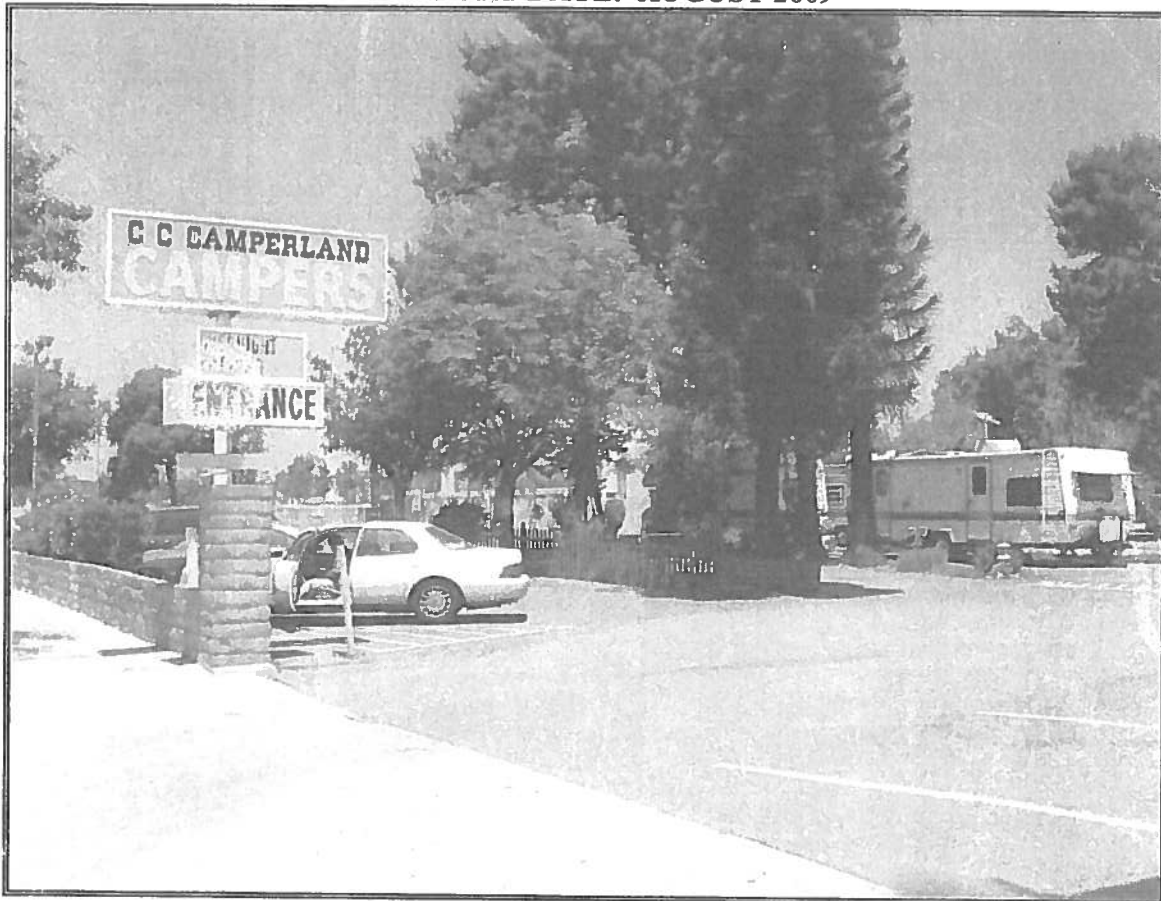
FOR

CITY OF GARDEN GROVE  
ECONOMIC DEVELOPMENT

CC CAMPERLAND RV PARK  
12252 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA



REPORT DATE: AUGUST 2009



## PHASE ONE INC.

THE NATIONWIDE ENVIRONMENTAL SPECIALISTS

*"Setting the Due Diligence Industry Standard"*

# PHASE ONE INC.

NATIONWIDE ENVIRONMENTAL SPECIALISTS

August 26, 2009



Carlos Marquez  
City of Garden Grove  
Economic Development  
11222 Acacia Parkway, 3<sup>rd</sup> Floor  
Garden Grove, CA 92840

RE: Phase I Environmental Site Assessment Report  
Subject Site Location: 12252 Harbor Boulevard, Garden Grove, California  
*PHASE ONE INC.* Project No. 6939

Dear Mr. Marquez:

Enclosed with this letter are copies of the Phase I Environmental Site Assessment Report completed by **PHASE ONE INC.** for the site referenced above. As you will note in the report, our conclusions regarding the environmental condition of the site are summarized both in Section 1.0, *Executive Summary*, and Section 6.0, *Conclusions and Recommendations*.

Please don't hesitate to contact us should you have any questions regarding the environmental assessment, or if we can be of additional assistance. We look forward to working with you again in the future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Kieselbach".

Eric Kieselbach  
President

Enclosure

**PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT**

**CC CAMPERLAND RV PARK  
12252 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA**

PROJECT NO. 6939

BY

***PHASE ONE INC.***  
2620 Walnut Avenue, Suite A  
Tustin, CA 92780  
(800) 524-8877

THIS REPORT WAS PREPARED FOR THE SOLE USE AND BENEFIT OF OUR CLIENT, CITY OF GARDEN GROVE, ECONOMIC DEVELOPMENT, AND IS BASED, IN PART, UPON DOCUMENTS, WRITINGS, AND INFORMATION OWNED AND POSSESSED BY OUR CLIENT. NEITHER THIS REPORT, NOR ANY OF THE INFORMATION CONTAINED HEREIN, SHALL BE USED OR RELIED UPON FOR ANY PURPOSE BY ANY PERSON OR ENTITY OTHER THAN OUR CLIENT. ALL STANDARD TERMS, CONDITIONS, AND LIMITATIONS BY ***PHASE ONE*** INC. APPLY AT ALL TIMES AND FOR THIS REPORT AND ALL REPORTS ISSUED BY ***PHASE ONE*** INC.

## TABLE OF CONTENTS

### **SECTION 1.0 EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS**

- 1.1 FINDINGS
- 1.2 CONCLUSIONS SUMMARY
- 1.3 SITE FACTS
- 1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527

### **SECTION 2.0 INTRODUCTION**

- 2.1 PURPOSE OF A PHASE I ESA
- 2.2 SCOPE OF WORK
  - 2.2.1 Site Description
  - 2.2.2 Site Reconnaissance
  - 2.2.3 Review of Historical Information
  - 2.2.4 Interviews
  - 2.2.5 Conclusions and Recommendations
- 2.3 INTERPRETATION OF THE REPORT

### **SECTION 3.0 SITE DESCRIPTION AND RECONNAISSANCE**

- 3.1 SITE PHOTOGRAPHS
- 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS
- 3.3 EXISTING STORAGE TANKS
- 3.4 PREVIOUSLY EXISTING STORAGE TANKS
- 3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING
- 3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE
  - 3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)
  - 3.6.2 Details of Specific Hazardous Substances Sampling/Observations
- 3.7 POLYCHLORINATED BIPHENYLS (PCBS)
- 3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES
- 3.9 SURFACE CONDITIONS
- 3.10 STRESSED VEGETATION
- 3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE
- 3.12 OTHER ENVIRONMENTAL CONDITIONS
- 3.13 VISUAL OBSERVATIONS, ADJOINING SITES

### **SECTION 4.0 REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS**

- 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW
- 4.2 HISTORICAL MAP REVIEW
- 4.3 AGENCY CONTACTS (RECORDS SEARCH)
  - 4.3.1 Building Department Records
  - 4.3.2 Water Quality Agency Records



- 4.3.3 Oil and Gas Agency Records or Maps
- 4.3.4 Pipeline Agency Records or Maps
- 4.4.8 Other Pertinent Records
- 4.4 REVIEW OF ENVIRONMENTAL RECORDS SEARCH
- 4.5 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW
- 4.6 ADDITIONAL ENVIRONMENTAL DOCUMENTS
- 4.7 HISTORICAL SITE USE
- 4.8 IDENTIFICATION OF HISTORICAL DATA GAPS
- 4.9 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)

## **SECTION 5.0 INTERVIEWS**

- 5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS
- 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

## **SECTION 6.0 CONCLUSIONS AND RECOMMENDATIONS**

- 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS
- 6.2 *DE MINIMIS* OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS

## **SECTION 7.0 LIMITATIONS**

## **SECTION 8.0 FIGURES**

## **SECTION 9.0 APPENDICES**

- Appendix A Site Photographs
- Appendix B Summary of Agency Contacts
- Appendix C Copies of Records
- Appendix D One-Mile Radius Regulatory Database Report
- Appendix E Sampling and Analysis Documents
- Appendix F Interview Notes
- Appendix G Miscellaneous Information
- Appendix H References
- Appendix I Resumes
- Appendix J Environmental Acronyms and Definitions

## SECTION 1.0

### EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS

#### 1.1 FINDINGS

This report presents the results of the Phase I Environmental Site Assessment conducted by **PHASE ONE INC.** at 12252 Harbor Boulevard, Garden Grove, California (see Figure 1, *Site Location Map*). The Phase I assessment was undertaken at the request of Carlos Marquez, City of Garden Grove, Economic Development, in accordance with **PHASE ONE INC.**'s *Standard Terms and Conditions*, as outlined in **PHASE ONE INC.**'s *Letter of Intent/Authorization* for Project N<sup>o</sup> 6939. The findings and conclusions of this investigation are based upon a review of historic site-use activities, contact with and records from governmental regulatory agencies, regulatory database searches, as well as a site reconnaissance and interviews with the client, site personnel, and possibly others who may have knowledge of various aspects of the subject site.

At the time of this assessment, the site consisted of approximately 0.8 acre of developed land occupied by CC Camperland RV Park. This assessment is for the western portion of the RV Park. Information gathered in the course of this assessment indicates that the subject site is currently owned by Jerry Bowen and Tom Bowen.

The principal findings of **PHASE ONE INC.**'s Phase I Environmental Site Assessment for this site are as follows:

The subject site is currently affected by

- One recognized environmental condition(s) (REC); and
- No *de minimis*, or historical recognized environmental condition(s).
- The potential for soil or groundwater contamination of the subject property from either on or off-site sources appears to be low.
- Given the findings and conclusions of **PHASE ONE INC.**'s Phase I Environmental Site Assessment, further investigation is recommended at this time.
- **PHASE ONE INC.** has performed this Phase I Environmental Site Assessment of the subject site in conformance with the scope and limitations of the Environmental Protection Agency, Standards and Practices for All Appropriate Inquiries, 40 CFR Part 312 and the standard practice set forth in the American Society for Testing and Materials (ASTM) Designation: E1527-05, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." Any exceptions to, or deletions from, these practices are described in Section 1.4 of this report.

- This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for those listed in Section 1.2.

## 1.2 CONCLUSIONS SUMMARY

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following recognized environmental condition(s):

### RECOGNIZED ENVIRONMENTAL CONDITION(S)

Condition #	Location	Description of Condition
1	Subject Site	Based on a review of aerial photographs, it appears that the site was used for agricultural purposes in the past. The concern exists that agricultural chemicals remain in near surface soils and that site occupants may be exposed to these chemicals.

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions and the estimated costs of completing any recommended next-step action. **PHASE ONE INC.** classifies a recognized environmental condition, per the ASTM Standard E 1527-00 definition, as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the subject property.

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following *de minimis* or historical recognized environmental conditions:

### DE MINIMIS, OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITION(S)

Condition #	Location	Description of Condition	Condition
None	N/A	The subject site does not appear to be at risk from a <i>de minimis</i> , or historical recognized environmental condition.	N/A

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions. **PHASE ONE INC.** classifies an environmental condition as a *de minimis* (potential or possible) condition when it appears to pose no immediate threat to the subject site and/or requires no immediate action given the current knowledge of site conditions. This condition with time, groundwater movement, demolition or other disturbances, or sometimes with the acquisition of further information, may come to pose a long-term, immediate or chronic environmental risk; and/or this condition may appear to have a negligible monetary/physical impact on the subject property, and therefore, does not require additional investigation at this time. **PHASE ONE INC.** classifies a historical recognized environmental condition as an issue which was considered a recognized environmental condition in the past, but is no longer considered a recognized environmental condition as a result of prior investigation and/or mitigation.

## 1.3 SITE FACTS

Current Owner(s): Jerry Bowen, Tom Bowen

Current Use: RV Park

Current Occupants: CC Camperland

Total # of Existing Buildings: Two (Restrooms and Storage Shed for Pool/Maintenance Supplies)

Total Sq. Ft. of Building: 600 sq ft., according to owner interview

Date Oldest Building was Built: 1960s

Total # of Units: Two

Total # of Units Visually Inspected: All

Specific Units Inspected: All

The subject site obtains its potable water from municipal sources.

The subject site disposes of its sewage through use of the local municipal sewage system.

The subject buildings are not heated and/or cooled by a heating and air-conditioning system.

Site Contact: Richard Kil, CC Camperland RV Park

Field Assessor: Eric Kieselbach

Report Writer: Nadine Kieselbach

Parcel #s: 231-521-01, 231-521-02

Address(es) Provided by Client: 12252 Harbor Boulevard, Garden Grove, California

Additional/Previous Address(es): None

Total Acreage of Land: 0.8

Date of Site Reconnaissance: July 27, 2009

Total # of Wells (water, oil, gas, other) identified onsite: None

Areas/Units that were inaccessible to the *PHASE ONE* INC. field assessor: None

Were enough (units/offices/buildings/acres) inspected to ensure that the inspection was homogenous?  
Yes

Did the field assessor notice any unusual odors on or from the subject site or adjoining sites during the site reconnaissance? No

#### **1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527**

There are exceptions to ASTM E 1527. The exceptions are as follows:

It is unknown what the site use was prior to agriculture in 1948. It is likely that the agricultural use was its first development. It is our opinion that this data gap will most likely not affect the conclusions of this report. In addition, the landscaped areas were overgrown with vegetation, and the ground in these areas could not be thoroughly inspected. The site manager, Richard Kil, was sent a property questionnaire; however, it was never completed.

## SECTION 2.0

### INTRODUCTION

#### 2.1 PURPOSE OF A PHASE I ESA

The purpose of this Phase I Environmental Site Assessment is to assess (1) the likelihood of contamination of the subject site as a result of either past or present land-use practices; and (2) the potential for future environmental contamination which may occur as a result of current conditions or operations and maintenance activities at either the subject site or properties adjoining the subject site, thereby identifying real or potential environmental or economic impact to the subject site. In this way, the client may satisfy a requirement to qualify for the innocent landowner defense to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability by completing "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial and customary practice." To meet these objectives, *PHASE ONE INC.* attempted to complete the tasks outlined in this section except as noted in Section 1.4.

#### 2.2 SCOPE OF WORK

The Scope of Work that has been followed for this assessment is identified in Section 1.1, Page 1-1.

##### 2.2.1 Site Description

Site photographs were taken during the site reconnaissance. The photographs and their summary descriptions can be found in **Appendix A**.

*PHASE ONE INC.* reviewed pertinent, reasonably ascertainable information on the soil types and groundwater conditions in the vicinity of the subject site. For the purposes of this assessment, the depth from the ground surface and the direction (or gradient) of the groundwater flow are of particular significance. Such findings are used by *PHASE ONE INC.* report writers, in conjunction with additional information about environmental conditions on nearby sites, to assess the risk that is faced by the subject site from off-site sources of contamination.

It should be noted that *PHASE ONE INC.*'s geological and hydrological research does not include investigation of seismological concerns (i.e., fault lines) that may affect the area of the subject site. Although the existence of faults in an area may be of concern to property owners and residents in that area, it is not considered to be an environmental concern, and so is not usually a component of a Phase I Environmental Site Assessment. (However, in the event that it is required, *PHASE ONE INC.* can assist the client in completing a seismological investigation.)

### 2.2.2 Site Reconnaissance

A *PHASE ONE INC.* field assessor conducted a visual reconnaissance of the subject property to identify observable signs of environmental impairments, including on-site operations and maintenance activities which may lead to possible environmental impairment. As a part of the site reconnaissance, *PHASE ONE INC.* visually inspected the site for obvious indications of:

- Existing and previously existing storage tanks (aboveground and underground)
- Hazardous substances storage and handling
- Clarifiers, sumps, trenches, and industrial discharge sources
- Equipment which may contain polychlorinated biphenyls (PCB) (fluorescent light ballasts are not inspected)
- Indications of spillage of hazardous substances, and the general condition of concrete, asphalt, soil, and other surfaces
- Indications of stressed vegetation as a result of on-site contamination

During the site reconnaissance, *PHASE ONE INC.* field assessors may make note of basic compliance issues which, may be environmental in nature, however are not issues directly associated with the potential for site contamination (i.e., the specific objective of our assessment). However, as a service to our clients, and because these compliance issues may contribute to our overall understanding of site operations, *PHASE ONE INC.* may comment on the site's basic compliance status. The review of the site's compliance status is not intended to be complete or comprehensive and may or may not include all items identified during the site reconnaissance.

Again, the compliance review is not intended as a comprehensive compliance audit. Rather, the compliance review is only intended to aid *PHASE ONE INC.* in determining the likelihood that the subject site may have been impacted by releases of hazardous substances.

When the storage or use of hazardous substances are encountered on a site, the *PHASE ONE INC.* field assessor will look for or inquire about the on-site presence of Material Safety Data Sheets (MSDSs). MSDSs are prepared by the manufacturers of hazardous substances (pursuant to OSHA's Hazard Communication Standard), and they detail the components, dangers, and proper handling procedures for the hazardous substance for which they have been prepared. The presence or absence of MSDSs for on-site hazardous substances will be noted in 3.5, *Hazardous Substances Storage and Handling*. However, some sites may use or store hundreds of various chemical compounds. In such cases, it is practically impossible for the field assessor to match-up each substance with its corresponding MSDS. Still, the field assessor will inquire about MSDSs and copies of representative MSDSs that were made available will be included in Appendix G.

*PHASE ONE INC.* may have (based on contract) inspected and reviewed information for the subject site regarding the presence of specific hazardous substances which are relatively common sources of environmental concern. The substances in question include:

- Common building materials that may contain or are suspected of containing asbestos
- Radon (at elevated levels)
- Lead-contaminated drinking water
- Lead-based paints

Based on ASTM E1527, federal, state, and other regulatory agency guidelines, the following presumptions were in force if and when *PHASE ONE INC.* inspected the subject site for specific hazardous substances:

- Structures built after 1980 are considered asbestos-free.
- Structures built after 1979 are considered lead-free (with respect to both water and painted surfaces).
- Fluorescent light ballasts will be considered PCB-free and will not be noted in the report regardless of their date of manufacture, unless *PHASE ONE INC.* is instructed to do otherwise in writing by the client.

*PHASE ONE INC.* also inspected the properties that adjoin the subject site. In general, this inspection included a "drive-by" survey to note the operations which may pose an imminent or potential environmental threat to the subject site.

### **2.2.3 Review of Historical Information**

For this assessment, *PHASE ONE INC.* may have reviewed reasonably ascertainable historical aerial photographs and United States Geologic Survey (U.S.G.S.) topographic maps of the subject site and vicinity. This review consisted of examining the reasonably ascertainable available photographs and topographic maps for evidence of activities on or development of the subject site and adjoining sites that may show an environmental condition or concern which may currently affect the subject site. The specific aerial photographs and U.S.G.S. maps that were reviewed for this assessment are identified and their environmentally relevant features are described in Section 4.1.

*PHASE ONE INC.* may have also reviewed any reasonably ascertainable Historic Maps of the subject site and vicinity. Such maps have been prepared by fire insurance companies in order to determine the potential risk of fire damage to buildings in metropolitan areas. These maps have been produced since the mid-1850s and, for some areas, they are still produced today. For the purposes of a Phase I Environmental Site Assessment, these maps may contain helpful information on the ages and past uses of buildings, as well as information about on the storage of hazardous and flammable substances. However, because it was only worthwhile for fire insurance companies to map metropolitan areas, the scope of coverage of these maps is somewhat limited. If Historic Maps



have provided coverage of the subject site, and if the specific maps were reasonably ascertainable, then the specific maps that were reviewed for this assessment are identified, and their environmentally relevant features described, in Section 4.2.

One of the least known yet most complete and comprehensive historical sources are historical city or street directories. These texts may have been reviewed by **PHASE ONE INC.** to the extent that they have provided coverage of the subject site and were reasonably ascertainable. **PHASE ONE INC.** reviews historical city or street directories (also known as criss cross or reverse indexed directories) for information on the past occupants of and activities on the subject site and adjoining sites. These directories were prepared by companies that catered to the needs of salespeople by providing the names of the occupants at a given address (that is, unlike a traditional telephone book, the entries of a reverse directory are arranged by address, not by name). However, like Historical Maps, the scope of coverage of these directories is limited to mostly metropolitan areas. If they were reasonably ascertainable, and if they were reviewed Section 4.2 will contain listings of the current or past occupants of the subject site that were found by researching historical city or street directories.

**PHASE ONE INC.** has contacted various state, county, and municipal agencies having current or past jurisdiction over the subject site, in an attempt to review reasonably ascertainable records that contain specific information about environmental conditions on the subject site that these agencies may have on file, or to establish that no environmentally relevant records are on file for the subject site. The client should be aware that most regulatory agencies file their records by address or corporate name (as opposed to parcel number or site name). If no specific address has been assigned to a site, then, typically, no environmental records related to the site will be forthcoming from the state, county, or municipal regulatory agencies.

The findings of this records search are reported in Section 4.3, *Agency Contacts*. The addresses, phone numbers, names of the persons contacted within the various agencies are listed on the Regulatory Contacts Sheet, which is included in Appendix B. Copies of any records obtained from regulatory agencies can be found in Appendix C. In some instances, **PHASE ONE INC.** may not yet have received a reply from one or more of the agencies that were contacted. (Some agencies will take six weeks or longer to reply to a verbal or written request.) In the event of such delays in response, rather than delaying the issuance of the report, **PHASE ONE INC.** has indicated in the report that a response to the request for records is pending, and a copy of the regulatory request form has been included in Appendix B. Any pertinent information that is subsequently received from the pending agency will be addressed and forwarded to the client in the form of an addendum to this report.

**PHASE ONE INC.** has also reviewed a vendor-supplied, computer-generated federal, state, and regional one-mile regulatory database search in an effort to determine whether the subject site is listed on an agency environmental database and to identify possible regulatory-listed sites of concern within a one-mile radius of the subject site. In general, these documents list known or suspected hazardous-waste generators, release sites, landfills, unauthorized disposal sites, sites with registered underground storage tanks, and sites currently under investigation for known or suspected environmental violations or releases. In conjunction with the findings on the geological and hydrological conditions, information obtained from the database search can be used to assess the environmental risk faced by the subject site from past or present off-site sources of contamination.

Additionally, the database search may provide information about on-site sources of contamination. The regulatory database review can be found in Section 4.4; a copy of the complete database search document and a detailed description of the databases that were searched are included in Appendix D.

When requested, **PHASE ONE INC.** will compile and review a chain-of-title abstract for the subject property. The chain-of-title abstract can help the client and **PHASE ONE INC.** to better understand the history of the use of the subject site. The chain-of-title abstract is typically compiled from documents obtained from the County Recorder's Office or Tax Assessor's Office. The chain-of-title abstract review, if completed for this report, can be found in Section 4.5. The County Assessor also may be contacted to determine whether the subject site has been assigned addresses in the past which are different from its current address. It is the client's responsibility to supply **PHASE ONE INC.** with any records of environmental liens or other such documents.

On occasion, the client, the client's representatives, or on-site personnel will make available environmental documents pertaining to the subject site. These documents may be prior Phase I Reports, environmental site remediation reports, foundation soil reports, or occupancy records, among others. If these are made available prior to the issuance of the report, **PHASE ONE INC.** will review the conclusions of these documents, which may help to confirm or disprove any tentative findings that **PHASE ONE INC.** has developed independently. If the client has supplied environmental documents for review as part of this assessment, the findings are included in Section 4.6.

After the above information from existing historical records, regulatory agencies, interviews, and other additional environmental documents has been reviewed and evaluated, **PHASE ONE INC.** presents the site uses for the subject property as well as adjoining site uses in a chronological table. This historic site use summary assists the client, as well as the field assessors and reviewers to have a perspective of the historical uses of the subject site. The *Historical Site Use* is presented in Section 4.7.

#### **2.2.4 Interviews**

**PHASE ONE INC.** attempts to interview various individuals who may have knowledge of various aspects of the subject site. Typically, the interviewees might include:

- Current and previous owners
- Site and operations managers
- Tenants
- Local regulatory personnel

The interviews are summarized in Section 5.0 and interview notes are included in Appendix F.

### 2.2.5 Conclusions and Recommendations

Section 6.0, *Conclusions and Recommendations*, provides detailed descriptions of the recognized environmental conditions and the *de minimis* or historical environmental conditions that, in the professional opinion of **PHASE ONE INC.**, currently affect the subject site. Section 6.0 also recommends or suggests the next-step actions that may be required to begin addressing the conditions.

The essential information on a condition at a given location is contained in the "Description of Condition" and the "Action Suggested" boxes of the table for that location. The section numbers refer to those sections in the report that describe the research tasks and findings behind the conclusions. This reporting method allows the reader to quickly go to those sections that are pertinent to the condition.

## 2.3 INTERPRETATION OF THE REPORT

Following the completion of the tasks outlined above, **PHASE ONE INC.** prepared this report to present our findings and conclusions clearly and consistently. In an attempt to aid the reader and bring organization to pieces of seemingly unrelated information, **PHASE ONE INC.** has developed a report format that is both innovative and concise. Each piece of information is described in the context of the research or assessment task under which it was found. Typically, an environmental condition will incorporate a number of specific findings. So, in Section 6.0, *Conclusions and Recommendations*, the various particular findings are grouped together and collectively presented with the description of the environmental condition that is corroborated by those findings.

## SECTION 3.0

### SITE DESCRIPTION AND RECONNAISSANCE

The subject site is surrounded by an area of predominantly vacant land, residential, and commercial properties. On the date of the site reconnaissance the subject site consisted of the western portion of the CC Camperland RV Park. The subject area consisted of a pool, storage building, restroom building, and several RV/trailer parking spaces. The following subsections describe the physical characteristics of the subject site and are a compilation of the observations made during the visual site inspection.

#### 3.1 SITE PHOTOGRAPHS

A *PHASE ONE INC.* field assessor completed a reconnaissance of the subject site, at which time a number of photographs were taken to document the current condition and use of the site. Please see Figure 2, *Site Plan*, for photograph locations. The photographs with their descriptions can be found in **Appendix A**.

#### 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS

According to United States Geological Survey (U.S.G.S.) STATSGO data, the most common native soil type in the vicinity of the subject site is Urban Land, 0% to 2% slopes. It is not known whether imported fill materials were used during the grading or development of the site; therefore, however, it is unknown if fill material is a concern for the subject site. The elevation of the subject site appears to be 114 feet above mean sea level.

Groundwater in the site vicinity is reported by a *Groundwater Monitoring Report for 12502 Harbor Boulevard* to flow towards the west at a depth of approximately twenty-five feet below ground surface. However, it should be noted that the flow direction and depth of groundwater may be influenced by rainfall, tidal activity (shore properties), and local groundwater pumping operations. It should also be noted that shallower, unreported, perched groundwater zones may occur in the immediate site vicinity.

During the site reconnaissance and the review of historical maps and photographs, the following was determined to exist or not to exist on the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons
- No ponds

In-addition, the following was determined to exist or not to exist immediately adjacent to the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons
- No ponds

According to FEMA Q3 Data, the site is located within a less than 100-year flood zone. Storm water discharge across the site appears to flow multidirectionally. The storm water runoff appears to discharge to storm drains. The direction and destination of storm water discharge does not appear to be a source of environmental concern to the subject site.

### **3.3 EXISTING STORAGE TANKS**

No evidence of any existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.4 PREVIOUSLY EXISTING STORAGE TANKS**

No evidence of previously existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING**

With the possible exception of common janitorial and/or office supplies, no storage or handling of hazardous substances greater than 20 gallon containers was observed in the areas inspected during the site reconnaissance.

### **3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE**

#### **3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)**

At the request of the client, non-scope items, as defined in the ASTM Standard were not addressed. These non-scope items are asbestos, radon, lead water and lead paint.

### **3.6.2 Details of Specific Hazardous Substances Sampling/Observations**

No sampling or testing of suspected hazardous substances was performed or authorized for this assessment.

### **3.7 POLYCHLORINATED BIPHENYLS (PCBS)**

The *PHASE ONE* INC. site reconnaissance does not include checking on-site fluorescent light fixtures for potential PCB content. Although fluorescent light ballasts may contain PCBs, the amount contained is considered to be so inconsequential that the ASTM (*Standard Practice, E 1527*) has stated: "Fluorescent light ballast likely to contain PCBs does not need to be noted." in a Phase I Environmental Site Assessment Report.

No known or suspected PCB-containing equipment or materials were observed on-site during the site reconnaissance.

### **3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES**

No clarifiers, sumps, trenches, industrial floor drains, or industrial discharge points were noted during the site reconnaissance, historical and/or regulatory research.

### **3.9 SURFACE CONDITIONS**

No significant areas of staining or other unusual surface conditions were observed during the site reconnaissance.

### **3.10 STRESSED VEGETATION**

No disfigured, discolored, dying, or otherwise stressed vegetation was observed on-site during the site reconnaissance.

### **3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE**

On the basis of a review of aerial photographs, *PHASE ONE* INC. has concluded that the site was used for agricultural purposes. This information is detailed in the following table.

**PRIOR OR CURRENT AGRICULTURAL LAND USE**

ID #	Approx. Date Range	Description	Condition
1	1938, 1953	The subject site and the surround area was used for agriculture as indicated in the 1938 and 1953 aerial photographs.	REC

REC=Recognized Environmental Condition

**3.12 OTHER ENVIRONMENTAL CONDITIONS**

No evidence of further environmental conditions, and/or impairments was observed during the site reconnaissance, beyond that evidence that has already been noted in this section.

**3.13 VISUAL OBSERVATIONS, ADJOINING SITES**

During the site reconnaissance, the *PHASE ONE* INC. field assessor also visually inspected and documented the use of those properties which immediately adjoin the subject property. The observations of the adjoining properties were made by the *PHASE ONE* INC. field assessor on the date of the site reconnaissance.

**VISUAL OBSERVATIONS, ADJOINING SITES**

Description	Condition
<p><b><u>Northerly View:</u></b>                      Address: 12222 Harbor Boulevard                      Company Name: N/A                      Apparent Current Use of Property: Vacant Land                      Visual Concerns: None</p>	None
<p><b><u>Easterly View:</u></b>                      Address: Choisser Road                      Company Name: N/A                      Apparent Current Use of Property: Residences                      Visual Concerns: None</p>	None
<p><b><u>Southerly View:</u></b>                      Address: 12262 Harbor Blvd, Garden Grove, CA                      Company Name: CC Camperland                      Apparent Current Use of Property: RV Park                      Visual Concerns: None</p>	None
<p><b><u>Westerly View:</u></b>                      Address: Unknown                      Company Name: N/A                      Apparent Current Use of Property: Vacant Land                      Visual Concerns: None</p>	None

## SECTION 4.0

### REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS

#### 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW

*PHASE ONE INC.* reviewed readily available and reasonably ascertainable aerial photographs and U.S.G.S. topographic maps of the area of the subject site. (A copy of a U.S.G.S. map, if available, has been included as Figure 1.) These aerial photographs and maps may have been obtained from *PHASE ONE INC.*'s library and/or another source (all sources identified in Appendix B). Each aerial photograph was reviewed for the subject property and, where applicable, adjacent property use. In addition, each photograph was reviewed to identify the presence of areas of dumping, staining, buildings, and/or aboveground storage tanks.

Aerial photographs for the years of 2007, 2005, 2004, 2003, 1972, 1963, 1953, 1938 and a U.S.G.S. topographic map for the year of 1965 were reviewed and a de minimis environmental condition was identified in the following aerial photographs discussed in the table below:

#### HISTORICAL AERIAL PHOTOGRAPH/U.S.G.S. TOPOGRAPHIC MAP

Date of Document	Description of Condition	Condition
1938, 1953	The subject site was used for agriculture as indicated in the 1938 and 1953 aerial photographs.	REC

REC=Recognized Environmental Condition

#### 4.2 HISTORICAL MAP REVIEW

*PHASE ONE INC.* contacted the source(s) identified in Appendix B in an effort to review readily available historical and fire insurance maps with coverage of the subject site and vicinity that might be included in their collections. However, a search of the reasonably ascertainable historical and fire insurance maps found that none provided coverage of the area of the subject site.



### **4.3 AGENCY CONTACTS (RECORDS SEARCH)**

#### **4.3.1 Building Department Records**

*PHASE ONE INC.* submitted a request to the local Building agency for copies of readily available building permits or records indicating any environmental issues such as underground tanks to the subject site that may be on file with this agency (all sources are identified in Appendix B). However, *PHASE ONE INC.* was informed that no records indicated any underground storage tanks or hazardous materials for the subject site were on file with this agency.

#### **4.3.2 Water Quality Agency Records**

*PHASE ONE INC.* submitted a request to the Water Quality Agency for the purpose of determining if past and present businesses at the subject site are listed on regulatory lists (such as leaking underground tank lists, site cleanup lists, etc.). However, *PHASE ONE INC.* was informed that no records for the subject site are on file with this agency (all sources identified in Appendix B).

#### **4.3.3 Oil and Gas Agency Records or Maps**

*PHASE ONE INC.* submitted a request to the local Oil and Gas Agency for copies of readily available oil and gas related records pertaining to environmental issues on the subject site. However, *PHASE ONE INC.* was informed that no records for the subject site are on file with this agency (all sources are identified in Appendix B).

#### **4.3.4 Other Pertinent Records**

There are no additional regulatory agencies known to *PHASE ONE INC.* that are likely to have further relevant environmental information pertaining to the subject site.

### **4.4 REVIEW OF ENVIRONMENTAL RECORDS SEARCH**

The *PHASE ONE INC.* review of the computer-generated, environmental records search document (the complete environmental records search document is included in Appendix D) found the subject site is not a regulatory-listed site. The environmental records search occurrence summary table below identifies the number of sites listed in each database included in the record search document (the complete environmental records search document is included in Appendix D). No environmental concerns were identified in the review.

## LISTED OCCURRENCE SUMMARY

LIST SEARCHED	DISTANCE SEARCHED (MILES)	0.125	0.25	0.5	1.0	TOTAL LISTED SITES
NPL	1	0	0	0	0	0
Cal Superfund Active	1	0	0	0	0	0
Cal State Response Active	1	0	0	0	0	0
CERCLIS	0.5	0	0	0	-	0
Cal Military Active	1	0	0	0	0	0
LUST-Open	0.5	0	0	1	-	1
Cal VCP Active	0.5	0	0	0	-	0
SLIC-Open	0.5	0	0	0	-	0
Cal School Active	0.5	0	0	0	-	0
Cal Superfund Other	1	0	0	0	0	0
Cal State Response Other	0.5	0	0	0	-	0
Cal School Other	0.5	0	0	0	-	0
Cal VCP Other	0.5	0	0	0	-	0
Cal Military Other	1	0	0	0	0	0
Cal Eval-Hist	0.5	0	0	0	-	0
SWIS	0.5	0	0	1	-	1
Cal Superfund NFA	1	0	0	0	0	0
RCRA-COR	1	0	0	0	0	0
Cal VCP NFA	0.5	0	0	0	-	0
RCRA-TSD	0.5	0	0	0	-	0
Controls-CA	0.5	0	0	0	-	0
Cal State Response NFA	0.5	0	0	0	-	0
Cal Military NFA	0.5	0	0	0	-	0
Cal School NFA	0.5	0	0	0	-	0
Cal Eval-Hist NFA	0.5	0	0	0	-	0
Tribal-LUST-Closed	0.5	0	0	0	-	0
Tribal-UST	0.125	0	-	-	-	0
Tribal-LUST-Open	0.5	0	0	0	-	0
OGW	0.25	0	0	-	-	0
ERNS	0.125	0	-	-	-	0
CERCLIS-Archived	0.5	0	0	0	-	0
LUST-Closed	0.5	0	1	1	-	2
SLIC-Closed	0.5	0	0	0	-	0
UST	0.125	0	-	-	-	0
Hist-UST	0.125	0	-	-	-	0
RCRA	0.125	0	-	-	-	0
HWIS-CA	0.125	0	-	-	-	0

#### 4.5 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW

At the request of the client, a chain-of-title abstract was not requested or completed for this project.

#### 4.6 ADDITIONAL ENVIRONMENTAL DOCUMENTS

In the course of this assessment, *PHASE ONE INC.* was not provided with any additional documents for review regarding the environmental condition of the subject site by the client or the client's representatives.

#### 4.7 HISTORICAL SITE USE

The chronological historical site use summary is based on reviewed aerial photographs, maps, regulatory agency files, interviews, and additional environmental documents. The historical site use summary for the subject site and the adjoin sites is presented in the following table. The rows of this table are organized in chronological order, according to the date range of a specific site use.

**HISTORICAL SITE USE**

Date Range	Subject Site	Adjoining Sites
1938-1953	Agriculture	Agriculture and residences
1963	Residence	Residential
1966	Auto/Car Sales lot	Residential
1967-Current	RV Park	Residential, commercial, vacant lots

#### 4.8 IDENTIFICATION OF HISTORICAL DATA GAPS

During the course of this assessment, *PHASE ONE INC.* identified the following data gaps within the reviewed historic documents regarding the recognized environmental condition of the subject site.

**SUMMARY OF HISTORICAL DATA GAPS**

Date span of Data Gap	Documents Reviewed	Data Gap Discussions	Condition
Pre-1938	Aerial photographs	It is unknown what the site use was prior to agriculture in 1938. It is likely that the agricultural use was its first development. It is our opinion that this data gap will most likely not affect the conclusions of this report.	None

**4.9 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)**

The client provided *PHASE ONE INC.* with documents regarding title and/or judicial records for environmental liens or activity and land use limitations for the subject site. *PHASE ONE INC.* relies upon the author/and corresponding companies' expertise. *PHASE ONE INC.* does not verify in any way the completeness or correctness of the documents. *PHASE ONE INC.* relies upon the documents provided. The discussion of these materials is described in the following table. (Copies of the records, if available, are included in Appendix G.)

**REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS) SUMMARY**

Date of Document	Type of Document	Company	Description (If a concern, why?)	Condition
4/16/2009	Preliminary Report	Western Resources Title	No environmental liens, records of environmental activity and/or environmental land use limitations were identified.	None

## SECTION 5.0

### INTERVIEWS

#### 5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS

As part of the Phase I Assessment, *PHASE ONE INC.* attempts to interview various individuals who may have knowledge of different aspects of the subject site as it pertains to environmental conditions. The comments of the interviewees are noted by the *PHASE ONE INC.* interviewer on Interview Note Forms, which are included in Appendix F. The following table summarizes the relevant portions of these notes.

SUMMARY OF INTERVIEWS

ID #	Date of Interview	Name of Interviewee	Title	Relevant Discussions	Condition
1	7/24/2009	Jerry Bowen	Owner	Mr. Jerry Bowen indicate he was the owner of the property, as well as Tom Bowen is an owner. The Bowens have owned the property for 49 years. The property has been used as an RV park for 43 years. In 1966, the property was used for auto car lot sales. There are two structures on the property, approximately a total of 600 sq. ft. The purpose of the Phase I ESA is for a property sale. Mr. Bowen is not aware of any activity or land use limitations, engineering or institutional controls, environmental liens, or other restrictions that have been placed on the property relating to hazardous materials or petroleum products. He does not have any specialized knowledge of the subject property and surrounding areas material to recognized environmental conditions in connection with the subject property.	None

ID #	Date of Interview	Name of Interviewee	Title	Relevant Discussions	Condition
2	7/31/2009	Carlos Marquez	Real Estate Properly Agent  City of Garden Grove (User)	Mr. Marquez did not provide the proposed use for the property. The purpose of the Phase I ESA is for a property acquisition. He does not have any specialized knowledge related to the property and is unaware of any environmental concerns, liens, or use restrictions.	None
3	8/21/2009	Dianna Fellows	Garden Grove Building Department	Ms. Fellows indicated that the property was developed on December of 1965; she did not see any records prior to that date. No demo permits were in the file.	None

## 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

**PHASE ONE INC.** uses data supplied by the client to determine if a difference between the purchase price of the property and the fair market value of the property is due to the effect of any releases or threatened releases of hazardous substances or petroleum products. On July 31, 2009, **PHASE ONE INC.** contacted Mr. Carlos Marquez, City of Garden Grove, Economic Development, for the purpose of ascertaining any difference between the purchase price and fair market value of the property. According to Mr. Marquez, there is no difference between the purchase price and fair market value of the property. Therefore, a determination on the effect of any releases or threatened releases of hazardous substances on the purchase price of the property was not performed as this is not applicable.

## SECTION 6.0

### CONCLUSIONS AND RECOMMENDATIONS

#### 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS

This section contains full descriptions of any recognized environmental conditions (REC) that have been identified as a result of the **PHASE ONE INC.** Phase I Environmental Site Assessment for the subject site. **PHASE ONE INC.** classifies a condition as a REC (as opposed to a *de minimis* condition) when it is one that involves a condition for which, in the opinion of **PHASE ONE INC.**, further investigation and/or remediation is recommended. In addition to the descriptions of condition, this section also contains a statement of the recommended next-step actions for any conditions that are described in the following tables.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support **PHASE ONE INC.**'s conclusion as to the presence of a recognized environmental condition. For the benefit of the reader, the tables also contain the section numbers of the findings cited in support of the condition.

<b>CONDITION # 1</b>	<b>IDENTIFIED CONDITION APPEARS TO BE A RECOGNIZED ENVIRONMENTAL CONDITION</b>
<b>LOCATION: Subject Site</b>	
<b>SECTION #</b>	<b>COMMENTS</b>
3.9, 4.1	Identification of agriculture use of subject property. (1938, 1953)
<b>DESCRIPTION OF CONDITION:</b> Based on a review of aerial photographs, it appears that the site was used for agricultural purposes in the past. The concern exists that agricultural chemicals remain in near surface soils and that site occupants may be exposed to these chemicals.	
<b>ACTION SUGGESTED:</b> <b>PHASE ONE INC.</b> recommends sampling of the near surface soil for agricultural chemicals. Contract with <b>PHASE ONE INC.</b> or another environmental firm to perform near surface soil sampling and analysis to determine if any agricultural chemicals remain at the site.	
<b>TOTAL ESTIMATED COST TO COMPLETE</b> <b>SUGGESTED NEXT STEP ACTION† \$6,500.00 to \$10,000</b>	

<sup>†</sup>Note The estimated cost to complete the next-step action is based on **PHASE ONE INC.**'s professional opinion as based on our experience with similar problems under similar circumstances. The estimated cost given above is only meant to give the client a *ballpark* estimate, not an exact dollar figure for the cost to complete the next-step action. This cost could easily vary by +/- 30% or greater. In many cases and when requested, **PHASE ONE INC.** can assist the client by providing a fixed cost quote.

**6.2 DE MINIMIS OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS**

This section contains descriptions of *de minimis* or historical RECs that have been identified in the **PHASE ONE INC.** Phase I Environmental Site Assessment for the subject site. **PHASE ONE INC.** classifies an issue as a *de minimis* condition (as opposed to a REC) when (1) it involves issues that appear to pose no immediate or imminent threat to the subject site, but which over time (with the occurrence of groundwater movement, demolition, disturbance, etc.) may come to pose an actual or present REC for the subject site and/or when (2) it involves areas that currently appear to have a negligible impact on the subject property and which do not, therefore, require additional investigation at this time, but of which **PHASE ONE INC.** feels the client should be made aware. **PHASE ONE INC.** classifies a historical REC as an issue which was considered a REC in the past, but is no longer considered a REC as a result of prior investigation and/or mitigation.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support **PHASE ONE INC.**'s conclusion as to the presence of that condition. For the benefit of the reader, the table also contains the section numbers of the findings cited in support of the condition.

CONDITION # N/A		IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> , OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITION
LOCATION: N/A		
SECTION #	COMMENTS	
N/A	The subject site does not appear to be at risk from <i>de minimis</i> , or historical recognized environmental conditions.	
DESCRIPTION OF CONDITION: N/A		
ACTION SUGGESTED: N/A		



## SECTION 7.0

### LIMITATIONS

To achieve the study objectives stated in this report, we were required to base *PHASE ONE INC.*'s conclusions and recommendations on the best information available during the period the investigation was conducted and within the limits prescribed by *PHASE ONE INC.*'s client in the contract/authorization agreement and standard terms and conditions.

*PHASE ONE INC.*'s professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields. The findings were mainly based upon examination of historic records, maps, aerial photographs, and governmental agencies lists. The hazardous waste site lists represented in this report represent only a search of the specific government records as listed above. It should be noted that governmental agencies often do not list all sites with environmental contamination; the lists could be inaccurate and/or incomplete. Recommendations are based on the historic land use of the subject property, as well as features noted during the site walk and examined records. The absence of potential gross contamination sources, historic or present, does not necessarily imply that the subject property is free of any contamination. This report only represents a "due diligence" effort as to the integrity of the subject property. No warranty or guarantee, expressed or implied, is made as to the professional conclusions or recommendations contained in this report. The limitations contained within this report supersede all other contracts or scopes of work, implied or otherwise, except those stated or acknowledged herewith.

This report is not a legal opinion. It does not necessarily comply with requirements defined in any environmental law such as the "innocent landowner defense" or "due diligence inquiry." Only legal counsel retained by the client is competent to determine the legal implications of any information, conclusions, or recommendations in this report. The compliance status, discussed in Section 3.0, is not intended for use as a guide to compliance for the present owner. Its intended use is to identify environmental impairments to the subject property and is not to be used as a guide to the legal compliance to any regulations of any kind.

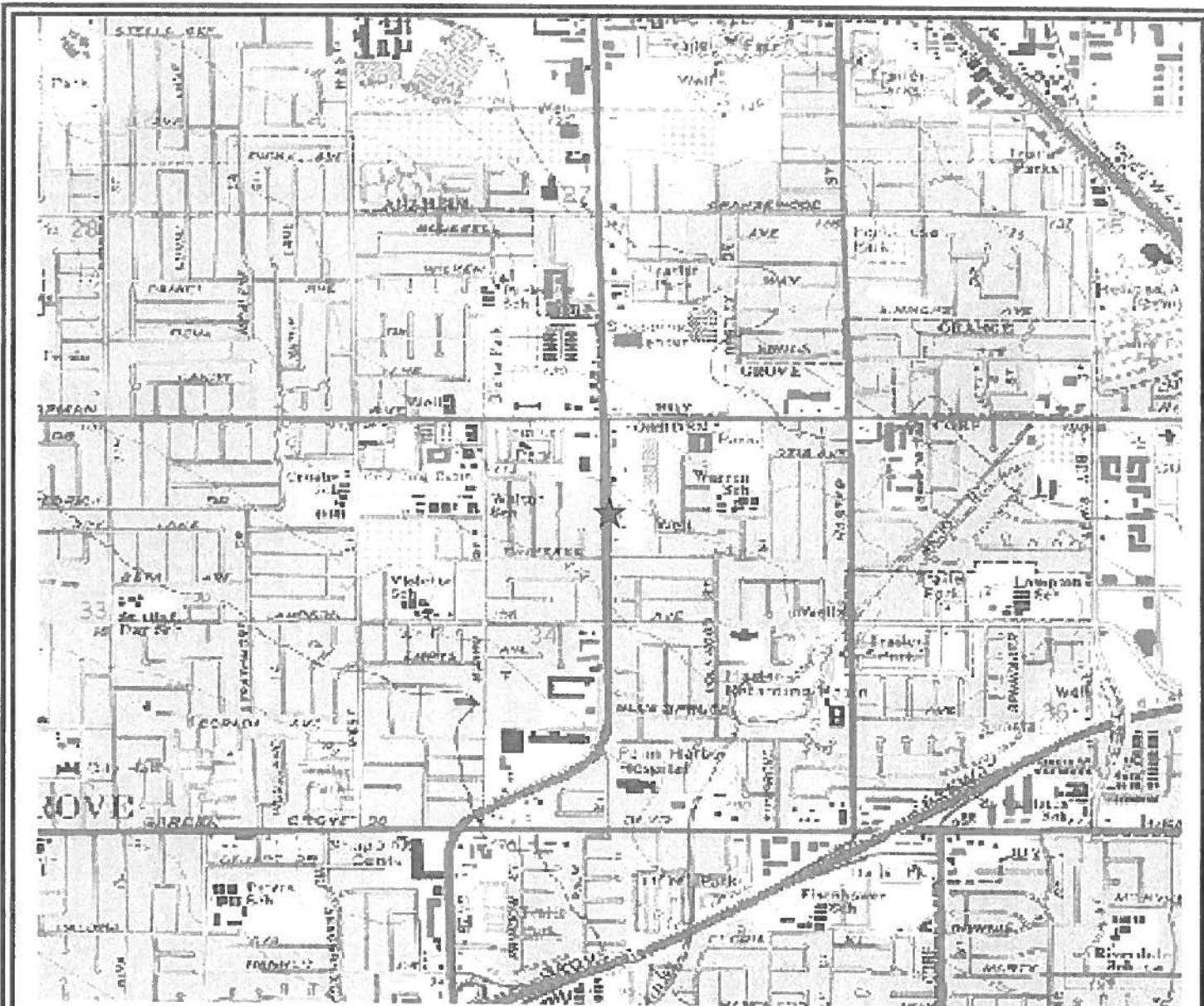
The findings, conclusions, recommendations, and professional opinions contained in this report have been prepared by the staff of *PHASE ONE INC.*, in accordance with generally accepted professional practices. All cost estimates in Section 6.0, are purely estimates only, and may not represent the actual costs. Without further investigative assessment, exact, actual costs cannot be fixed. The costs associated with *PHASE ONE INC.*'s recommendations are for budgetary purposes only.

This report does not address, in any way, septic systems, leach fields, septic tanks, or related health hazards.

All asbestos, lead, or any other sampling is sampled in a good faith effort by *PHASE ONE INC.* assessors. Sample results should not be construed as conclusive and binding in any way. All sampling conducted is only for the purposes of general screening and does not imply that all materials, locations, or hazardous materials have been identified nor was the sampling intended to identify every instance of the materials sampled. No interpretation of the sample results is made or implied. *PHASE ONE INC.* only relays the information supplied by the laboratory conducting the analysis.

## **SECTION 8.0**

### **FIGURES**



**SITE LOCATION MAP**

U.S. Geological Survey. Anaheim Quadrangle  
7.5 Minute Series, Approximate Scale: 1: 24000

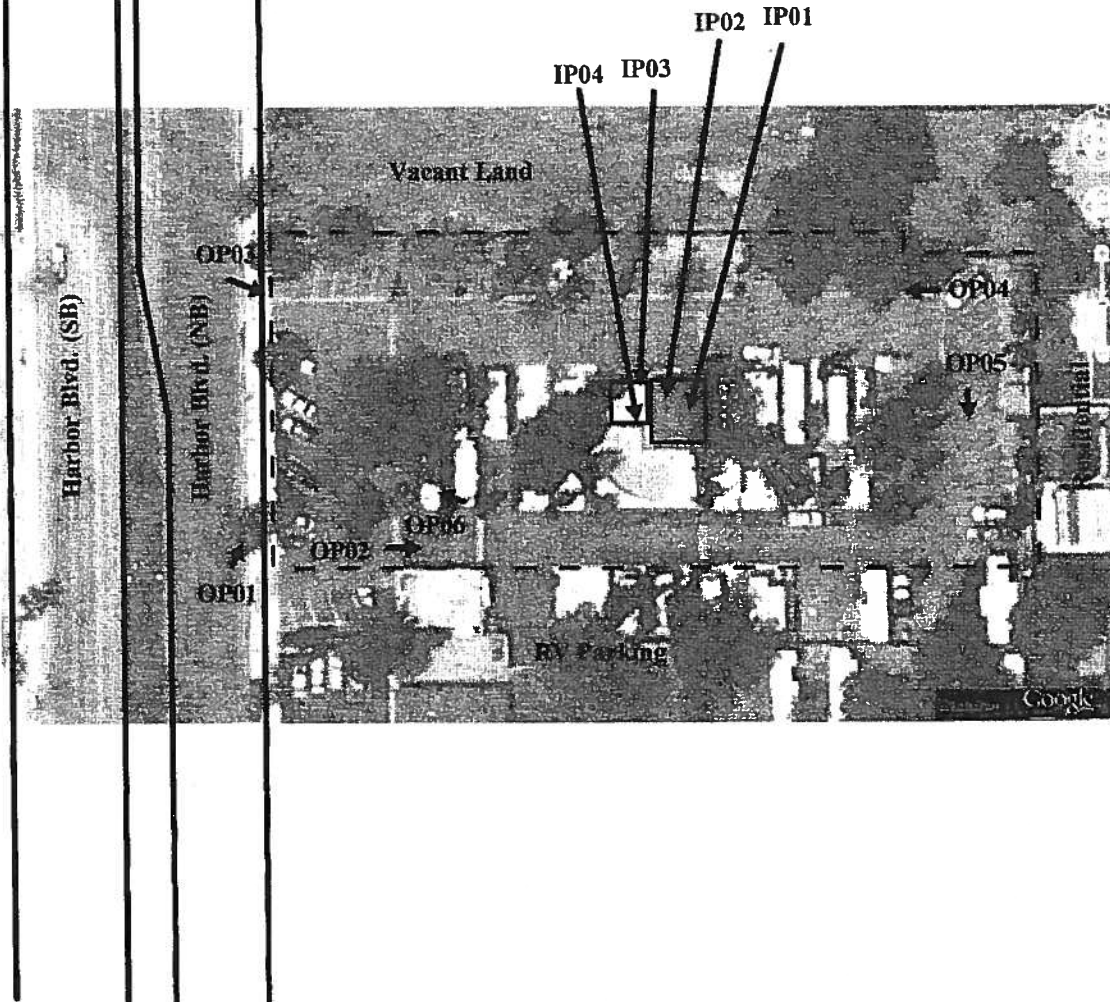


PHASE ONE INC.

**12252 HARBOR BLVD.  
GARDEN GROVE, CALIFORNIA**

FIGURE: 1  
JOB: 6939  
DATE: 8/7/2009

Vacant Land



KEY

- - - = SUBJECT SITE
- OP# = OUTSIDE PHOTO
- IP# = INSIDE PHOTO
- ~~AST = ABOVEGROUND STORAGE TANK~~
- ~~T = TRANSFORMER~~

Groundwater  
←



NOT TO SCALE

**PHASE ONE INC.**  
ENVIRONMENTAL ASSESSMENT SPECIALISTS

12252 Harbor Boulevard  
Garden Grove, CA

DRAWN: EE

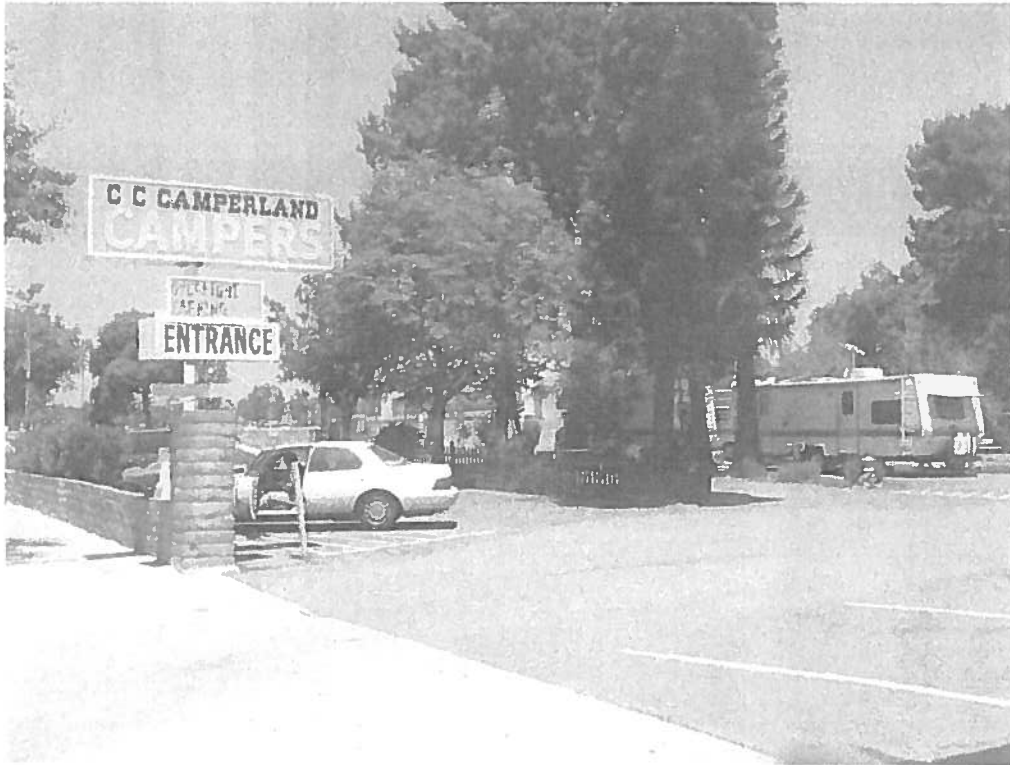
SITE PLAN

FIGURE:	2
JOB:	6939
DATE:	8/5/2009

**SECTION 9.0**

**APPENDICES**

**APPENDIX A**  
**SITE PHOTOGRAPHS**



OP01 View of the entrance to CC Camperland, 12252 Harbor Boulevard, Garden Grove.



OP02 North facing view from the south entrance. The building to the right is not part of the subject property.



OP03 View from the southeastern entrance of the property.



OP04 View from the northwestern corner of the property, facing south.

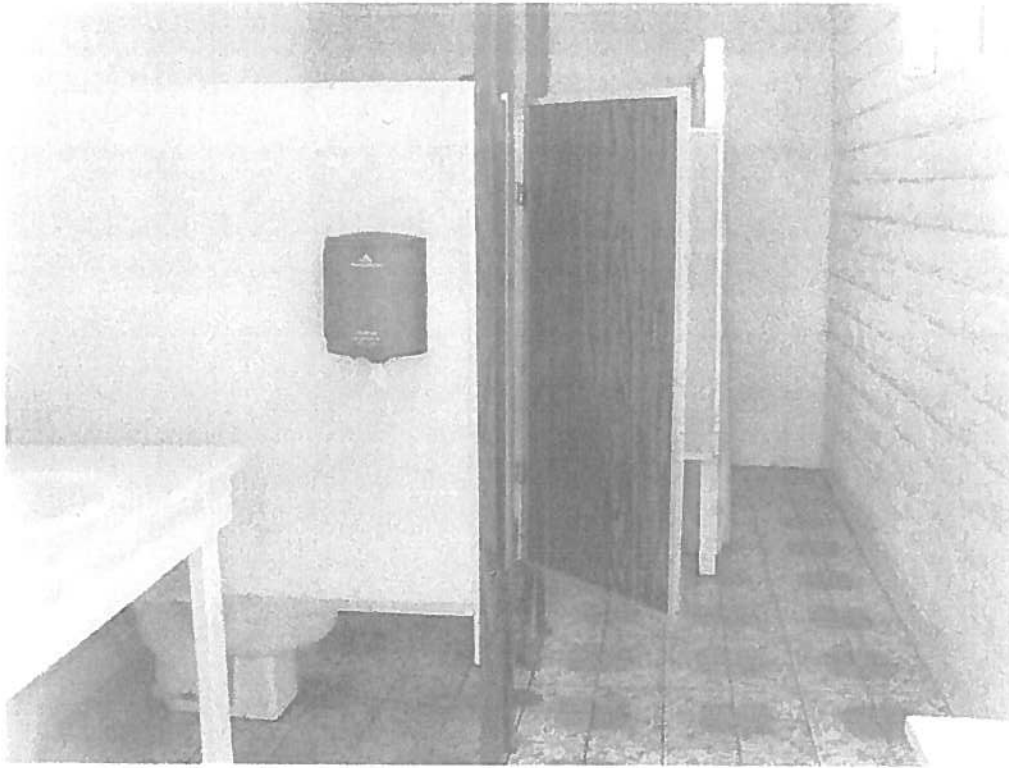




OP05 View facing to the east of the northern portion of the property.



OP06 View of one an area, Space 45, used for RV/trailer parking for overnight stays.



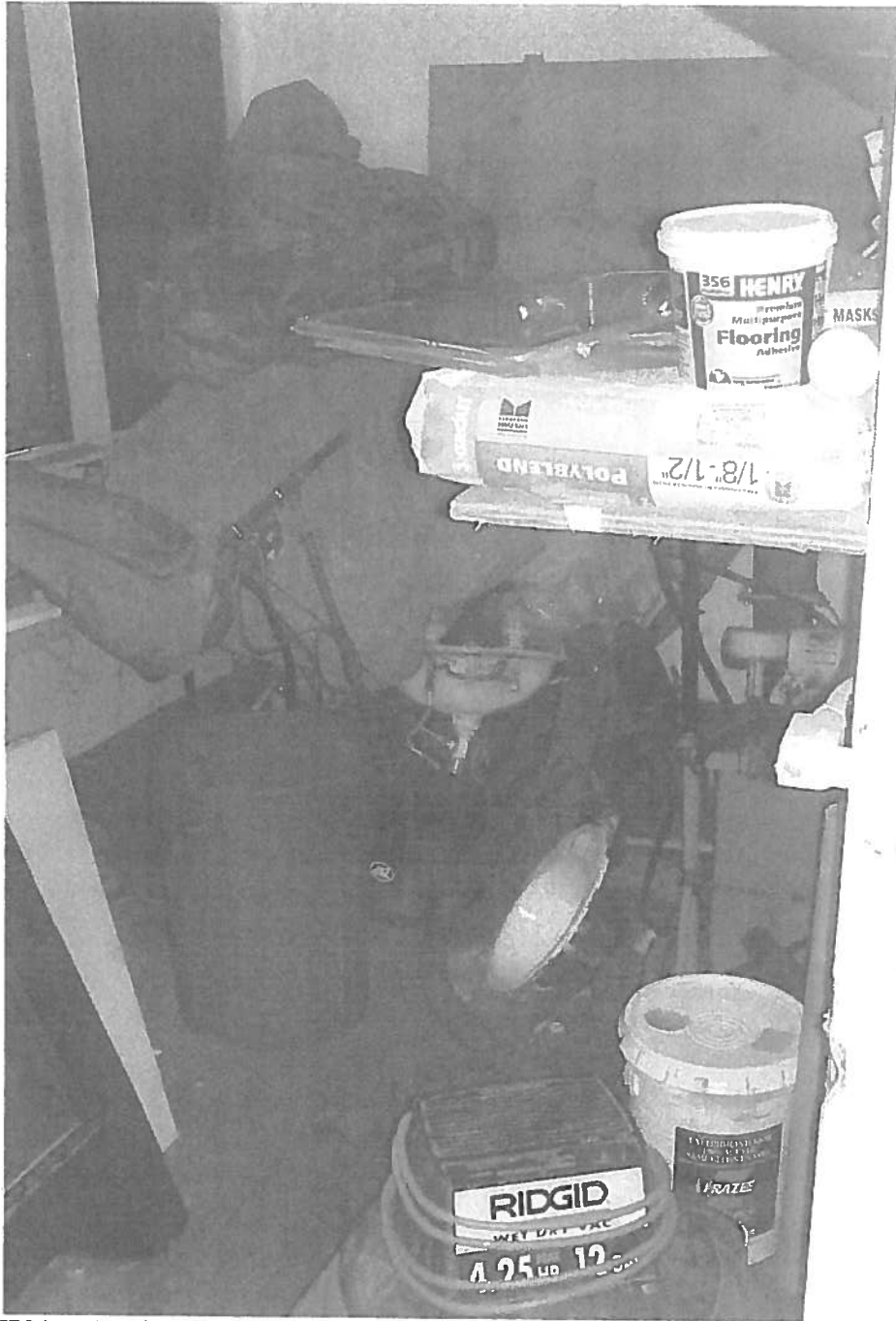
IP01 View of the interior of the restrooms.



IP02 View of the water heater associated with the water supply to the restrooms.



IP03 View of the interior of the storage shed; pool supplies are stored here.



IP04 Another view of the interior of the storage shed located in the center of the property near the pool.

**APPENDIX B**  
**SUMMARY OF AGENCY CONTACTS**

**Appendix B**  
**Regulatory Agencies for Garden Grove**  
**Orange County, California**

Aerial Photographs

Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
 Dept: Reference Products Phone: Phone: (200)774-2731  
 Address: 2620 Walnut Ave. Contact: Eric Exton  
 Suite A Days: M-F Hours: 08:30-05:30  
 City: Tustin Procedure: Order products online.  
 State: Cali Zip: 92780 Years:  
 Cross Street: Last Updated 8/15/2008 Cost: 79 Per: RecCheck  
 Other: Aerials, Topos, Radius Searches, Soil info, Regional radon info, FEMA Q3 Data. See RecCheck report for aerial and topo coverage

Building Permits/Plans (Original Planning)

Agency: Garden Grove City Hall Phone: (714)741-5000 Fax: (714)741-5205  
 Dept: Building Services/Central Records Phone: (714)741-5307 Fax:  
 Address: 11222 Acacia Parkway Contact: Diana Fellows 741-5580  
 First Floor Days: M-TH Hours: 07:30-05:30  
 City: Garden Grove Procedure: Call to make an appt.  
 State: Cali Zip: 92840 Years: 1956-  
 Cross Street: GG Blvd & Euclid Last Updated 2/1/2007 Cost: Per:  
 Other: Building Permits/Plans. Open alternating Fridays 7:30-5. Must have exact address. Need to make appt to review records.

Fire Department (Local)

Agency: Garden Grove Fire Department Phone: (714)741-5600 Fax: (714)741-5640  
 Dept: Phone: (714)741-5630 Fax:  
 Address: 11301 Acacia Parkway Contact: Valerie Thorpe  
 P.O. Box 3070 Days: M-TH Hours: 07:30-11:30  
 City: Garden Grove Procedure: Fax form  
 State: Cali Zip: 92842 Years:  
 Cross Street: Garden Grove Blvd. Last Updated 12/15/2008 Cost: 25 Per: Hour or address.  
 Other: Open every other Friday 8-5pm. UST & Hazmat files for city. Valerie will tell u if file exists before charging.

Fire Insurance Maps/Historical Maps

Agency: Los Angeles Public Library Phone: (213)228-7000 Fax: (213)228-7069  
 Dept: History/Genalogy Department Phone: (213)228-7400 Fax: (213)228-7409  
 Address: 630 West 5th Street Contact:  
 Lower Level 4 Days: M-TH Hours: 10:00-08:00  
 City: Los Angeles Procedure: Go in. View sanborns online with library card.  
 State: Cali Zip: 90071 Years:  
 Cross Street: Flower & Grand Last Updated 3/12/2008 Cost: Per:  
 Other: Directories and Sanborns; Add'l. hrs.: Fr-St 10-6, SU 1-5; Can view Sanborns for CA online w/library card; Rev. Dir. Database also online under "city directories"; Check for city coverage.

Flood Zone

Agency: Federal Emergency Management Agency Phone: (800)358-9616 Fax: (800)358-9620  
 Dept: FEMA Q3 Data Phone: Phone:  
 Address: 500 C Street, SW Contact:  
 City: Washington Days: Hours:  
 State: Cali Zip: 20472 Procedure: View online or in RecCheck.  
 Cross Street: Last Updated 5/9/2008 Cost: Per:  
 Other: FEMA flood data available digitally; view online or see ERS report.

**Appendix B**  
**Regulatory Agencies for Garden Grove**  
**Orange County, California**

Geology/Soil Type

Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
 Dept: Reference Products Phone: (800)774-2731 Fax: (200)774-2731  
 Address: 2620 Walnut Ave. Suite A Contact: Eric Exton  
 City: Tustin Days: M-F Hours: 08:30-05:30  
 State: Cali Zip: 92780 Procedure: Order products online.  
 Cross Street: Last Updated 8/15/2008 Cost: 79 Per: RecCheck  
 Other: Aerials, Topos, Radius Searches, Soil info, Regional radon info, FEMA Q3 Data. See RecCheck report for aerial and topo coverage

Oil and Gas Wells

Agency: California Div. of Oil & Gas - District #1 Phone: (714)816-6847 Fax: (714)816-6853  
 Dept: District #1 Phone: (714)816-7826 Fax:  
 Address: 5816 Corporate Avenue Suite 200 Contact: Dee Traylor  
 City: Cypress Days: M-F Hours: 08:00-05:00  
 State: Cali Zip: 90630 Procedure: View maps online. Call for other information.  
 Cross Street: Valley View Last Updated 2/13/2008 Cost: 1986-2004  
 Other: Supply Oil & Gas Field and Wildcat Maps for LA,SD,Orange,Riverside,SB,& Imperial counties. Contact Dee for records search on specific well.

Radon Level

Agency: California State Department of Health Services Phone: (916)445-4171 Fax:  
 Dept: Indoor Radon Program Phone: (916)449-5674 Fax:  
 Address: 1616 Capitol Ave, 2nd Floor P.O. Box 997413 Contact: George Faggella  
 City: Sacramento Days: M-F Hours: 08:00-05:00  
 State: Cali Zip: 95899 Procedure: Call or look up zip code online.  
 Cross Street: Last Updated 10/12/2007 Cost: 1990  
 Other: State Radon Offices/National Radon Proficiency Program. Per:

USGS/Topography/Geology Maps

Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
 Dept: Reference Products Phone: (800)774-2731 Fax: (200)774-2731  
 Address: 2620 Walnut Ave. Suite A Contact: Eric Exton  
 City: Tustin Days: M-F Hours: 08:30-05:30  
 State: Cali Zip: 92780 Procedure: Order products online.  
 Cross Street: Last Updated 8/15/2008 Cost: 79 Per: RecCheck  
 Other: Aerials, Topos, Radius Searches, Soil info, Regional radon info, FEMA Q3 Data. See RecCheck report for aerial and topo coverage



# CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>LISTED OCCURRENCE SUMMARY .....</b>	<b>3</b>
<b>SITE LOCATION TOPOGRAPHIC MAP .....</b>	<b>5</b>
<b>SITE LOCATION STREET MAP .....</b>	<b>6</b>
<b>1-MILE RADIUS STREET MAP W/OCCURENCES .....</b>	<b>7</b>
<b>1/4-MILE RADIUS STREET MAP W/OCCURRENCES .....</b>	<b>8</b>
<b>1-MILE TOPOGRAPHIC MAP W/OCCURRENCES .....</b>	<b>9</b>
<b>1/2-MILE RADIUS STREET MAP .....</b>	<b>10</b>
<b>LISTED OCCURRENCE DETAILS.....</b>	<b>11</b>
<b>RECORD SOURCES SEARCHED .....</b>	<b>14</b>
<b>OCCURRENCES NOT MAPPED .....</b>	<b>30</b>
<b>DISCLAIMER, LIMITS AND LIABILITIES.....</b>	<b>31</b>

## EXECUTIVE SUMMARY

### INFORMATION ON THE REQUESTED LOCATION

<b>Site Address:</b>	12252 Harbor Blvd. Garden Grove, CA 92840
<b>Client Project Number:</b>	6939
<b>Coordinates:</b>	N 33-47-8, W 117-54-52 (NAD 83)
<b>ERS Project Number:</b>	2104624096
<b>Subject Site Listed on the following lists:</b>	Not Listed
<b>Subject Site Listed as Map ID#:</b>	N/A
<b>USGS 7.5 Minute Quad Map:</b>	Anaheim
<b>Township, Section and Range:</b>	Township: 04S Range: 10W Section: 34 Baseline: San Bernardino
<b>Site Elevation: (feet above mean sea level)</b>	114
<b>Flood Zone: (FEMA Q3 Digital Data)</b>	Panel: 06059C0020E Zone A - Areas of 100-year flooding
<b>Fire Insurance Map Coverage:</b>	No
<b>Date of Report</b>	August 6, 2009

Soil Type: (USGS STATSGO Data)	
BEACHES 1% to 5% slopes, 1% of total	CHINO 0% to 2% slopes, 3% of total
CHINO 0% to 2% slopes, 2% of total	CROPLEY 2% to 5% slopes, 6% of total
DELHI 0% to 2% slopes, 1% of total	DIABLO 4% to 9% slopes, 1% of total
ELDER 0% to 2% slopes, 1% of total	GREENFIELD 2% to 5% slopes, 2% of total
HANFORD 0% to 2% slopes, 17% of total	HANFORD 2% to 5% slopes, 2% of total
HUENEME 0% to 2% slopes, 1% of total	METZ 0% to 2% slopes, 2% of total
RAMONA 2% to 5% slopes, 2% of total	RIVERWASH 0% to 2% slopes, 1% of total
SORRENTO 0% to 2% slopes, 2% of total	SORRENTO 0% to 2% slopes, 7% of total
SORRENTO 0% to 2% slopes, 2% of total	TUJUNGA 0% to 2% slopes, 2% of total
TUJUNGA 0% to 2% slopes, 1% of total	URBAN LAND 0% to 2% slopes, 43% of total
BEACHES 1% to 5% slopes, 1% of total	

In-House Aerial Photos or Historical Topo Maps	
1994 Aerial File:FSXL3124 Rank: 4	1932 USGS Map File:30D0132_AJC Rank: 4
1963 Aerial File:28D63031053 Rank: 2	1963 Aerial File:28D63031054 Rank: 2
1963 Aerial File:28D63031064 Rank: 1	1963 Aerial File:28D63031065 Rank: 3
1963 Aerial File:28D63031066 Rank: 1	5/23/38 Aerial File:19D38OC0132 Rank: 2
5/23/38 Aerial File:19D38OC0145 Rank: 4	6/22/38 Aerial File:27D38OC1781 Rank: 3
6/22/38 Aerial File:27D38OC1782 Rank: 1	6/22/38 Aerial File:27D38OC1784 Rank: 2
6/22/38 Aerial File:27D38OC1785 Rank: 1	

### KEY TO AERIAL RANK OR HISTORICAL TOPO MAPS

Rank:	Description:
4	The subject site located near center of Aerial or Topographical map.
3	The subject site located towards edge of Aerial or Topographical map.
2	The subject site is likely covered and located near outer edge of Aerial or Topographical map.
1	The subject site is likely covered and located near outer corner of Aerial or Topographical map.

Radon
For County: 0.5% of homes predicted to be over 4 Pico Curies/Liter
For zip code 92840
Number of tests per zip code: 1
Number of tests where radon is > 4 pCi/L: 0
Percentage of test where radon is > 4 pCi/L: 0.00%

### HIGH RISK\* OCCURRENCES FOUND IN REQUESTED SEARCH RADIUS

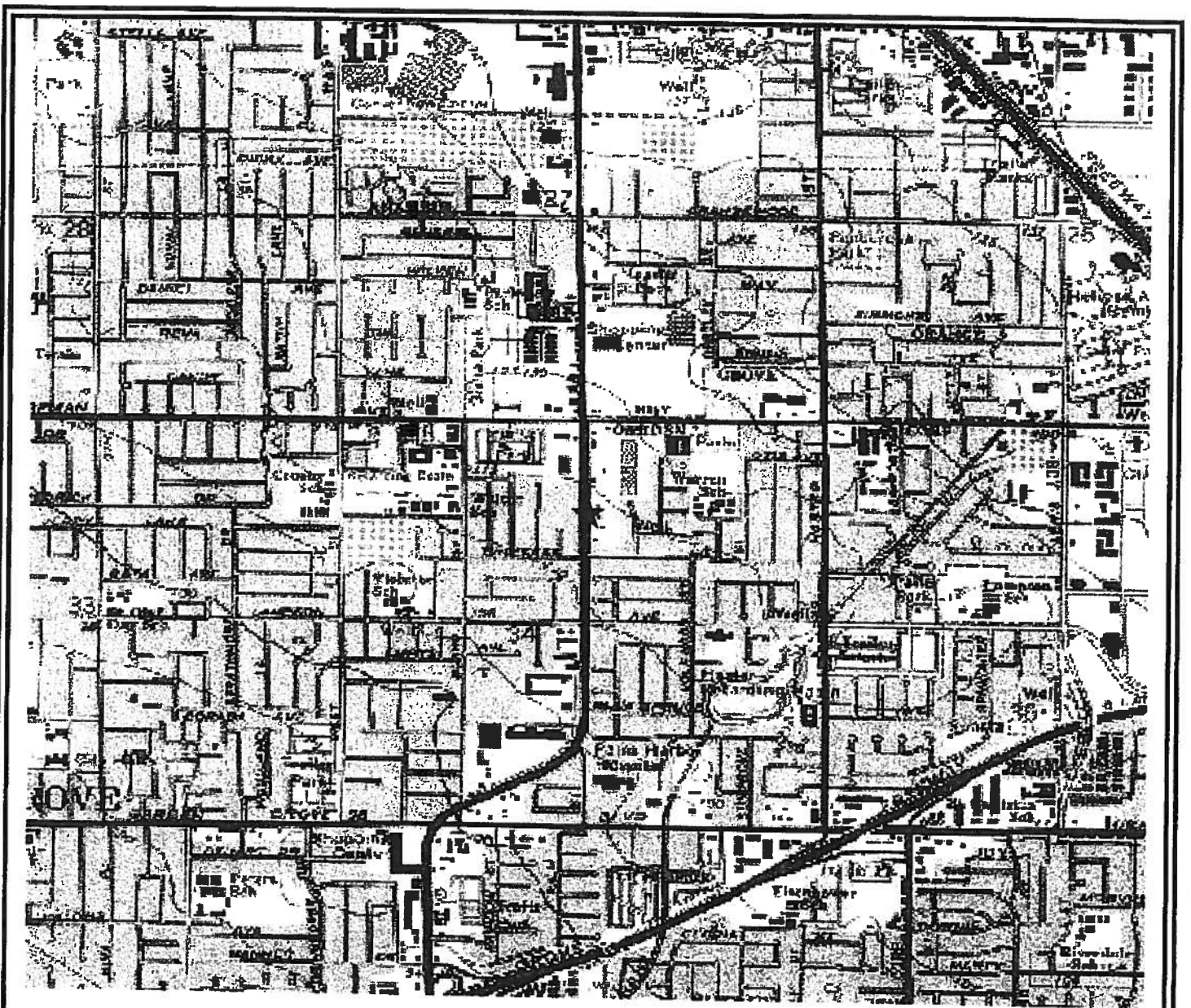
LIST SEARCHED	DISTANCE SEARCHED (IN MILES)	OCCURRENCES FOUND
NPL	1	0
Cal Superfund Active	1	0
Cal State Response Active	1	0
CERCLIS	0.5	0
Cal Military Active	1	0
LUST-Open	0.5	1
Cal VCP Active	0.5	0
SLIC-Open	0.5	0
Cal School Active	0.5	0
Cal Eval-Hist	0.5	0

\* For the purposes of this report, "high risk" occurrences are those that have known contamination and have not received a "case closed" or "no further action" status from the agency that maintains the records.

### LISTED OCCURRENCE SUMMARY

LIST SEARCHED	DISTANCE SEARCHED	0.125	0.25	0.5	1.0	TOTAL
NPL	1	0	0	0	0	0
Cal Superfund Active	1	0	0	0	0	0
Cal State Response Active	1	0	0	0	0	0
CERCLIS	0.5	0	0	0	-	0
Cal Military Active	1	0	0	0	0	0
LUST-Open	0.5	0	0	1	-	1
Cal VCP Active	0.5	0	0	0	-	0
SLIC-Open	0.5	0	0	0	-	0
Cal School Active	0.5	0	0	0	-	0
Cal Superfund Other	1	0	0	0	0	0
Cal State Response Other	0.5	0	0	0	-	0
Cal School Other	0.5	0	0	0	-	0
Cal VCP Other	0.5	0	0	0	-	0
Cal Military Other	1	0	0	0	0	0
Cal Eval-Hist	0.5	0	0	0	-	0
SWIS	0.5	0	0	1	-	1
Cal Superfund NFA	1	0	0	0	0	0
RCRA-COR	1	0	0	0	0	0
Cal VCP NFA	0.5	0	0	0	-	0
RCRA-TSD	0.5	0	0	0	-	0
Controls-CA	0.5	0	0	0	-	0
Cal State Response NFA	0.5	0	0	0	-	0
Cal Military NFA	0.5	0	0	0	-	0
Cal School NFA	0.5	0	0	0	-	0
Cal Eval-Hist	0.5	0	0	0	-	0

NFA						
Tribal-LUST-Closed	0.5	0	0	0	-	0
Tribal-UST	0.125	0	-	-	-	0
Tribal-LUST-Open	0.5	0	0	0	-	0
OGW	0.25	0	0	-	-	0
ERNS	0.125	0	-	-	-	0
CERCLIS-Archived	0.5	0	0	0	-	0
LUST-Closed	0.5	0	1	1	-	2
SLIC-Closed	0.5	0	0	0	-	0
UST	0.125	0	-	-	-	0
Hist-UST	0.125	0	-	-	-	0
RCRA	0.125	0	-	-	-	0
HWIS-CA	0.125	0	-	-	-	0



**SITE LOCATION TOPOGRAPHIC MAP**

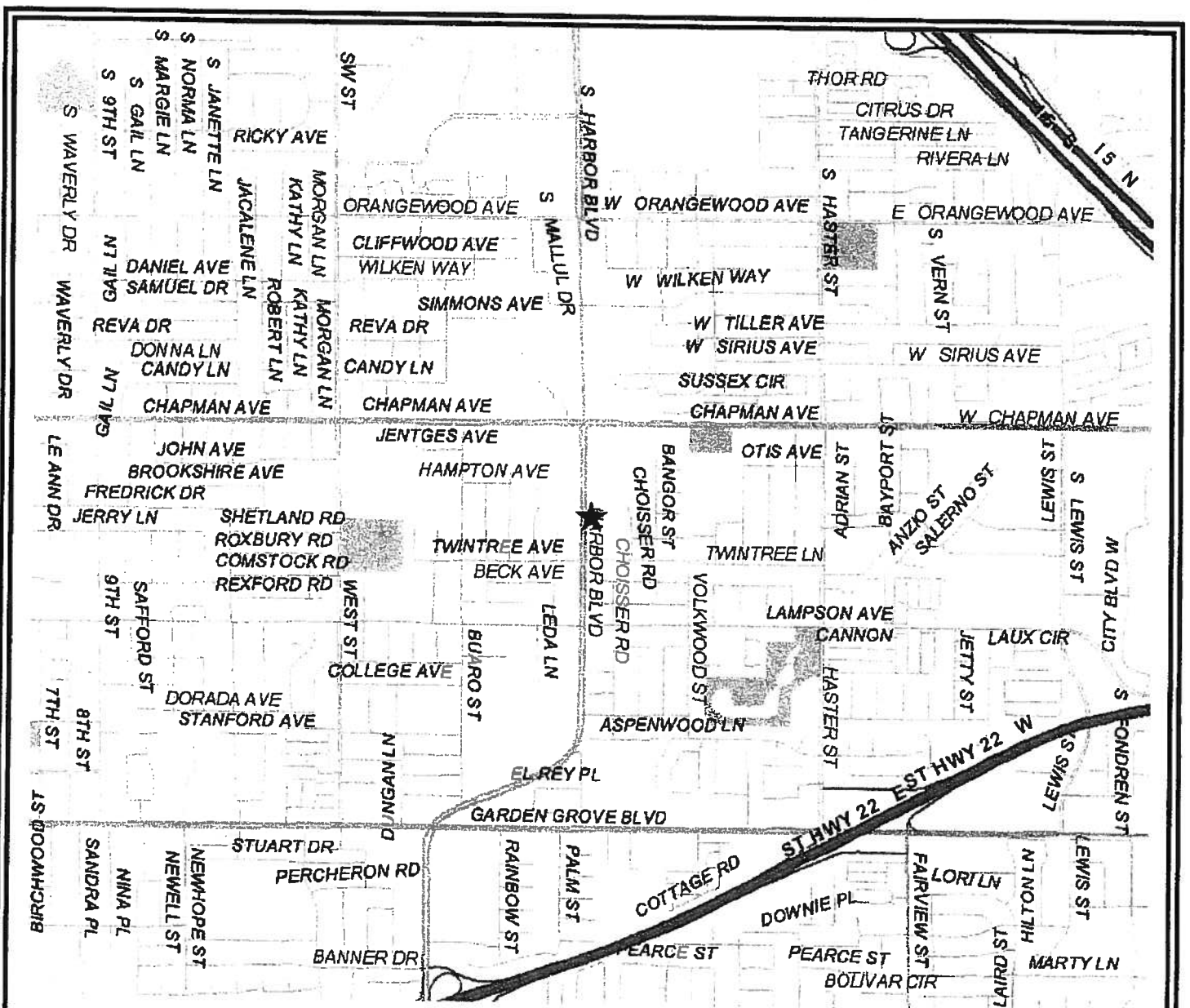
U.S. Geological Survey, Anaheim Quadrangle  
 7.5 Minute Series, Approximate Scale: 1: 24000



PHASE ONE INC.

12252 Harbor Blvd.  
 Garden Grove, CA 92840

FIGURE: 1  
 JOB: 6939  
 DATE: 8/7/2009



**SITE LOCATION STREET MAP**

Approximate Scale: 1: 24000



PHASE ONE INC.

12252 Harbor Blvd.  
Garden Grove, CA 92840

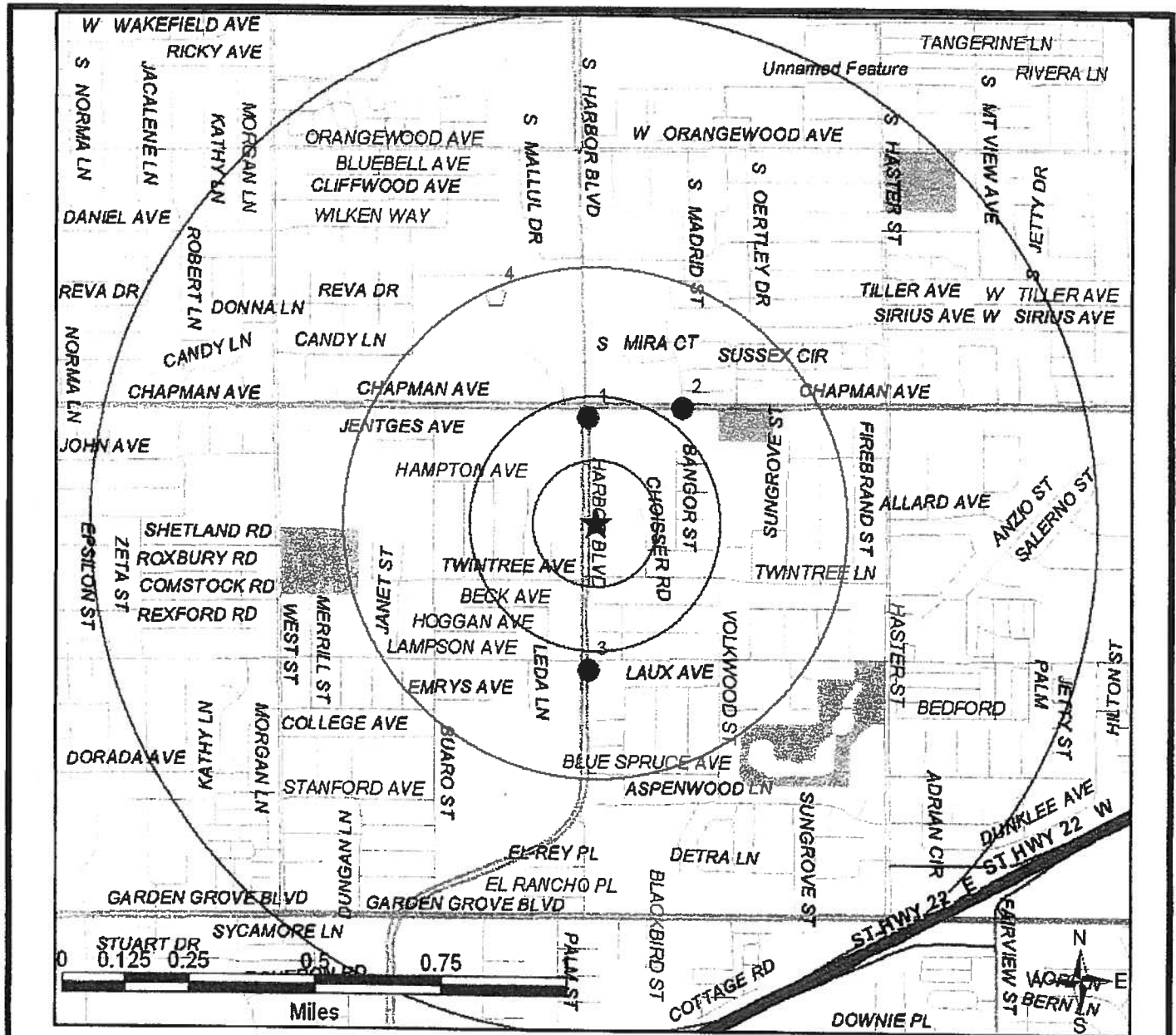
FIGURE:

JOB: 6939

DATE: 8/7/2009



# 1-MILE RADIUS STREET MAP W/OCCURENCES



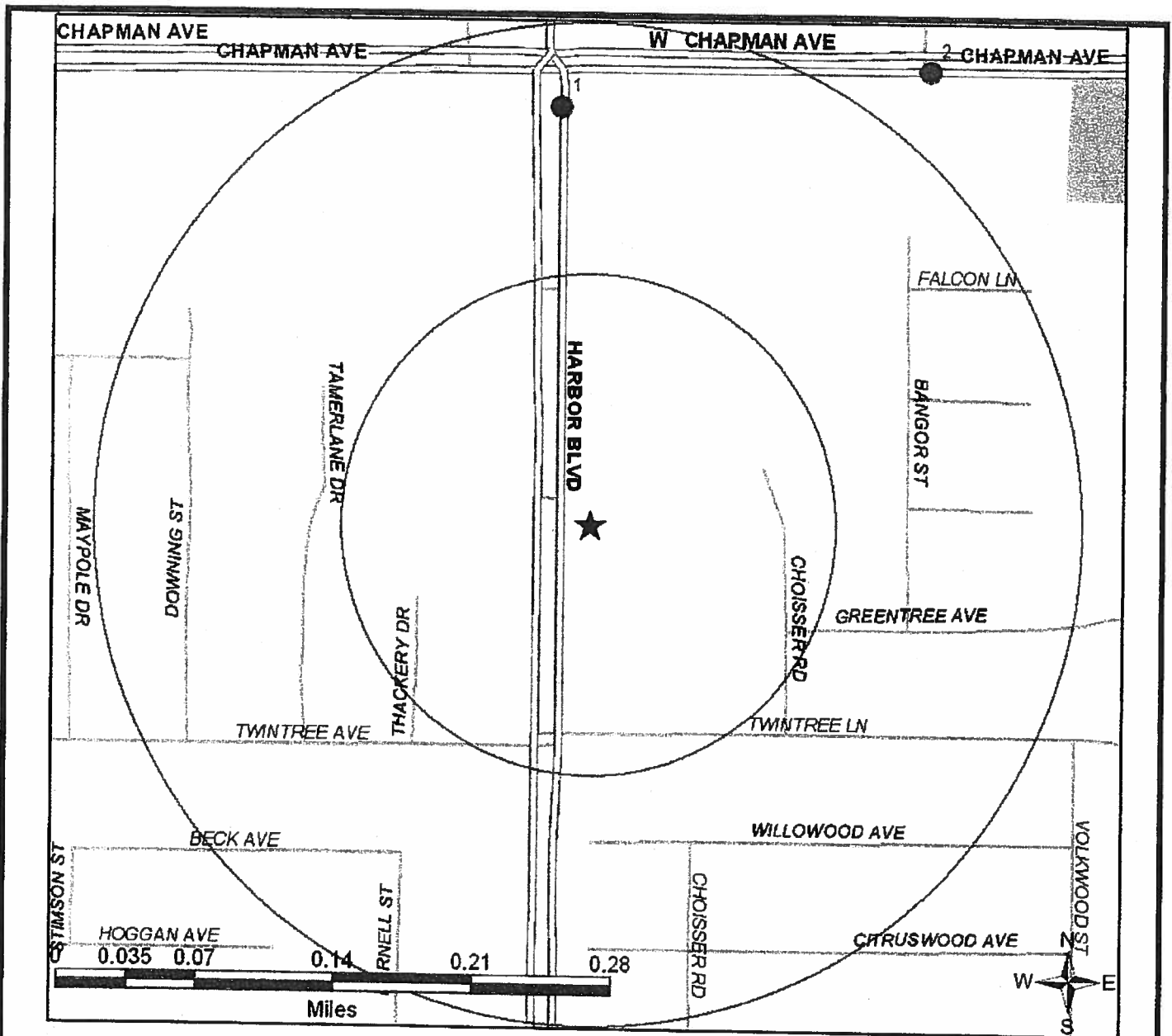
## Legend

- |                             |                            |                          |                      |               |
|-----------------------------|----------------------------|--------------------------|----------------------|---------------|
| ● Cal Superfund Active      | ▲ SLIC-Open                | □ SWS                    | ● Cal Military NFA   | ● LUST-Closed |
| ◆ NPL                       | ○ Cal Superfund Other      | ● Cal Superfund NFA      | ● Cal School NFA     | ▲ SLIC-Closed |
| ● CERCLIS                   | ● Cal School Active        | ▲ RCRA-COR               | ○ Tribal-LUST-Closed | ● UST         |
| ● Cal State Response Active | ○ Cal State Response Other | ● Cal VCP NFA            | ● Tribal-LUST        | ● Hist-UST    |
| ● Cal Military Active       | □ Cal VCP Other            | ▲ RCRA-TSD               | ○ Tribal-LUST-Open   | ■ RCRA        |
| ● LUST-Open                 | ○ Cal Military Other       | □ Controls-CA            | ⊕ OGW                | ⚡ HWS-CA      |
| ● Cal VCP Active            | ⊞ Cal School Other         | ● Cal State Response NFA | ▲ ERNS               |               |
|                             | ● Cal Eval-Hist            | ● Cal Eval-Hist NFA      | ● CERCLIS-Archived   |               |

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.



# 1/4-MILE RADIUS STREET MAP W/OCCURRENCES

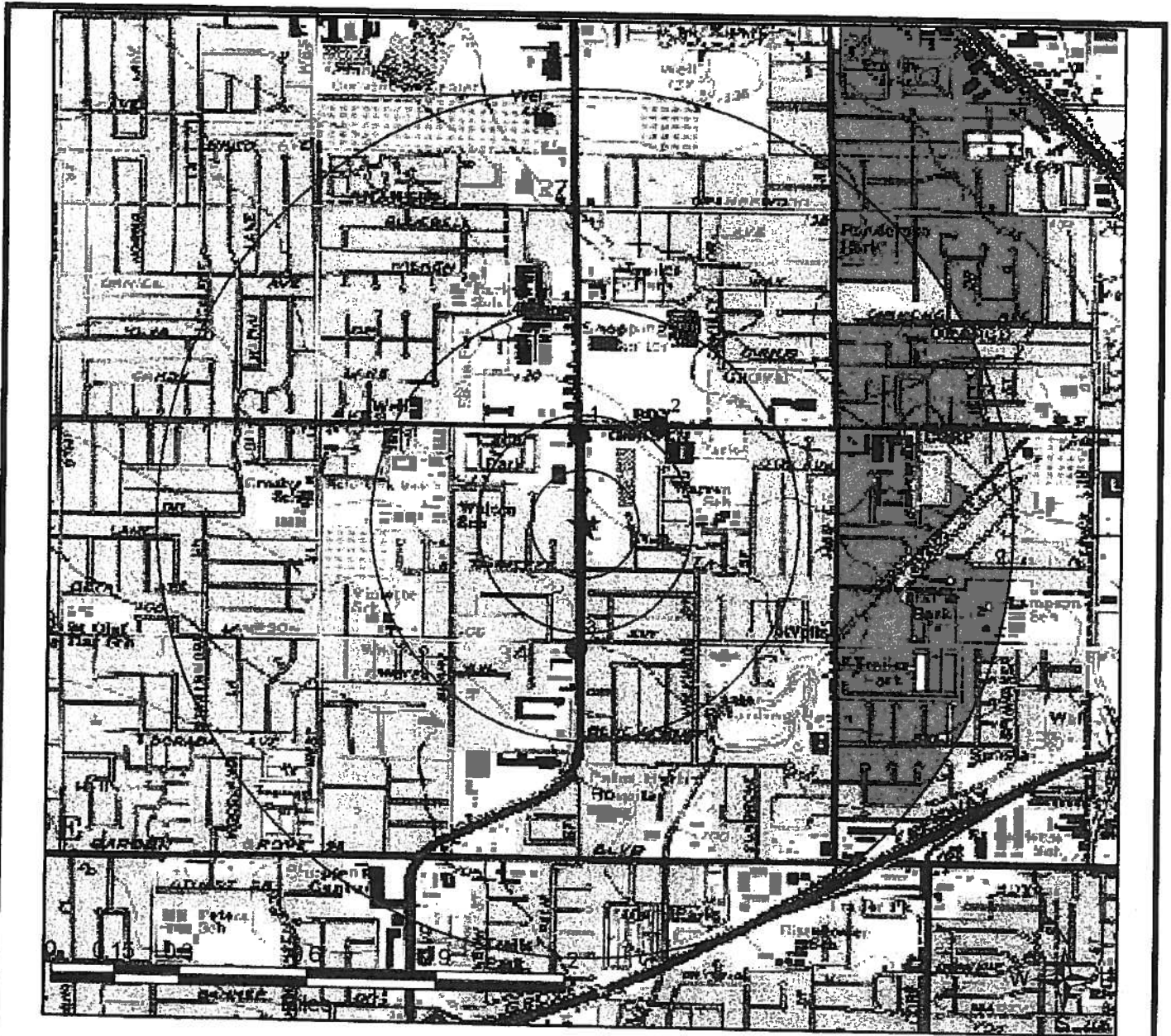


## Legend

- |                             |                            |                          |                      |               |
|-----------------------------|----------------------------|--------------------------|----------------------|---------------|
| ● Cal Superfund Active      | ▲ SLIC-Open                | ⬜ SWS                    | ● Cal Military NFA   | ● LUST-Closed |
| ◆ NPL                       | ○ Cal Superfund Other      | ● Cal Superfund NFA      | ● Cal School NFA     | ▲ SLIC-Closed |
| ● CERCLIS                   | ● Cal School Active        | ▲ RCRA-COR               | ⬜ Tribal-LUST-Closed | ● UST         |
| ● Cal State Response Active | ○ Cal State Response Other | ● Cal VCP NFA            | ● Tribal-UST         | ● Hist-UST    |
| ● Cal Military Active       | ⬜ Cal VCP Other            | ⬜ RCRA-TSD               | ⬜ Tribal-LUST-Open   | ■ RCRA        |
| ● LUST-Open                 | ○ Cal Military Other       | ⬜ Controls-CA            | ⊕ OGW                | ⚓ HMS-CA      |
| ● Cal VCP Active            | ⊞ Cal School Other         | ● Cal State Response NFA | ⚠ ERNS               |               |
|                             | ● Cal Eval-Hist            | ● Cal Eval-Hist NFA      | ● CERCLIS-Archived   |               |

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.

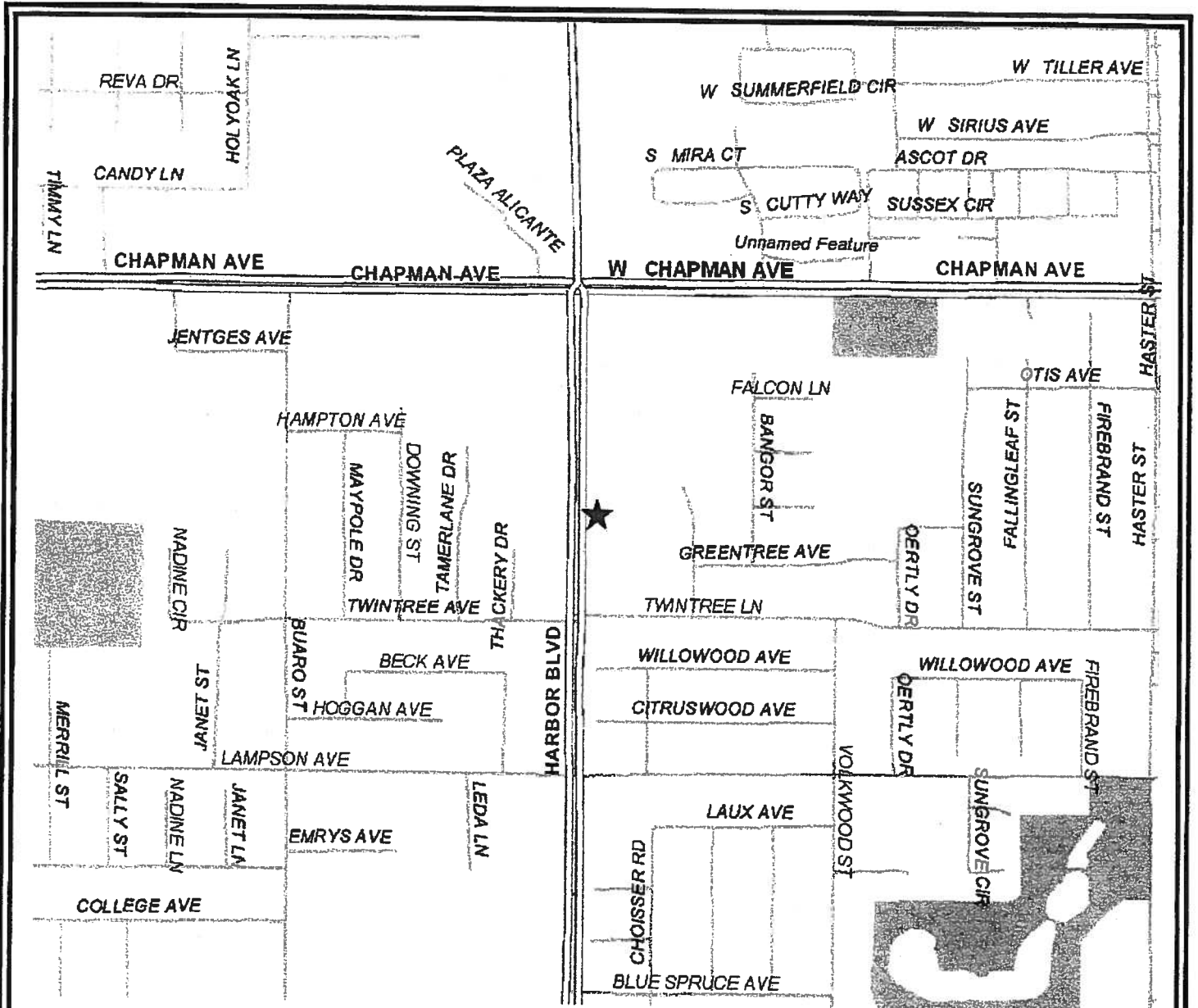
# 1-MILE TOPOGRAPHIC MAP W/OCCURRENCES



## Legend

- |                             |                            |                          |                     |               |
|-----------------------------|----------------------------|--------------------------|---------------------|---------------|
| ● Cal Superfund Active      | ▲ SLIC-Open                | ◊ SWIS                   | ● Cal Military NFA  | ● LUST-Closed |
| ◆ NPL                       | ○ Cal Superfund Other      | ● Cal Superfund NFA      | ● Cal School NFA    | ▲ SLIC-Closed |
| ● CERCLIS                   | ● Cal School Active        | ▲ RCRA-COR               | ◊ Triba-LUST-Closed | ● UST         |
| ● Cal State Response Active | ◊ Cal State Response Other | ● Cal VCP NFA            | ◊ Triba-LUST-Open   | ● Hist-UST    |
| ● Cal Military Active       | ○ Cal VCP Other            | ◊ RCRA-TSD               | ○ OGW               | ■ RCRA        |
| ● LUST-Open                 | ○ Cal Military Other       | □ Controls-CA            | △ ERNS              | ⚓ HWIS-CA     |
| ● Cal VCP Active            | ⊕ Cal School Other         | ● Cal State Response NFA | ● CERCLIS-Archived  |               |
|                             | ● Cal Eval-Hist            | ● Cal Eval-Hist NFA      |                     |               |

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.



**1/2-MILE RADIUS STREET MAP**

Showing all Street Names  
 Within a 1/2-mile Radius  
 Approximate Scale: 1: 7000



PHASE ONE INC.

12252 Harbor Blvd.  
 Garden Grove, CA 92840

FIGURE:

JOB: 6939

DATE: 8/7/2009

## LISTED OCCURRENCE DETAILS

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Closed	Case Closed	0.21 miles N	118 ft (4 ft higher than site)	<b>1</b>
<b>SITE NAME</b>				<b>AGENCY ID#</b>
UNOCAL #3746				T0605901645
<b>ADDRESS</b>			<b>CITY</b>	<b>ZIP</b>
12002 HARBOR			GARDEN GROVE	92640
<b>DETAILS</b>				
<p>Case Number: 083002246T  Lead Agency: LOCAL AGENCY  Local Case Number: 93UT075  Discovered: 1993-06-22  Stop Date: 9999-09-09  Case Closed: 1997-06-11  Case Type: Soil only affected  Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded &amp; unleaded"  HOWDISCOVER: TC  HOWSTOPPED: CT  LEAKCAUSE: U  LEAKSOURCE: U  REPORTDATE: 1993-06-22 00:00:00  COUNTY: 30  REGBOARD: 08  STATUS: 9  SUB: 8006619  RP: MARCIA BAVERMAN  RADDRESS: P O BOX 7600  PROGRAM: LUST  MTBECNTS: 0  MTBEFUEL: 1  MTBE_TESTED: NT  STAFF: NOM  LSTAFF: SS  LEADAGENCY: L  LOCLAGENCY: 30000L  BENEFICIAL_USE: MUN  SUBQTY: 0  DISTANCE: 0  MTBECLASS: *</p>				

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Closed	Case Closed	0.27 miles NE	121 ft (7 ft higher than site)	<b>2</b>
<b>SITE NAME</b>				<b>AGENCY ID#</b>
4-DAY TIRE STORE				T0605901313
<b>ADDRESS</b>			<b>CITY</b>	<b>ZIP</b>
12602 CHAPMAN			GARDEN GROVE	92640

**DETAILS**

Case Number: 083001746T  
 Lead Agency: LOCAL AGENCY  
 Local Case Number: 91UT015  
 Discovered: 1991-01-09  
 Stop Date: 9999-09-09  
 Case Closed: 1998-03-18  
 Case Type: Soil only affected  
 HOWDISCOVER: TC  
 HOWSTOPPED: CT  
 LEAKCAUSE: U  
 LEAKSOURCE: U  
 REPORTDATE: 1991-01-09 00:00:00  
 COUNTY: 30  
 REGBOARD: 08  
 STATUS: 9  
 SUB: 12034,800661  
 RP: JOHN SIMONS  
 RADDRESS: 220 CONGRESS PARK DRIVE  
 PROGRAM: LUST  
 MTBECNTS: 0  
 MTBEFUEL: 0  
 MTBE\_TESTED: NRQ  
 STAFF: VJB  
 LSTAFF: SS  
 LEADAGENCY: L  
 LOCLAGENCY: 30000L  
 BENEFICIAL\_USE: MUN  
 SUBQTY: 0  
 DISTANCE: 0  
 MTBECLASS: \*

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Open	Remediation Underway	0.29 miles S	108 ft (6 ft lower than site)	<b>3</b>
SITE NAME				AGENCY ID#
ARCO #5202				T0605901648
ADDRESS			CITY	ZIP
12502 HARBOR			GARDEN GROVE	92840

**DETAILS**

Case Number: 083002249T  
 Lead Agency: LOCAL AGENCY  
 Local Case Number: 93UT047  
 Discovered: 1993-05-20  
 Stop Date: 9999-09-09  
 Leak Confirmed: 1993-03-25  
 Preliminary Site Assessment Workplan Submitted: 1993-05-20  
 Preliminary Site Assessment Underway: 1993-09-01  
 Pollution Characterization Underway: 1993-12-10  
 Remediation Workplan (Corrective Action Plan) Submitted: 1999-11-10  
 Remediation Underway: 2003-02-18  
 Case Type: Other Groundwater affected (uses other than drinking water)  
 Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"  
 Field Points: B-10 ,B-11 ,B-12 ,B-13 ,B-3 ,B-5 ,B-6 ,B-7 ,B-8 ,B-9 ,CPT-1d ,CPT-1s ,CPT-4d ,CPT-4s ,QCTB ,SV-2d ,SV-2s  
 ENFRCTYPE: SEL  
 HOWDISCOVER: UM  
 HOWSTOPPED: RPP  
 LEAKCAUSE: U  
 LEAKSOURCE: D  
 REPORTDATE: 1993-05-20 00:00:00  
 COUNTY: 30  
 REGBOARD: 08  
 STATUS: 7  
 SUB: 8006619  
 RP: BOBBY LU  
 RPADDRESS: 6 CENTERPOINTE DRIVE  
 PROGRAM: LUST  
 MTBECNTS: 0  
 MTBEFUEL: 1  
 MTBE\_TESTED: YES  
 STAFF: VJB  
 LSTAFF: KL  
 LEADAGENCY: L  
 LOCLAGENCY: 30000L  
 BENEFICIAL\_USE: MUN  
 SUBQTY: 0  
 DISTANCE: 0  
 MTBECLASS: \*

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
SWIS	Listed	0.47 miles NW	121 ft (7 ft higher than site)	<b>4</b>
<b>SITE NAME</b>				<b>AGENCY ID#</b>
Longsdon Pit North				30-AB-0359
<b>ADDRESS</b>			<b>CITY</b>	<b>ZIP</b>
Harbor Blvd And Chapman			Garden Grove	
<b>DETAILS</b>				
Land Use: Residential,Commercial				



# ***PHASE I ENVIRONMENTAL SITE ASSESSMENT***

**FOR  
GARDEN GROVE AGENCY FOR  
COMMUNITY DEVELOPMENT**

**CC CAMPERLAND RV PARK  
12262-1296 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA 92840**

**REPORT DATE: JUNE 2010**



## ***PHASE ONE INC.***

**THE NATIONWIDE ENVIRONMENTAL SPECIALISTS**

***"Setting the Due Diligence Industry Standard"***

# *PHASE ONE* INC.

---

NATIONWIDE ENVIRONMENTAL SPECIALISTS

June 18, 2010

Carlos Marquez  
Garden Grove Agency for Community Development  
11222 Acadia Parkway, 3<sup>rd</sup> Floor  
Garden Grove, CA 92840

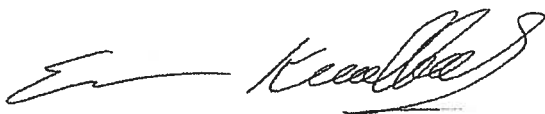
RE: Phase I Environmental Site Assessment Report  
Subject Site Location: 12262, 12272, 12282-12296 Harbor Boulevard, Garden Grove, CA  
*PHASE ONE INC.* Project No. 6995

Dear Mr. Marquez:

Enclosed with this letter are copies of the Phase I Environmental Site Assessment Report completed by *PHASE ONE INC.* for the site referenced above. As you will note in the report, our conclusions regarding the environmental condition of the site are summarized both in Section 1.0, *Executive Summary*, and Section 6.0, *Conclusions and Recommendations*.

Please don't hesitate to contact us should you have any questions regarding the environmental assessment, or if we can be of additional assistance. We look forward to working with you again in the future.

Sincerely,



Eric Kieselbach  
President

Enclosure



**PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT**

**CC CAMPERLAND RV PARK  
12262, 12272 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA 92840**

PROJECT NO.6995

BY

***PHASE ONE INC.***  
2620 Walnut Avenue, Suite A  
Tustin, CA 92780  
(800) 524-8877

THIS REPORT WAS PREPARED FOR THE SOLE USE AND BENEFIT OF OUR CLIENT, GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT, AND IS BASED, IN PART, UPON DOCUMENTS, WRITINGS, AND INFORMATION OWNED AND POSSESSED BY OUR CLIENT. NEITHER THIS REPORT, NOR ANY OF THE INFORMATION CONTAINED HEREIN, SHALL BE USED OR RELIED UPON FOR ANY PURPOSE BY ANY PERSON OR ENTITY OTHER THAN OUR CLIENT. ALL STANDARD TERMS, CONDITIONS, AND LIMITATIONS BY ***PHASE ONE*** INC. APPLY AT ALL TIMES AND FOR THIS REPORT AND ALL REPORTS ISSUED BY ***PHASE ONE*** INC.

## TABLE OF CONTENTS

### **SECTION 1.0 EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS**

- 1.1 FINDINGS
- 1.2 CONCLUSIONS SUMMARY
- 1.3 SITE FACTS
- 1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527
- 1.5 NON-SCOPE ISSUES

### **SECTION 2.0 INTRODUCTION**

- 2.1 PURPOSE OF A PHASE I ESA
- 2.2 SCOPE OF WORK
  - 2.2.1 Site Description
  - 2.2.2 Site Reconnaissance
  - 2.2.3 Review of Historical Information
  - 2.2.4 Interviews
  - 2.2.5 Conclusions and Recommendations
- 2.3 INTERPRETATION OF THE REPORT

### **SECTION 3.0 SITE DESCRIPTION AND RECONNAISSANCE**

- 3.1 SITE PHOTOGRAPHS
- 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS
- 3.3 EXISTING STORAGE TANKS
- 3.4 PREVIOUSLY EXISTING STORAGE TANKS
- 3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING
- 3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE
  - 3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)
  - 3.6.2 Details of Specific Hazardous Substances Sampling/Observations
- 3.7 POLYCHLORINATED BIPHENYLS (PCBS)
- 3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES
- 3.9 SURFACE CONDITIONS
- 3.10 STRESSED VEGETATION
- 3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE
- 3.12 OTHER ENVIRONMENTAL CONDITIONS
- 3.13 VISUAL OBSERVATIONS, ADJOINING SITES

### **SECTION 4.0 REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS**

- 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW
- 4.2 HISTORICAL MAP REVIEW
- 4.3 AGENCY CONTACTS (RECORDS SEARCH)
  - 4.3.1 Building Department Records
  - 4.3.2 Water Quality Agency Records

- 4.3.3 Oil and Gas Agency Records or Maps
- 4.3.4 Other Pertinent Records<sup>3</sup>
- 4.4 REVIEW OF ENVIRONMENTAL RECORDS SEARCH
- 4.5 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW
- 4.6 ADDITIONAL ENVIRONMENTAL DOCUMENTS
- 4.7 HISTORICAL SITE USE
- 4.8 IDENTIFICATION OF HISTORICAL DATA GAPS
- 4.9 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)

## **SECTION 5.0 INTERVIEWS**

- 5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS
- 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

## **SECTION 6.0 CONCLUSIONS AND RECOMMENDATIONS**

- 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS
- 6.2 *DE MINIMIS* OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS

## **SECTION 7.0 LIMITATIONS**

## **SECTION 8.0 FIGURES**

## **SECTION 9.0 APPENDICES**

- Appendix A Site Photographs
- Appendix B Summary of Agency Contacts
- Appendix C Copies of Records
- Appendix D One-Mile Radius Regulatory Database Report
- Appendix E Sampling and Analysis Documents
- Appendix F Interview Notes
- Appendix G Miscellaneous Information
- Appendix H References
- Appendix I Resumes
- Appendix J Environmental Acronyms and Definitions

## SECTION 1.0

### EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS

#### 1.1 FINDINGS

This report presents the results of the Phase I Environmental Site Assessment conducted by **PHASE ONE INC.** at 12262, 12272, 12282-12296 Harbor Boulevard, Garden Grove, California (see Figure 1, *Site Location Map*). The Phase I assessment was undertaken at the request of Carlos Marquez, Garden Grove Agency for Community Development, in accordance with **PHASE ONE INC.**'s *Standard Terms and Conditions*, as outlined in **PHASE ONE INC.**'s *Letter of Intent/Authorization* for Project N° 6995. The findings and conclusions of this investigation are based upon a review of historic site-use activities, contact with and records from governmental regulatory agencies, regulatory database searches, as well as a site reconnaissance and interviews with the client, site personnel, and possibly others who may have knowledge of various aspects of the subject site.

At the time of this assessment, the site consisted of approximately 1.56 acres of developed land occupied by CC Camperland (an RV Park), and a commercial building occupied by four tenants. Information gathered in the course of this assessment indicates that the subject site is currently owned by Richard Kil.

The principal findings of **PHASE ONE INC.**'s Phase I Environmental Site Assessment for this site are as follows:

The subject site is currently affected by

- One recognized environmental condition(s) (REC); and
- One *de minimis*, or historical recognized environmental condition(s).
- The potential for soil or groundwater contamination of the subject property from either on or off-site sources appears to be low.
- Given the findings and conclusions of **PHASE ONE INC.**'s Phase I Environmental Site Assessment, further investigation is recommended at this time.
- **PHASE ONE INC.** has performed this Phase I Environmental Site Assessment of the subject site in conformance with the scope and limitations of the Environmental Protection Agency, Standards and Practices for All Appropriate Inquiries, 40 CFR Part 312 and the standard practice set forth in the American Society for Testing and Materials (ASTM) Designation: E1527-05, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." Any exceptions to, or deletions from, these practices are described in Section 1.4 of this report.

- This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for those listed in Section 1.2.

## 1.2 CONCLUSIONS SUMMARY

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following recognized environmental condition(s):

### RECOGNIZED ENVIRONMENTAL CONDITION(S)

Condition #	Location	Description of Condition
1	Subject Site	Based on a review of aerial photographs, it appears that the site was used for agricultural purposes in the past. The concern exists that agricultural chemicals remain in near surface soils and that site occupants may be exposed to these chemicals.

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions and the estimated costs of completing any recommended next-step action. **PHASE ONE INC.** classifies a recognized environmental condition, per the ASTM Standard E 1527-00 definition, as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the subject property.

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following *de minimis* or historical recognized environmental conditions:

### DE MINIMIS, OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITION(S)

Condition #	Location	Description of Condition	Condition
2	Central, East Side of Property	A pole-mounted transformer was observed. Given the pre-1979 date of development of the subject site, the presence of fluids containing polychlorinated biphenyls (PCBs) in the transformer is possible. No leakage or staining was visible on or around the transformer.	<i>De minimis</i>

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions. **PHASE ONE INC.** classifies an environmental condition as a *de minimis* (potential or possible) condition when it appears to pose no immediate threat to the subject site and/or requires no immediate action given the current knowledge of site conditions. This condition with time, groundwater movement, demolition or other disturbances, or sometimes with the acquisition of further information, may come to pose a long-term, immediate or chronic environmental risk; and/or this condition may appear to have a negligible monetary/physical impact on the subject property, and therefore, does not require additional investigation at this time. **PHASE ONE INC.** classifies a historical recognized environmental condition as an issue which was considered a recognized environmental condition in the past, but is no longer considered a recognized environmental condition as a result of prior investigation and/or mitigation.

## 1.3 SITE FACTS

Current Owner(s): Richard Kil

Current Use: RV Park, commercial businesses (12262, office/RV Park); 12282, Crystal Nails; 12286, Smoke Shop; 12292, Ricardo's Hair Salon; 12296, Immigration Services

Current Occupants: Campers; Nail salon, hair salon, tobacco shop, office for immigration services

Total # of Existing Buildings: 2 (Building 1, office, washrooms, laundry; Building 2, stores/retail/office)

Total Sq. Ft. of Buildings: ~ 5,000

Date Oldest Building was Built: 1960

Total # of Units: 1

Total # of Units Visually Inspected: All

Specific Units Inspected: All

The subject site obtains its potable water from municipal sources.

The subject site disposes of its sewage through use of the local municipal sewage system.

The subject buildings are not heated and/or cooled by a heating and air-conditioning system.

Site Contact: Richard Kil, CC Camperland RV Park

Field Assessor: Eric Kieselbach

Report Writer: Eric Kieselbach

Address(es) Provided by Client: 12262-12272 Harbor Boulevard, Garden Grove, California

Additional/Previous Address(es): 12282-12286, 12292-12296

Total Acreage of Land: 1.56

Date of Site Reconnaissance: June 10, 2010

Total # of Wells (water, oil, gas, other) identified onsite: None

Areas/Units that were inaccessible to the *PHASE ONE* INC. field assessor: None

Were enough (units/offices/buildings/acres) inspected to ensure that the inspection was homogenous?  
Yes

Did the field assessor notice any unusual odors on or from the subject site or adjoining sites during the site reconnaissance? No

#### **1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527**

There are exceptions to ASTM E 1527. The exceptions are as follows:

It is unknown what the site use was prior to agriculture in 1938. It is likely that the agricultural use was its first development. It is our opinion that this data gap will most likely not affect the conclusions of this report.

#### **1.5 NON-SCOPE ISSUES**

According to client request, no other environmental issues that are "non-scope considerations" under ASTM E 1527-00 / ASTM E 1527-05, such as asbestos-containing materials, radon, lead-based paint, and lead in drinking water, were assessed.

## SECTION 2.0

### INTRODUCTION

#### 2.1 PURPOSE OF A PHASE I ESA

The purpose of this Phase I Environmental Site Assessment is to assess (1) the likelihood of contamination of the subject site as a result of either past or present land-use practices; and (2) the potential for future environmental contamination which may occur as a result of current conditions or operations and maintenance activities at either the subject site or properties adjoining the subject site, thereby identifying real or potential environmental or economic impact to the subject site. In this way, the client may satisfy a requirement to qualify for the innocent landowner defense to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability by completing "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial and customary practice." To meet these objectives, *PHASE ONE INC.* attempted to complete the tasks outlined in this section except as noted in Section 1.4.

#### 2.2 SCOPE OF WORK

The Scope of Work that has been followed for this assessment is identified in Section 1.1, Page 1-1.

##### 2.2.1 Site Description

Site photographs were taken during the site reconnaissance. The photographs and their summary descriptions can be found in **Appendix A**.

*PHASE ONE INC.* reviewed pertinent, reasonably ascertainable information on the soil types and groundwater conditions in the vicinity of the subject site. For the purposes of this assessment, the depth from the ground surface and the direction (or gradient) of the groundwater flow are of particular significance. Such findings are used by *PHASE ONE INC.* report writers, in conjunction with additional information about environmental conditions on nearby sites, to assess the risk that is faced by the subject site from off-site sources of contamination.

It should be noted that *PHASE ONE INC.*'s geological and hydrological research does not include investigation of seismological concerns (i.e., fault lines) that may affect the area of the subject site. Although the existence of faults in an area may be of concern to property owners and residents in that area, it is not considered to be an environmental concern, and so is not usually a component of a Phase I Environmental Site Assessment. (However, in the event that it is required, *PHASE ONE INC.* can assist the client in completing a seismological investigation.)



### 2.2.2 Site Reconnaissance

A **PHASE ONE INC.** field assessor conducted a visual reconnaissance of the subject property to identify observable signs of environmental impairments, including on-site operations and maintenance activities which may lead to possible environmental impairment. As a part of the site reconnaissance, **PHASE ONE INC.** visually inspected the site for obvious indications of:

- Existing and previously existing storage tanks (aboveground and underground)
- Hazardous substances storage and handling
- Clarifiers, sumps, trenches, and industrial discharge sources
- Equipment which may contain polychlorinated biphenyls (PCB) (fluorescent light ballasts are not inspected)
- Indications of spillage of hazardous substances, and the general condition of concrete, asphalt, soil, and other surfaces
- Indications of stressed vegetation as a result of on-site contamination

During the site reconnaissance, **PHASE ONE INC.** field assessors may make note of basic compliance issues which, may be environmental in nature, however are not issues directly associated with the potential for site contamination (i.e., the specific objective of our assessment). However, as a service to our clients, and because these compliance issues may contribute to our overall understanding of site operations, **PHASE ONE INC.** may comment on the site's basic compliance status. The review of the site's compliance status is not intended to be complete or comprehensive and may or may not include all items identified during the site reconnaissance.

Again, the compliance review is not intended as a comprehensive compliance audit. Rather, the compliance review is only intended to aid **PHASE ONE INC.** in determining the likelihood that the subject site may have been impacted by releases of hazardous substances.

When the storage or use of hazardous substances are encountered on a site, the **PHASE ONE INC.** field assessor will look for or inquire about the on-site presence of Material Safety Data Sheets (MSDSs). MSDSs are prepared by the manufacturers of hazardous substances (pursuant to OSHA's Hazard Communication Standard), and they detail the components, dangers, and proper handling procedures for the hazardous substance for which they have been prepared. The presence or absence of MSDSs for on-site hazardous substances will be noted in 3.5, **Hazardous Substances Storage and Handling**. However, some sites may use or store hundreds of various chemical compounds. In such cases, it is practically impossible for the field assessor to match-up each substance with its corresponding MSDS. Still, the field assessor will inquire about MSDSs and copies of representative MSDSs that were made available will be included in Appendix G.

**PHASE ONE INC.** may have (based on contract) inspected and reviewed information for the subject site regarding the presence of specific hazardous substances which are relatively common sources of environmental concern. The substances in question include:

- Common building materials that may contain or are suspected of containing asbestos
- Radon (at elevated levels)
- Lead-contaminated drinking water
- Lead-based paints

Based on ASTM E1527, federal, state, and other regulatory agency guidelines, the following presumptions were in force if and when *PHASE ONE INC.* inspected the subject site for specific hazardous substances:

- Structures built after 1980 are considered asbestos-free.
- Structures built after 1979 are considered lead-free (with respect to both water and painted surfaces).
- Fluorescent light ballasts will be considered PCB-free and will not be noted in the report regardless of their date of manufacture, unless *PHASE ONE INC.* is instructed to do otherwise in writing by the client.

*PHASE ONE INC.* also inspected the properties that adjoin the subject site. In general, this inspection included a "drive-by" survey to note the operations which may pose an imminent or potential environmental threat to the subject site.

### 2.2.3 Review of Historical Information

For this assessment, *PHASE ONE INC.* may have reviewed reasonably ascertainable historical aerial photographs and United States Geologic Survey (U.S.G.S.) topographic maps of the subject site and vicinity. This review consisted of examining the reasonably ascertainable available photographs and topographic maps for evidence of activities on or development of the subject site and adjoining sites that may show an environmental condition or concern which may currently affect the subject site. The specific aerial photographs and U.S.G.S. maps that were reviewed for this assessment are identified and their environmentally relevant features are described in Section 4.1.

*PHASE ONE INC.* may have also reviewed any reasonably ascertainable Historic Maps of the subject site and vicinity. Such maps have been prepared by fire insurance companies in order to determine the potential risk of fire damage to buildings in metropolitan areas. These maps have been produced since the mid-1850s and, for some areas, they are still produced today. For the purposes of a Phase I Environmental Site Assessment, these maps may contain helpful information on the ages and past uses of buildings, as well as information about on the storage of hazardous and flammable substances. However, because it was only worthwhile for fire insurance companies to map metropolitan areas, the scope of coverage of these maps is somewhat limited. If Historic Maps

have provided coverage of the subject site, and if the specific maps were reasonably ascertainable, then the specific maps that were reviewed for this assessment are identified, and their environmentally relevant features described, in Section 4.2.

One of the least known yet most complete and comprehensive historical sources are historical city or street directories. These texts may have been reviewed by *PHASE ONE INC.* to the extent that they have provided coverage of the subject site and were reasonably ascertainable. *PHASE ONE INC.* reviews historical city or street directories (also known as criss cross or reverse indexed directories) for information on the past occupants of and activities on the subject site and adjoining sites. These directories were prepared by companies that catered to the needs of salespeople by providing the names of the occupants at a given address (that is, unlike a traditional telephone book, the entries of a reverse directory are arranged by address, not by name). However, like Historical Maps, the scope of coverage of these directories is limited to mostly metropolitan areas. If they were reasonably ascertainable, they were reviewed and Section 4.2 contains listings of the current or past occupants of the subject site that were found by researching historical city or street directories.

*PHASE ONE INC.* has contacted various state, county, and municipal agencies having current or past jurisdiction over the subject site, in an attempt to review reasonably ascertainable records that contain specific information about environmental conditions on the subject site that these agencies may have on file, or to establish that no environmentally relevant records are on file for the subject site. The client should be aware that most regulatory agencies file their records by address or corporate name (as opposed to parcel number or site name). If no specific address has been assigned to a site, then, typically, no environmental records related to the site will be forthcoming from the state, county, or municipal regulatory agencies.

The findings of this records search are reported in Section 4.3, *Agency Contacts*. The addresses, phone numbers, names of the persons contacted within the various agencies are listed on the Regulatory Contacts Sheet, which is included in Appendix B. Copies of any records obtained from regulatory agencies can be found in Appendix C. In some instances, *PHASE ONE INC.* may not yet have received a reply from one or more of the agencies that were contacted. (Some agencies will take six weeks or longer to reply to a verbal or written request.) In the event of such delays in response, rather than delaying the issuance of the report, *PHASE ONE INC.* has indicated in the report that a response to the request for records is pending, and a copy of the regulatory request form has been included in Appendix B. Any pertinent information that is subsequently received from the pending agency will be addressed and forwarded to the client in the form of an addendum to this report.

*PHASE ONE INC.* has also reviewed a vendor-supplied, computer-generated federal, state, and regional one-mile regulatory database search in an effort to determine whether the subject site is listed on an agency environmental database and to identify possible regulatory-listed sites of concern within a one-mile radius of the subject site. In general, these documents list known or suspected hazardous-waste generators, release sites, landfills, unauthorized disposal sites, sites with registered underground storage tanks, and sites currently under investigation for known or suspected environmental violations or releases. In conjunction with the findings on the geological and hydrological conditions, information obtained from the database search can be used to assess the environmental risk faced by the subject site from past or present off-site sources of contamination. Additionally, the database search may provide information about on-site sources of contamination.

The regulatory database review can be found in Section 4.4; a copy of the complete database search document and a detailed description of the databases that were searched are included in Appendix D.

When requested, **PHASE ONE INC.** will compile and review a chain-of-title abstract for the subject property. The chain-of-title abstract can help the client and **PHASE ONE INC.** to better understand the history of the use of the subject site. The chain-of-title abstract is typically compiled from documents obtained from the County Recorder's Office or Tax Assessor's Office. The chain-of-title abstract review, if completed for this report, can be found in Section 4.5. The County Assessor also may be contacted to determine whether the subject site has been assigned addresses in the past which are different from its current address. It is the client's responsibility to supply **PHASE ONE INC.** with any records of environmental liens or other such documents.

On occasion, the client, the client's representatives, or on-site personnel will make available environmental documents pertaining to the subject site. These documents may be prior Phase I Reports, environmental site remediation reports, foundation soil reports, or occupancy records, among others. If these are made available prior to the issuance of the report, **PHASE ONE INC.** will review the conclusions of these documents, which may help to confirm or disprove any tentative findings that **PHASE ONE INC.** has developed independently. If the client has supplied environmental documents for review as part of this assessment, the findings are included in Section 4.6.

After the above information from existing historical records, regulatory agencies, interviews, and other additional environmental documents has been reviewed and evaluated, **PHASE ONE INC.** presents the site uses for the subject property as well as adjoining site uses in a chronological table. This historic site use summary assists the client, as well as the field assessors and reviewers to have a perspective of the historical uses of the subject site. The *Historical Site Use* is presented in Section 4.7.

#### **2.2.4 Interviews**

**PHASE ONE INC.** attempts to interview various individuals who may have knowledge of various aspects of the subject site. Typically, the interviewees might include:

- Current and previous owners
- Site and operations managers
- Tenants
- Local regulatory personnel

The interviews are summarized in Section 5.0 and interview notes are included in Appendix F.

### 2.2.5 Conclusions and Recommendations

Section 6.0, *Conclusions and Recommendations*, provides detailed descriptions of the recognized environmental conditions and the *de minimis* or historical environmental conditions that, in the professional opinion of PHASE ONE INC., currently affect the subject site. Section 6.0 also recommends or suggests the next-step actions that may be required to begin addressing the conditions.

The essential information on a condition at a given location is contained in the "Description of Condition" and the "Action Suggested" boxes of the table for that location. The section numbers refer to those sections in the report that describe the research tasks and findings behind the conclusions. This reporting method allows the reader to quickly go to those sections that are pertinent to the condition.

### 2.3 INTERPRETATION OF THE REPORT

Following the completion of the tasks outlined above, PHASE ONE INC. prepared this report to present our findings and conclusions clearly and consistently. In an attempt to aid the reader and bring organization to pieces of seemingly unrelated information, PHASE ONE INC. has developed a report format that is both innovative and concise. Each piece of information is described in the context of the research or assessment task under which it was found. Typically, an environmental condition will incorporate a number of specific findings. So, in Section 6.0, *Conclusions and Recommendations*, the various particular findings are grouped together and collectively presented with the description of the environmental condition that is corroborated by those findings.

## SECTION 3.0

### SITE DESCRIPTION AND RECONNAISSANCE

The subject site is surrounded by an area of predominantly residential and commercial properties. On the date of the site reconnaissance the subject site consisted of an RV park with two main buildings occupied by stores, and an office with laundry area, and restrooms. The following subsections describe the physical characteristics of the subject site and are a compilation of the observations made during the visual site inspection.

#### 3.1 SITE PHOTOGRAPHS

A PHASE ONE INC. field assessor completed a reconnaissance of the subject site, at which time a number of photographs were taken to document the current condition and use of the site. Please see Figure 2, *Site Plan*, for photograph locations. The photographs with their descriptions can be found in Appendix A.

#### 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS

According to United States Geological Survey (U.S.G.S.) STATSGO data, the most common native soil type in the vicinity of the subject site is Urban land. It is not known whether imported fill materials were used during the grading or development of the site; therefore, it is unknown if fill materials is a concern for the subject site. The elevation of the subject site appears to be 114 feet above mean sea level.

Groundwater in the site vicinity is inferred from the *Quarterly Monitoring Report* for the site address 12502 Harbor Boulevard, Garden Grove, to flow towards the northwest at a depth of approximately 23-32 feet below ground surface. However, it should be noted that the flow direction and depth of groundwater may be influenced by rainfall, tidal activity (shore properties), and local groundwater pumping operations. It should also be noted that shallower, unreported, perched groundwater zones may occur in the immediate site vicinity.

During the site reconnaissance and the review of historical maps and photographs, the following was determined to exist or not to exist on the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons
- No ponds

In-addition, the following was determined to exist or not to exist immediately adjacent to the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons
- No ponds

According to FEMA Q3 Data, the site is located within a less than 100-year flood zone. Storm water discharge across the site appears to flow multidirectionally. The storm water runoff appears to discharge to storm drains. The direction and destination of storm water discharge does not appear to be a source of environmental concern to the subject site.

### **3.3 EXISTING STORAGE TANKS**

No evidence of any existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.4 PREVIOUSLY EXISTING STORAGE TANKS**

No evidence of previously existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING**

With the possible exception of common janitorial and/or office supplies, no storage or handling of hazardous substances greater than 20 gallon containers was observed in the areas inspected during the site reconnaissance.

### **3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE**

#### **3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)**

At the request of the client, non-scope items, as defined in the ASTM Standard were not addressed. These non-scope items are asbestos, radon, lead water and lead paint. (Note to WP: Delete everything that follows to 3.7)

### 3.6.2 Details of Specific Hazardous Substances Sampling/Observations

No sampling or testing of suspected hazardous substances was performed or authorized for this assessment.

### 3.7 POLYCHLORINATED BIPHENYLS (PCBS)

The *PHASE ONE* INC. site reconnaissance does not include checking on-site fluorescent light fixtures for potential PCB content. Although fluorescent light ballasts may contain PCBs, the amount contained is considered to be so inconsequential that the ASTM (*Standard Practice, E 1527*) has stated: "Fluorescent light ballast likely to contain PCBs does not need to be noted." in a Phase I Environmental Site Assessment Report.

During the site reconnaissance, equipment or materials known or suspected of containing PCBs were observed on-site. The following table details the identified equipment or materials.

**POLYCHLORINATED BIPHENYLS (PCB) SUSPECTED EQUIPMENT**

ID #	I/O	Location and Photo #	Equipment Type	Ownership (Public Utility, Site)	Condition
1	O	Central east side of property (No photograph)	Pole-mounted Transformer	Utility	<i>De minimis</i>

Note: Each piece of equipment or material noted above is marked on Figure 2, *Site Plan*, by the ID number given above.  
I/O = Inside/Outside

### 3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES

No clarifiers, sumps, trenches, industrial floor drains, or industrial discharge points were noted during the site reconnaissance, historical and/or regulatory research.

### 3.9 SURFACE CONDITIONS

No significant areas of staining or other unusual surface conditions were observed during the site reconnaissance.

### 3.10 STRESSED VEGETATION

No disfigured, discolored, dying, or otherwise stressed vegetation was observed on-site during the site reconnaissance.



### 3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE

On the basis of a review of aerial photographs, U.S.G.S. topographic maps, site observations, regulatory research, and/or interviews, *PHASE ONE INC.* has concluded that the site was and/or is currently used for agricultural purposes. This information is detailed in the following table.

#### PRIOR OR CURRENT AGRICULTURAL LAND USE

ID #	Approx. Date Range	Description	Condition
1	1938, 1953	The subject site and the surrounding area was used for agriculture as indicated in the 1938 and 1953 aerial photographs.	REC

### 3.12 OTHER ENVIRONMENTAL CONDITIONS

No evidence of further environmental conditions, and/or impairments was observed during the site reconnaissance, beyond that evidence that has already been noted in this section.

### 3.13 VISUAL OBSERVATIONS, ADJOINING SITES

During the site reconnaissance, the *PHASE ONE INC.* field assessor also visually inspected and documented the use of those properties which immediately adjoin the subject property. The observations of the adjoining properties were made by the *PHASE ONE INC.* field assessor on the date of the site reconnaissance.

#### VISUAL OBSERVATIONS, ADJOINING SITES

	Description	Condition
<b>Northerly View:</b> Address: Company Name: Apparent Current Use of Property: Visual Concerns:	1252 Harbor Boulevard Formerly part of CC Camperland Former RV Park/in operational None	None
<b>Easterly View:</b> Address: Company Name: Apparent Current Use of Property: Visual Concerns:	Choisser Road N/A Residences None	None

	Description	Condition
<b>Southerly View:</b> Address: Company Name: Apparent Current Use of Property: Visual Concerns:	12302 Harbor Boulevard Ioe's Italian Ice Cream Ice Cream Shop None	None
<b>Westerly View:</b> Address: Company Name: Apparent Current Use of Property: Visual Concerns:	12291 Harbor Boulevard Satellite Real Estate Offices for loans, real estate, notary attorney, None	None

## SECTION 4.0

### REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS

#### 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW

*PHASE ONE INC.* reviewed readily available and reasonably ascertainable aerial photographs and U.S.G.S. topographic maps of the area of the subject site. (A copy of a U.S.G.S. map, if available, has been included as Figure 1.) These aerial photographs and maps may have been obtained from *PHASE ONE INC.*'s library and/or another source (all sources identified in Appendix B). Each aerial photograph was reviewed for the subject property and, where applicable, adjacent property use. In addition, each photograph was reviewed to identify the presence of areas of dumping, staining, buildings, and/or aboveground storage tanks.

Aerial photographs for the years of 2005, 2004, 1981, 1995, 1972, 1963, 1953, 1938 and U.S.G.S. topographic maps for the years (s) of 1981 and 1932 were reviewed and a recognized environmental condition was identified in the following aerial photographs and/or topographic maps and are discussed in the table below:

HISTORICAL AERIAL PHOTOGRAPH/U.S.G.S. TOPOGRAPHIC MAP

Date of Document	Description of Condition	Condition
1938	The subject site was used for agriculture as indicated in the 1938 and 1953 aerial photographs.	REC
1953		

#### 4.2 HISTORICAL MAP REVIEW

*PHASE ONE INC.* contacted the source(s) identified in Appendix B in an effort to review readily available historical and fire insurance maps with coverage of the subject site and vicinity that might be included in their collections. However, a search of the reasonably ascertainable historical and fire insurance maps found that none provided coverage of the area of the subject site.

#### 4.3 AGENCY CONTACTS (RECORDS SEARCH)

##### 4.3.1 Building Department Records

*PHASE ONE INC.* submitted a request to the local Building agency for copies of readily available building permits, original plumbing and finish schedules, building plans, or other readily available, relevant documents pertaining to the subject site that may be on file with this agency (all sources are identified in Appendix B). Numerous building permits were on file for 12272 Harbor Boulevard; the use of the property was a gift shop (1960), restaurant (1961-early 1970s); RV Park 1979 to present. The building permits on file for 12282-86, 12293-96 Harbor Boulevard indicate that the building has been used for stores, offices, and a restaurant.

##### 4.3.2 Water Quality Agency Records

*PHASE ONE INC.* submitted a request to the Water Quality Agency for the purpose of determining if past and present businesses at the subject site are listed on regulatory lists (such as leaking underground tank lists, site cleanup lists, etc.). However, *PHASE ONE INC.* was informed that no records for the subject site are on file with this agency (all sources identified in Appendix B).

##### 4.3.3 Oil and Gas Agency Records or Maps

*PHASE ONE INC.* submitted a request to the local Oil and Gas Agency for copies of readily available oil and gas related records pertaining to environmental issues on the subject site. However, *PHASE ONE INC.* was informed that no records for the subject site are on file with this agency (all sources are identified in Appendix B).

##### 4.3.4 Other Pertinent Records

There are no additional regulatory agencies known to *PHASE ONE INC.* that are likely to have further relevant environmental information pertaining to the subject site.

#### 4.4 REVIEW OF ENVIRONMENTAL RECORDS SEARCH

The *PHASE ONE INC.* review of the computer-generated, environmental records search document (the complete environmental records search document is included in Appendix D) found the subject site is not a regulatory-listed site. The environmental records search occurrence summary table below identifies the number of sites listed in each database included in the record search document (the complete environmental records search document is included in Appendix D). No environmental concerns were identified in the review.

LIST SEARCHED	DISTANCE SEARCHED (MILES)	0.125	0.25	0.5	1.0	TOTAL SITES LISTED
Cal Superfund Active	1	0	0	0	0	0
NPL	1	0	0	0	0	0
CERCLIS	0.5	0	0	0	-	0
Cal State Response Active	1	0	0	0	0	0
Cal Military Active	1	0	0	0	0	0
LUST-Open	0.5	0	0	1	-	1
Cal VCP Active	0.5	0	0	0	-	0
SLIC-Open	0.5	0	0	0	-	0
Cal Superfund Other	1	0	0	0	0	0
Cal School Active	0.5	0	0	0	-	0
Cal State Response Other	0.5	0	0	0	-	0
Cal Eval-Hist	0.5	0	0	0	-	0
Cal VCP Other	0.5	0	0	0	-	0
Cal School Other	0.5	0	0	0	-	0
Cal Military Other	1	0	0	0	0	0
SWIS	0.5	0	0	0	-	0
Cal Superfund NFA	1	0	0	0	0	0
RCRA-COR	1	0	0	0	0	0
RCRA-TSD	0.5	0	0	0	-	0
Cal VCP NFA	0.5	0	0	0	-	0
Controls-CA	0.5	0	0	0	-	0
Historic-Sources-US	0.25	0	0	-	-	0
Cal State Response NFA	0.5	0	0	0	-	0
Cal Eval-Hist NFA	0.5	0	0	0	-	0
Cal School NFA	0.5	0	0	0	-	0
Cal Military NFA	0.5	0	0	0	-	0
Tribal-LUST	0.125	0	-	-	-	0
Tribal-LUST-Open	0.5	0	0	0	-	0
Tribal-LUST-Closed	0.5	0	0	0	-	0
OGW	0.25	0	0	-	-	0
ERNS	0.125	0	-	-	-	0
CERCLIS-Archived	0.5	0	0	0	-	0
LUST-Closed	0.5	0	0	2	-	2
SLIC-Closed	0.5	0	0	0	-	0
LUST	0.125	0	-	-	-	0
Hist-LUST	0.125	0	-	-	-	0
RCRA	0.125	0	-	-	-	0
HWIS-CA	0.125	0	-	-	-	0

#### 4.5 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW

At the request of the client, a chain-of-title abstract was not requested or completed for this project.

#### 4.6 ADDITIONAL ENVIRONMENTAL DOCUMENTS

In the course of this assessment, PHASE ONE INC. was not provided with any additional documents for review regarding the environmental condition of the subject site by the client or the client's representatives.

#### 4.7 HISTORICAL SITE USE

The chronological historical site use summary is based on reviewed aerial photographs, maps, regulatory agency files, interviews, and additional environmental documents. The historical site use summary for the subject site and the adjoining sites is presented in the following table. The rows of this table are organized in chronological order, according to the date range of a specific site use.

HISTORICAL SITE USE

Date Range	Subject Site	Adjoining Sites
1938	Agriculture	Agriculture
1953	Agriculture	Agriculture, with structures
1960	12272 Gift Shop 12282-86; 12292-96 Stores	Residential, Commercial
1961-1972	12272 Restaurant 12282-86; 12292-96 Stores/Restaurant	Residential, Commercial
1979	12272 RV Park/Laundry, Restrooms (Restaurant building burned down in early 1970s) 12282-86; 12292-96 Stores/Restaurant/offices	Auto sales/RV Park, Residential, Commercial
1979-2010	12272 RV Park 12282-86; 12292-96 Store, Restaurant/offices (Beauty Salon, Nail Salon, Immigration office, Smoke Shop 2010)	RV Park, Residential, Commercial, Vacant land to the north

#### 4.8 IDENTIFICATION OF HISTORICAL DATA GAPS

During the course of this assessment, PHASE ONE INC. identified the following data gaps within the reviewed historic documents regarding the recognized environmental condition of the subject site.

SUMMARY OF HISTORICAL DATA GAPS

Date span of Data Gap	Documents Reviewed	Data Gap Discussions	Condition
Pre-1938	Aerial photographs	It is unknown what the site use was prior to agriculture in 1938. It is likely that the agricultural use was its first development. It is our opinion that this data gap will most likely not affect the conclusions of this report.	None

#### 4.9 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)

The client provided PHASE ONE INC. with documents regarding title and/or judicial records for environmental liens or activity and land use limitations for the subject site. PHASE ONE INC. relies upon the author/and corresponding companies' expertise. PHASE ONE INC. does not verify in any way the completeness or correctness of the documents. PHASE ONE INC. relies upon the documents provided. The discussion of these materials is described in the following table. (Copies of the records, if available, are included in Appendix G.)

#### REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS) SUMMARY

Date of Document	Type of Document	Company	Description (If a concern, why?)	Condition
4/12/2009	Preliminary Report (12272, 12292 Harbor Boulevard, APNs 231-521-93-03, -04, -05)	Western Resources Title	No environmental liens, records of environmental activity and/or environmental land use limitations were identified.	None

SECTION 5.0

INTERVIEWS

5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS

As part of the Phase I Assessment, PHASE ONE INC. attempts to interview various individuals who may have knowledge of different aspects of the subject site as it pertains to environmental conditions. The comments of the interviewees are noted by the PHASE ONE INC. interviewer on Interview Note Forms, which are included in Appendix F. The following table summarizes the relevant portions of these notes.

SUMMARY OF INTERVIEWS

ID #	Date of Interview	Name of Interviewee	Title	Relevant Discussions	Condition
1	6/4/2010	Jerry Holstein	Clerk Garden Grove City Hall Building Department	The building was originally a gift shop but was changed into a restaurant in 1960. It wasn't until 1979 that the site was changed into an RV park.	None
2	6/18/2010	Richard Kil	CC Camperland Manager/Owner	Mr. Kil has owned the property for 18 years. It is an RV Park. There are three structures totaling approximately 6,000 sq. ft. Mr. Kil is not aware of any activity or land use limitations, engineering or institutional controls, environmental liens, or other restrictions that have been placed on the property relating to hazardous materials or petroleum products. He does not have any specialized knowledge of the subject property and surrounding areas material to recognized environmental conditions in connection with the subject property.	None



ID #	Date of Interview	Name of Interviewee	Title	Relevant Discussions	Condition
2	7/1/2010	Carlos Marquez	Real Estate Property Agent City of Garden Grove (User)	Mr. Marquez did not provide the proposed use for the property. The purpose of the Phase I ESA is for a property acquisition. He does not have any specialized knowledge related to the property and is unaware of any environmental concerns, liens, or use restrictions.	None

## 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

*PHASE ONE INC.* uses data supplied by the client to determine if a difference between the purchase price of the property and the fair market value of the property is due to the effect of any releases or threatened releases of hazardous substances or petroleum products. On July 1, 2010, *PHASE ONE INC.* contacted Carlos Marquez, City of Garden Grove Agency for Community Development for the purpose of ascertaining any difference between the purchase price and fair market value of the property. According to Carlos Marquez, there is a difference between the purchase price and fair market value of the property. However, no current or past hazardous substance or petroleum product use was documented in this investigation. Therefore, the difference cannot be due to the effect of any releases or threatened releases of hazardous substances on the purchase price of the property.

## SECTION 6.0

### CONCLUSIONS AND RECOMMENDATIONS

#### 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS

This section contains full descriptions of any recognized environmental conditions (REC) that have been identified as a result of the PHASE ONE INC. Phase I Environmental Site Assessment for the subject site. PHASE ONE INC. classifies a condition as a REC (as opposed to a *de minimis* condition) when it is one that involves a condition for which, in the opinion of PHASE ONE INC., further investigation and/or remediation is recommended. In addition to the descriptions of condition, this section also contains a statement of the recommended next-step actions for any conditions that are described in the following tables.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support PHASE ONE INC.'s conclusion as to the presence of a recognized environmental condition. For the benefit of the reader, the tables also contain the section numbers of the findings cited in support of the condition.

CONDITION # 1	IDENTIFIED CONDITION APPEARS TO BE A RECOGNIZED ENVIRONMENTAL CONDITION
LOCATION: Subject Site	COMMENTS
3.9, 4.1	Identification of agriculture use of subject property. (1938, 1953)
<p><b>DESCRIPTION OF CONDITION:</b> Based on a review of aerial photographs, it appears that the site was used for agricultural purposes in the past. The concern exists that agricultural chemicals remain in near surface soils and that site occupants may be exposed to these chemicals.</p> <p><b>ACTION SUGGESTED:</b> PHASE ONE INC. recommends sampling of the near surface soil for agricultural chemicals. Contract with PHASE ONE INC. or another environmental firm to perform near surface soil sampling and analysis to determine if any agricultural chemicals remain at the site.</p> <p><b>TOTAL ESTIMATED COST TO COMPLETE</b>  <b>SUGGESTED NEXT STEP ACTION:</b> \$6,500.00 to \$10,000</p> <p><small><sup>1</sup>Note: The estimated cost to complete the next-step action is based on PHASE ONE INC.'s professional opinion as based on our experience with similar problems under similar circumstances. The estimated cost given above is only meant to give the client a ballpark estimate, not an exact dollar figure for the cost to complete the next-step action. This cost could easily vary by +/- 30% or greater. In many cases and when requested, PHASE ONE INC. can assist the client by providing a fixed cost quote.</small></p>	

**6.2 DE MINIMIS OR HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS**

This section contains descriptions of *de minimis* or historical RECs that have been identified in the PHASE ONE INC. Phase I Environmental Site Assessment for the subject site. PHASE ONE INC. classifies an issue as a *de minimis* condition (as opposed to a REC) when (1) it involves issues that appear to pose no immediate or imminent threat to the subject site, but which over time (with the occurrence of groundwater movement, demolition, disturbance, etc.) may come to pose an actual or present REC for the subject site and/or when (2) it involves areas that currently appear to have a negligible impact on the subject property and which do not, therefore, require additional investigation at this time, but of which PHASE ONE INC. feels the client should be made aware. PHASE ONE INC. classifies a historical REC as an issue which was considered a REC in the past, but is no longer considered a REC as a result of prior investigation and/or mitigation.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support PHASE ONE INC.'s conclusion as to the presence of that condition. For the benefit of the reader, the table also contains the section numbers of the findings cited in support of the condition.

CONDITION # 2		IDENTIFIED CONDITION APPEARS TO BE A DE MINIMIS CONDITION
LOCATION: Central, East Side of Property		
SECTION #	COMMENTS	
3.7	Identification of suspected PCB-containing equipment, pole-mounted transformer.	
DESCRIPTION OF CONDITION: A pole-mounted transformer was observed. Given the pre-1979 date of development of the subject site, the presence of fluids containing polychlorinated biphenyls (PCBs) in the transformer is possible. No leakage or staining was visible on or around the transformer.		
ACTION SUGGESTED: No action is suggested or recommended at this time based on visual observations. If leaks should develop, contact the utility company to sample the fluids for the presence of PCBs. If the analysis results indicate that the electrical transformer contains PCBs, the utility company would be responsible for mitigating any leakage and staining and for replacing the fluids and/or transformer.		

## SECTION 7.0

### LIMITATIONS

To achieve the study objectives stated in this report, we were required to base PHASE ONE INC.'s conclusions and recommendations on the best information available during the period the investigation was conducted and within the limits prescribed by PHASE ONE INC.'s client in the contract/authorization agreement and standard terms and conditions.

PHASE ONE INC.'s professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields. The findings were mainly based upon examination of historic records, maps, aerial photographs, and governmental agencies lists. The hazardous waste site lists represented in this report represent only a search of the specific governmental records as listed above. It should be noted that governmental agencies often do not list all sites with environmental contamination; the lists could be inaccurate and/or incomplete. Recommendations are based on the historic land use of the subject property, as well as features noted during the site walk and examined records. The absence of potential gross contamination sources, historic or present, does not necessarily imply that the subject property is free of any contamination. This report only represents a "due diligence" effort as to the integrity of the subject property. No warranty or guarantee, expressed or implied, is made as to the professional conclusions or recommendations contained in this report. The limitations contained within this report supersede all other contracts or scopes of work, implied or otherwise, except those stated or acknowledged herewith.

This report is not a legal opinion. It does not necessarily comply with requirements defined in any environmental law such as the "innocent landowner defense" or "due diligence inquiry." Only legal counsel retained by the client is competent to determine the legal implications of any information, conclusions, or recommendations in this report. The compliance status, discussed in Section 3.0, is not intended for use as a guide to compliance for the present owner. Its intended use is to identify environmental impairments to the subject property and is not to be used as a guide to the legal compliance to any regulations of any kind.

The findings, conclusions, recommendations, and professional opinions contained in this report have been prepared by the staff of PHASE ONE INC., in accordance with generally accepted professional practices. All cost estimates in Section 6.0, are purely estimates only, and may not represent the actual costs. Without further investigative assessment, exact, actual costs cannot be fixed. The costs associated with PHASE ONE INC.'s recommendations are for budgetary purposes only.

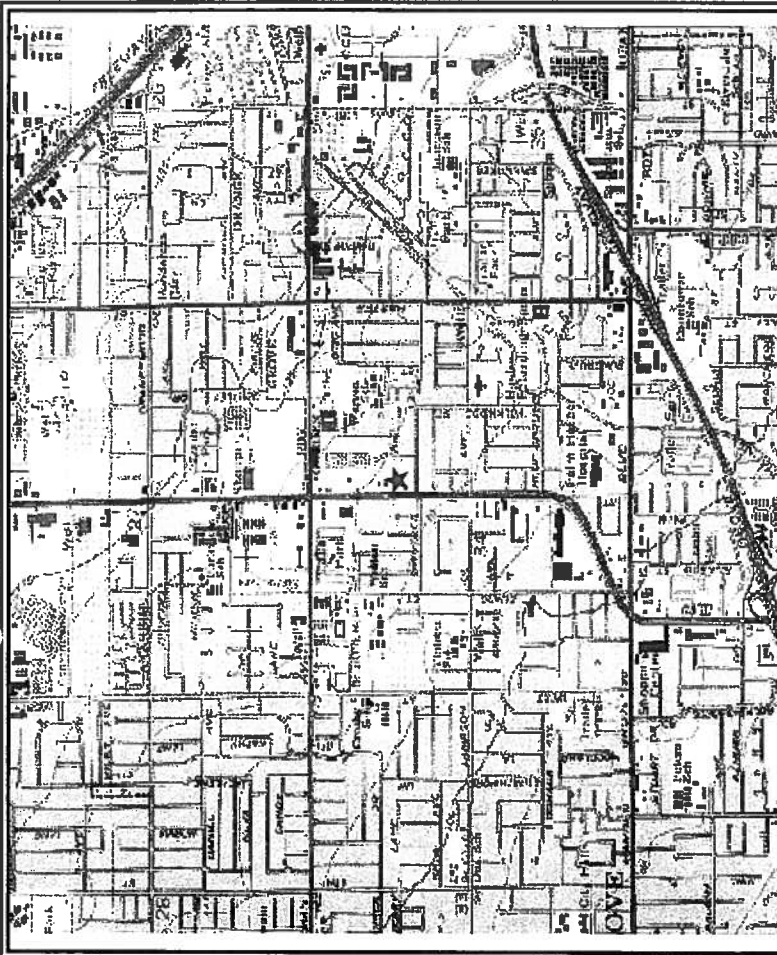
This report does not address, in any way, septic systems, leach fields, septic tanks, or related health hazards

All asbestos, lead, or any other sampling is sampled in a good faith effort by PHASE ONE INC. assessors. Sample results should not be construed as conclusive and binding in any way. All sampling conducted is only for the purposes of general screening and does not imply that all materials, locations, or hazardous materials have been identified nor was the sampling intended to identify every instance of the materials sampled. No interpretation of the sample results is made or implied. PHASE ONE INC. ONLY relays the information supplied by the laboratory conducting the analysis.

Figure 8.0: [Faint, illegible text]

## SECTION 8.0

### FIGURES



**SITE LOCATION MAP**

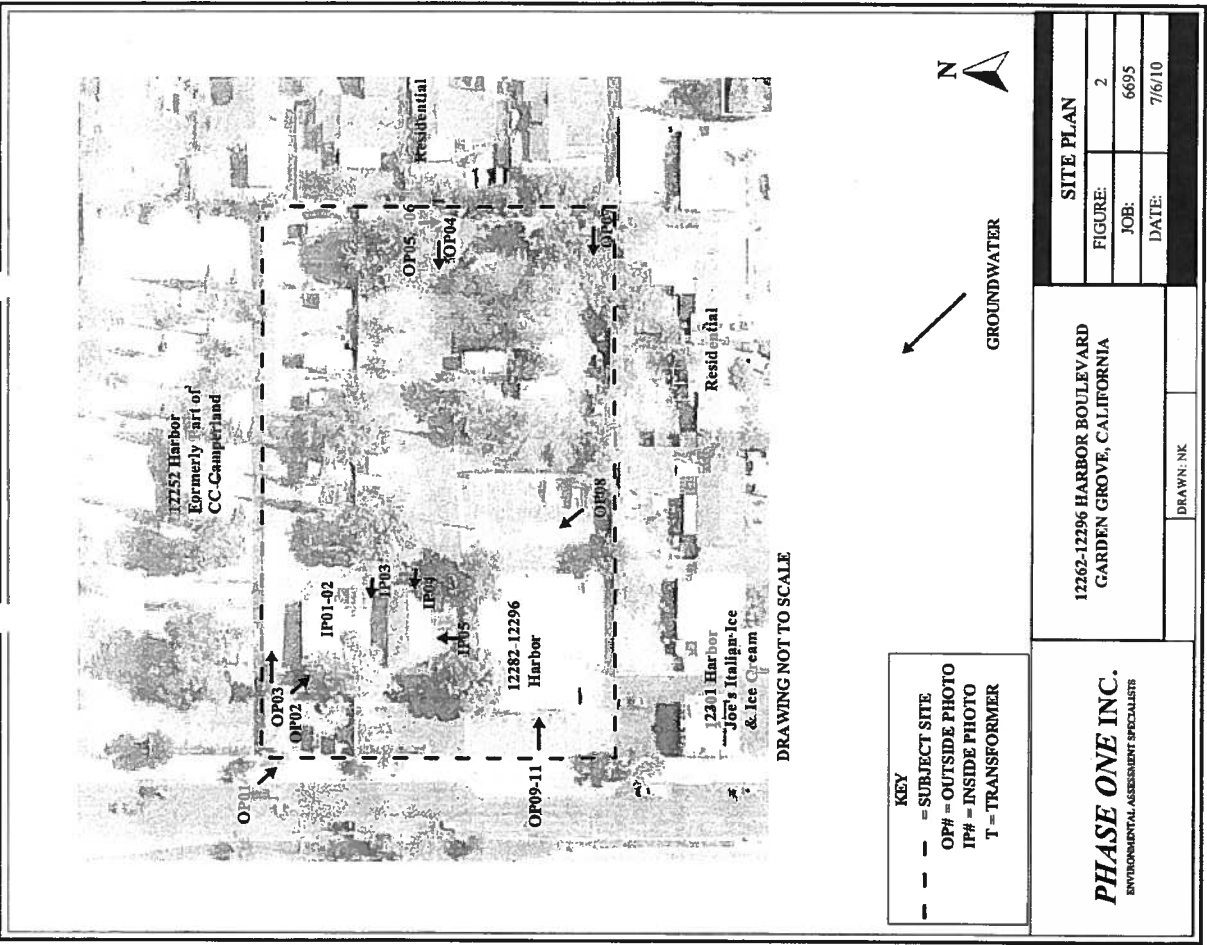
U.S. Geological Survey, Anaheim Quadrangle  
 7.5 Minute Series, Approximate Scale: 1:24000



PHASE ONE INC.

**12262-12296 HARBOR BOULEVARD  
 GARDEN GROVE, CA 92840**

FIGURE: 1  
 JOB: 6995  
 DATE: 7/6/2010



DRAWING NOT TO SCALE

- = SUBJECT SITE
- OP# = OUTSIDE PHOTO
- IP# = INSIDE PHOTO
- T = TRANSFORMER



GROUNDWATER

<b>PHASE ONE INC.</b> ENVIRONMENTAL ASSESSMENT SPECIALISTS	12262-12296 HARBOR BOULEVARD GARDEN GROVE, CALIFORNIA		<b>SITE PLAN</b>
	DRAWN: NK	FIGURE: 2	JOB: 6695
		DATE: 7/6/10	

**SECTION 9.0**  
**APPENDICES**



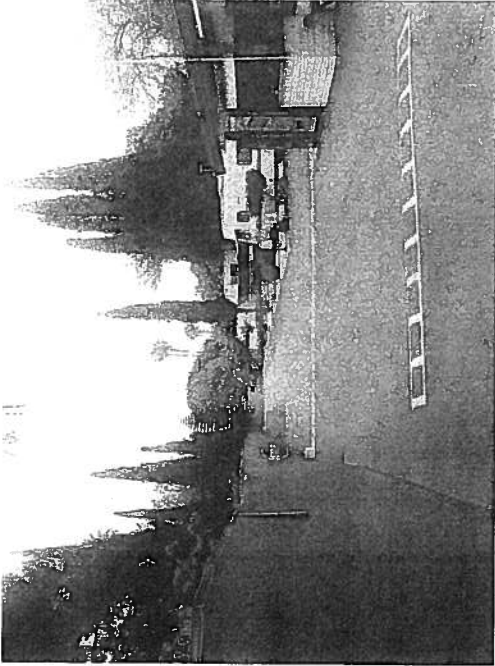
**APPENDIX A**  
**SITE PHOTOGRAPHS**



OP01 East side entrance to CC Camperland RV Park from Harbor Boulevard.



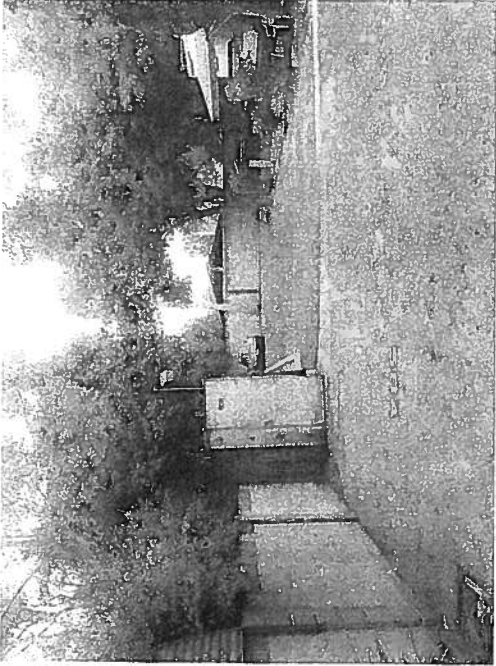
OP02 View of the office for CC Camperland.



OP03 View facing to the west of the northern boundary of CC Camperland.



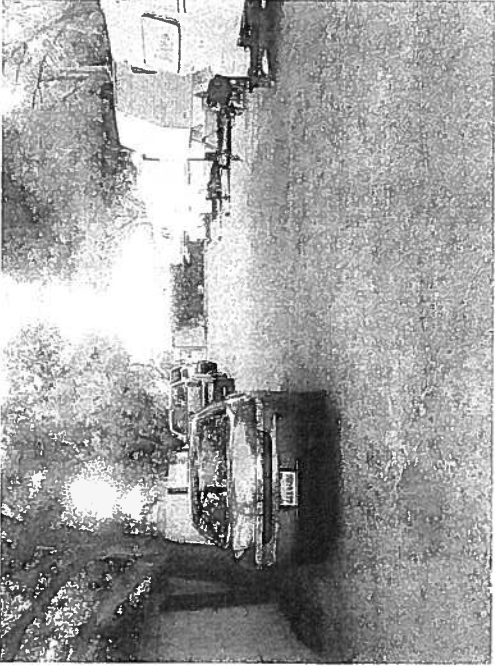
OP04 View from the central, east side of CC Camperland facing to the west.



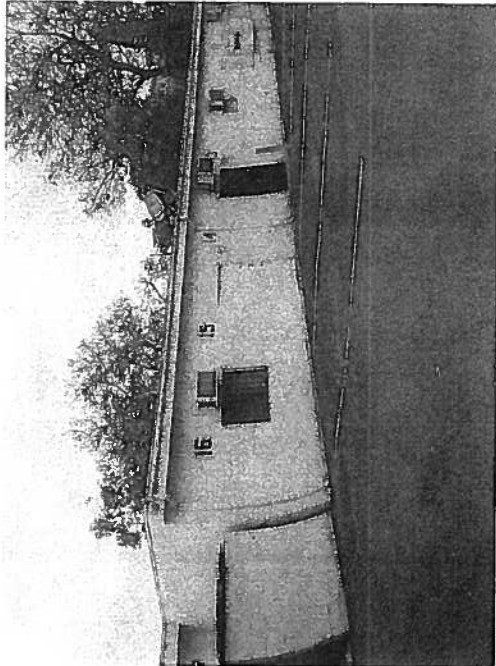
OP05 View from the center of the west side of CC Camperland, facing north.



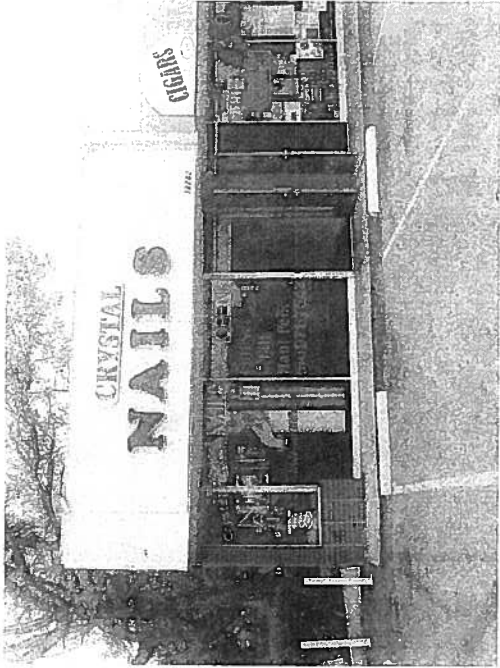
OP06 Close-up view of a utility cabinet.



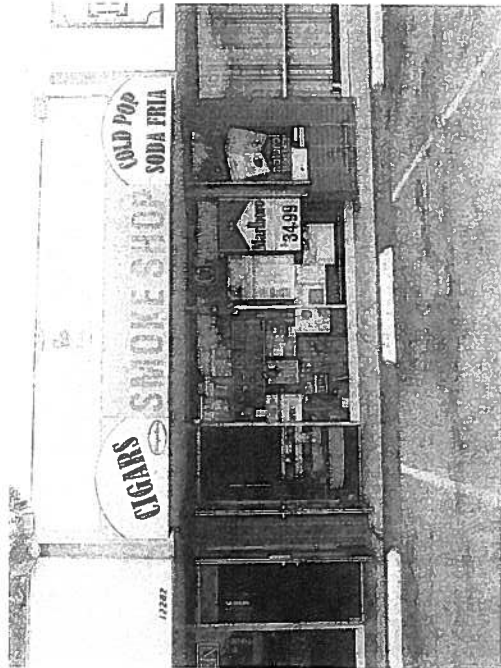
OP07 View from the southeast corner of the property facing to the east.



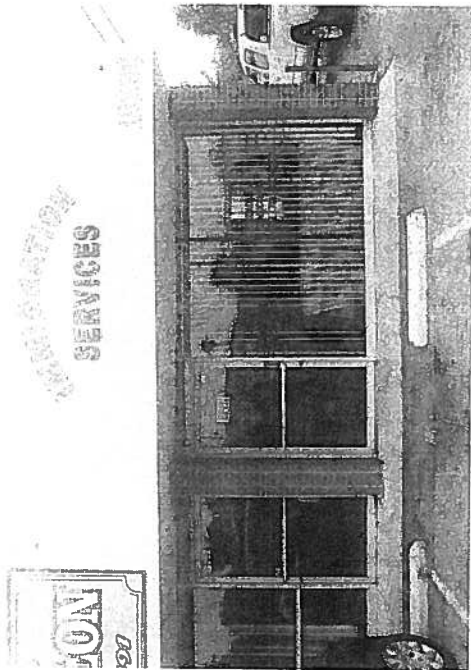
OP08 View of the back area behind the commercial/retail buildings, 12282-12296 Harbor Boulevard.



OP09 View of 12282 Harbor Boulevard, Crystal Nails.



OP10 View of the Smoke Shop, 12286 Harbor Boulevard.



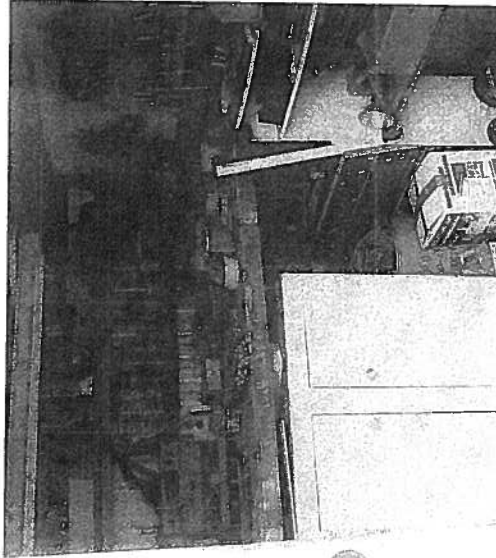
OP11 View of Immigration Services, 12296 Harbor Boulevard.



IP01 View of the room with cleaning supplies/kitchen area of the office building.

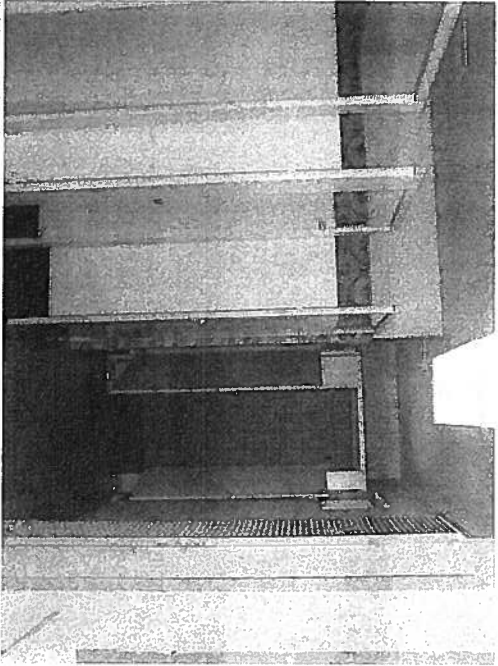


IP02 View of several 5-gallon buckets of paints, and other materials stored in a shed.

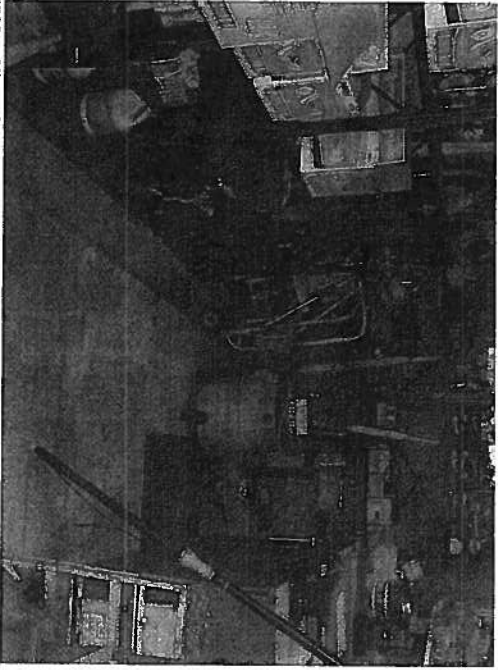


IP03 View of the interior of a shed.





IP04 Interior view of the washrooms/bathroom.



IP05 View of a storage area for supplies for the washroom and maintenance.

**APPENDIX B**  
**SUMMARY OF AGENCY CONTACTS**

**Appendix B**  
**Regulatory Agencies for Garden Grove**  
**Orange County, California**

**Aerial Photographs**  
Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
Dept: Reference Products Contact: Eric Ekton Fax: (200)774-2731  
Address: 2620 Walnut Ave. Suite A Days: M-F Hours: 08:30-05:30  
City: Tustin Procedure: Order products online.  
State: Call Zip: 92780 Years: 79 Per: RecCheck  
Cross Street: Last Updated 8/15/2008 Cost: See RecCheck report for aerial and  
Other: Aerials, Topos, Radius Searches, Soil Info, Regional radion info, FEMA Q3 Data. See RecCheck report for aerial and  
topo coverage

**Building Permits/Plans (Original Planning)**  
Agency: Garden Grove City Hall Phone: (714)741-5000 Fax: (714)741-5205  
Dept: Building Services/Central Records Contact: Diana Fellows 741-5580  
Address: 11222 Acacia Parkway Days: M-TH Hours: 07:30-05:30  
City: First Floor Procedure: Call to make an appt.  
State: Garden Grove Years: 1956-  
City: Call Zip: 92840 Per:  
State: Call Zip: 92840 Per:  
Cross Street: GC Blvd & Euclid Last Updated 2/1/2007 Cost:  
Other: Building Permits/Plans. Open alternating Fridays 7:30-5. Must have exact address. Need to make appt to review  
records.

**Directories: Historical Reverse City/Street**  
Agency: Allen County Public Library Phone: (260)421-1200 Fax:  
Dept: Genealogy Center Contact: Days: M-TH Hours: 09:00-09:00  
Address: 900 Library Plaza Procedure: Go In.  
City: Fort Wayne Years:  
State: Call Zip: 46802 Per:  
Cross Street: Last Updated 5/6/2008 Cost:  
Other: Extensive city directory collection for many cities in the US. Check library catalog and microtext catalog.

**Fire Insurance Maps/Historical Maps**  
Agency: Orange County Recorder's Office Phone: (714)834-2500 Fax: (714)972-3950  
Dept: Copy Desk Contact: Phone: (714)834-2461 Fax:  
Address: 12 Civic Center Plaza Days: M-F Hours: 08:00-04:30  
City: Santa Ana Procedure: Go in for review  
State: Call Zip: 92701 Years: 1 Per: page  
Cross Street: Broadway Last Updated 3/28/2008 Cost: 1 Per: page  
Other: Chain of Title information and deed lien records; Go in to view and make copies

**Flood Zone**  
Agency: Federal Emergency Management Agency Phone: (800)358-9616 Fax: (800)358-9620  
Dept: FEMA Q3 Data Contact: Phone: (800)358-9616 Fax:  
Address: 500 C Street, SW Days: Hours:  
City: Washington Procedure: View online or in RecCheck.  
State: Call Zip: 20472 Years:  
Cross Street: Last Updated 5/9/2008 Cost: Per:  
Other: FEMA flood data available digitally; view online or see ERS report.

*Appendix B  
Regulatory Agencies for Garden Grove  
Orange County, California*

**Geology/Soil Types**  
 Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
 Dept: Reference Products Phone: (200)774-2731  
 Address: 2620 Walnut Ave. Contact: Eric Exton  
 Suite A Days: M-F Hours: 08:30-05:30  
 Tustin Procedure: Order products online.  
 City: Tustin  
 State: Call Zip: 92780  
 Cross Street: Last Updated 8/15/2008 Cost: 79 Per: RecCheck  
 Other: Aerials, Topos, Radius Searches, Soil Info, Regional radon info, FEMA Q3 Data. See RecCheck report for aerial and topo coverage

**Groundwater/Hydrogeology**  
 Agency: Orange County Water District Phone: (714)378-3200 Fax: (714)373-3373  
 Dept: Water Quality Department Phone: (714)378-3209  
 Address: 10500 Ellis Avenue Contact: Nara Yamashika  
 Suite A Days: M-F Hours: 07:30-04:30  
 City: Fountain Valley Procedure: View online  
 State: Call Zip: 92708  
 Cross Street: Ward & Brookhurst Last Updated 11/12/2007 Cost: 0 Per:  
 Other: GW contour maps available on website.

**Oil and Gas Wells**  
 Agency: California Div. of Oil & Gas - District #1 Phone: (714)816-6847 Fax: (714)816-6853  
 Dept: District #1 Phone: (714)816-7826  
 Address: 5816 Corporate Avenue Contact: Dee Taylor  
 Suite 200 Days: M-F Hours: 08:00-05:00  
 City: Cypress Procedure: View maps online. Call for other information.  
 State: Call Zip: 90630  
 Cross Street: Valley View Last Updated 2/13/2008 Cost:  
 Other: Supply Oil & Gas Field and Wildcat Maps for LA, SD, Orange, Riverside, SB, & Imperial counties. Contact Dee for records search on specific well.

**Radon Level**  
 Agency: California State Department of Health Services Phone: (916)445-4171 Fax:  
 Dept: Indoor Radon Program Phone: (916)449-5674  
 Address: 1616 Capitol Ave, 2nd Floor Contact: George Faggella  
 P.O. Box 997413 Days: M-F Hours: 08:00-05:00  
 City: Sacramento Procedure: Call or look up by zip code online.  
 State: Call Zip: 95899  
 Cross Street: Last Updated 12/15/2009 Cost:  
 Other: State Radon Offices/National Radon Proficiency Program.

**USGS/Topography/Geology Maps**  
 Agency: Environmental Record Search (ERS) Phone: (800)377-2430 Fax: (800)774-2731  
 Dept: Reference Products Phone: (200)774-2731  
 Address: 2620 Walnut Ave. Contact: Eric Exton  
 Suite A Days: M-F Hours: 08:30-05:30  
 City: Tustin Procedure: Order products online.  
 State: Call Zip: 92780  
 Cross Street: Last Updated 8/15/2008 Cost: 79 Per: RecCheck  
 Other: Aerials, Topos, Radius Searches, Soil Info, Regional radon info, FEMA Q3 Data. See RecCheck report for aerial and topo coverage

*Appendix B  
Regulatory Agencies for Garden Grove  
Orange County, California*

Water Quality (RWQCB)  
Agency: California RWQCB - Region 9  
Dept: SLIC Department  
Address: 9174 Sky Park Court, Suite 100  
City: San Diego  
State: Call Zip: 92123  
Cross Street: Last Updated 11/29/2007 Cost:  
Other: SLIC information for Region 9, Contact Sylvia to view records.

Phone: (858)467-2952 Fax: (858)571-6972  
Phone: (858)637-5593 Fax:  
Contact: Sylvia Wellnitz, Records Management Officer  
Days: M-F Hours: 08:00-05:00  
Procedure: View online database (GeoTracker)  
Years: 1960- 0 Per: Request

Water Quality (RWQCB)  
Agency: California RWQCB - Region 9  
Dept: LUST Program  
Address: 9174 Sky Park Court, Suite 100  
City: San Diego  
State: Call Zip: 92123  
Cross Street: Last Updated 11/29/2007 Cost:  
Other: LUST information for San Diego Region. Contact Sylvia to view files.

Phone: (858)467-2952 Fax: (858)571-6972  
Phone: (858)637-5593 Fax:  
Contact: Sylvia Wellnitz, Records Management Officer  
Days: M-F Hours: 08:00-05:00  
Procedure: View online database. (GeoTracker)  
Years: 0 Per: Request

**APPENDIX C**  
**COPIES OF RECORDS**

**BUILDING PERMIT**  
 Department of Building CITY OF  
 8. C. ADAMS, Director GARDEN GROVE

ZONING AND BUILDING

Use Zone C-1 Main Use 2 Acc. Use 1 Var. Use No. PL  
 St. Set Back - W PL 30' Projection  
 Side Yard 0 Projection  
 Sub/Yard 0 Projection  
 Rear Yard 240 No Parking Sp. Req. 20  
 Zoning Approved by ELM Date 4/16/60  
 Group F-2 Type 1 Plan Ct. EM

Remarks:

**INSPECTION RECORD**

APPROVAL	DATE	INSPECTOR
Foundation and Location	4-26-60	W
Reinforcing		
Roof Shtbr.	5-9-60	W
Rough Frame	5-12-60	W
Leth or Drywall	5/17/60	W
Plas. Brown-Ct.		
Other		
Land Use		
Final	6-29-60	W
Utility Release	6-29-60	W

Plan ELM 4-1-60 Building Permit 4500  
 Sheet 22-50 Expiration Date  
 Bond \$

Permit Authorized By W Date 4/16/60  
 Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner OSVEDA

For Applicant to Fill In (Use Ink) PC 4251 Permit No.  
 Job 222-300 Plumbing  
 Address 1249 S. 15th St. #100  
 Lot No. 222-300-100 Block No. 11167  
 Please Attach Maps & Bound. (2 Copies)

Owner OSVEDA  
 Owner's Address SAME  
 Description of Work SAME New  Add  Remodel  Relocate   
 Use of Building 4-NEW STORE  
 Area of Building 3,540 sq. ft. Valuation 20,000

Full Section  
 Architect DRAFTMAN Address  
 Eng. DAVID GARDNER  
 Contractor MIKE TENNIS Phone 255-2151  
 Address 75 S. HOWLAND BLVD

I hereby acknowledge that I have read the specifications and state that the above is correct and agree to comply with all ordinances and State laws regulating building construction. I will also be bound as required by the local laws of the State of California, and I certify that in the performance of the work for which this permit is issued I shall not employ any person in violation of the minimum compensation laws of the State of California.  
 Signature of MIKE TENNIS Date 4/16/60  
 Address 280 S. HOWLAND BLVD

PREPARED BY W  
 ADDRESS 280 S. HOWLAND BLVD  
 CONTRACTOR PUBLIC WORKS By DAVID GARDNER  
 Street Address 280 S. HOWLAND BLVD  
 Record of Survey 2-1-60  
 D.W. Dedication W  
 Bonds W  
 Encroachment Permit none

Remarks  
 Statistics #4 Owner OSVEDA

1001 FORM

Department of Building  
B. C. Adams  
Director

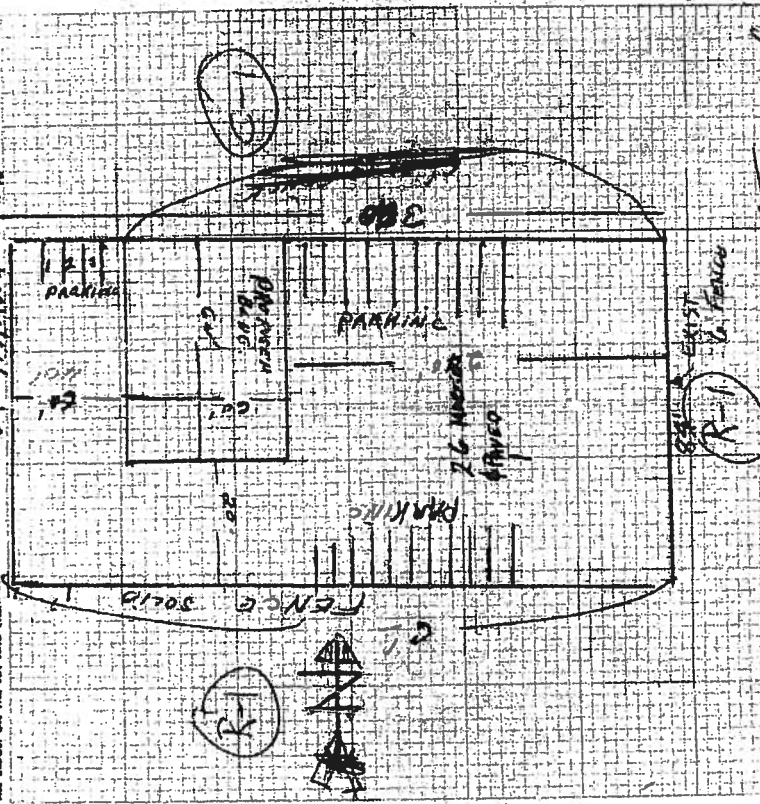
CITY OF  
GARDEN GROVE

Job Address: 12292 HARBOUR BLVD

Permit Number: 1167

DIMENSION PLOT PLAN COMPLETELY SHOWING ALL STAIRS ON THE LOT AND THERE ON

Tract: 118 FERRIER BLVD



I certify the information furnished herein is complete and correct. By: *Jose Ojeda*  
Inspection: 21 Building Inspector 22 Owner: JOSEPH OJEDA



**BUILDING PERMIT**  
 Department of Building  
 BENARD G. ADAMS, Director  
 ZONING AND BUILDING

Job Address: 12292 Harbor  
 Lot No.: 12292 Harbor  
 Tract No.:  
 Block No.: 20364  
 Owner: Chester Haber  
 Address: 12292 Harbor  
 Description of Work: New  
 Use of Building: Restaurant  
 Area of Building: 3000  
 Validation: 11-07-63  
 Arch. or Engr.:  
 Contractor: OWNER  
 Phone:

Remarks: ADD PARTITIONS  
 TO TAKE-OUT RESTAURANT  
 PLAN ATTACHED

APPROVAL	DATE	INSPECTOR
Foundation		
Reinforcing		
Roof Shig.		
Rough Frame		
Leak or Drywell		
Plus Brown Ct.		
Other		
Land Use		
Utility Release		

FEES  
 Building Permit: \$300  
 Plan Check: \$  
 Bond: \$  
 Permit Authorized By: E.M.  
 Date: 8-28-63  
 Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

For Applicant to Fill In (USE INK)  
 Job Address: 12292 Harbor  
 Lot No.: 12292 Harbor  
 Tract No.:  
 Block No.: 20364  
 Owner: Chester Haber  
 Address: 12292 Harbor  
 Description of Work: New  
 Use of Building: Restaurant  
 Area of Building: 3000  
 Validation: 11-07-63  
 Arch. or Engr.:  
 Contractor: OWNER  
 Phone:

Remarks: ADD PARTITIONS  
 TO TAKE-OUT RESTAURANT  
 PLAN ATTACHED

APPROVAL	DATE	INSPECTOR
Foundation		
Reinforcing		
Roof Shig.		
Rough Frame		
Leak or Drywell		
Plus Brown Ct.		
Other		
Land Use		
Utility Release		

FEES  
 Building Permit: \$300  
 Plan Check: \$  
 Bond: \$  
 Permit Authorized By: E.M.  
 Date: 8-28-63  
 Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

For Applicant to Fill In (USE INK)  
 Job Address: 12292 Harbor  
 Lot No.: 12292 Harbor  
 Tract No.:  
 Block No.: 20364  
 Owner: Chester Haber  
 Address: 12292 Harbor  
 Description of Work: New  
 Use of Building: Restaurant  
 Area of Building: 3000  
 Validation: 11-07-63  
 Arch. or Engr.:  
 Contractor: OWNER  
 Phone:

Remarks: ADD PARTITIONS  
 TO TAKE-OUT RESTAURANT  
 PLAN ATTACHED

APPROVAL	DATE	INSPECTOR
Foundation		
Reinforcing		
Roof Shig.		
Rough Frame		
Leak or Drywell		
Plus Brown Ct.		
Other		
Land Use		
Utility Release		

FEES  
 Building Permit: \$300  
 Plan Check: \$  
 Bond: \$  
 Permit Authorized By: E.M.  
 Date: 8-28-63  
 Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

**PLOT PLAN**

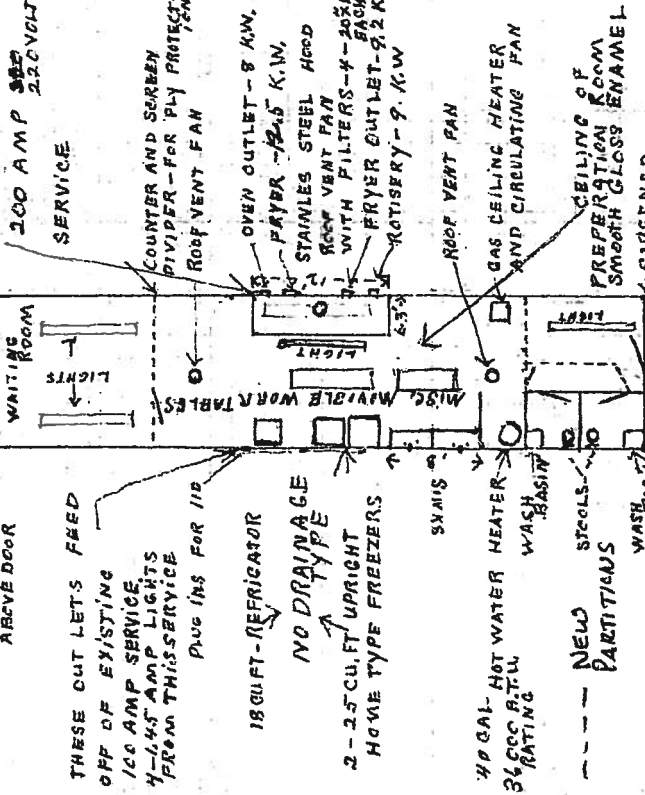
Department of Building

CITY OF  
GARDEN GROVE

As Shown  
12392 HARBAR BLVD  
Permit Number  
24264

INDICATE DIMENSIONS OF BUILDING COMPLETELY SURROUNDING ALL SIDES ON THE LOT AND THEIR USE

USEAGE - TO PREPARE FOOD TO TAKE OUT  
NO FOOD WILL BE SERVED ON PREMISES.  
F.A. THRU DRG. OVER DOOR  
SCREEN VENT  
ARCHV. DOOR



I certify the information hereon is complete and correct.  
Routing: #1 Building Inspector #2 Office File #3 Owner

Date

By

# BUILDING PERMIT

DEVELOPMENT SERVICES DEPT., GARDEN GROVE 038-8771

Job Address: **19276 Harbor Blvd, Garden Grove, CA 92647**  
 Lot No.: **052275A**  
 Block: **2858**  
 Subdiv: **19276 Harbor Blvd**  
 City: **Garden Grove**  
 State: **CA**  
 Zip: **92647**  
 Permit No.: **052275A**  
 Date Issued: **4-24-72**  
 Issued By: **Paul J. Moore**  
 Title: **Director**  
 Land Use Approved By: **Paul J. Moore**  
 Title: **Director**

**FEES AND BONDS**

DESCRIPTION	AMOUNT	DATE PAID	REMARKS
Permit Fee	273.00	4-24-72	OK
Inspection Fee	10.00	4-24-72	OK
Plan Check Fee	10.00	4-24-72	OK
Other Fees			
<b>TOTAL</b>	<b>293.00</b>		

Remarks: **Plans 23% addition**

**INSPECTION RECORD**

APPROVAL	DATE	INSPECTOR
Foundation	5-1-72	WJK
Roof Structure	5-11-72	WJK
Rough Frame	5-11-72	WJK
Plas. Brown Ct.	5-31-72	WJK
Parking		
Landscaping		
Land Use Cond		
Final	10-1-72	WJK
Utility Relocate		

**VALUATION** (FOR TAX PURPOSES)  
 Assessed Value: **\$ 72,000.00**  
 Plan No.: **4-107-2BEE**  
 Check No.: **572**  
 Amount: **\$ 44.00**  
 Date: **4-24-72**  
 Permitted By: **Paul J. Moore**  
 Title: **Director**

**INSTRUCTIONS: FILL IN AREA WITHIN HEAVY LINE. USE ALL COLORS AND LETTERS. NO LEGIBLE PLUMMET. A DOUBLE RED LINE IS CHANGED TO WORK BEHIND PERMIT. IS ISSUED.**  
 Job Address: **19276 Harbor Blvd, Garden Grove, CA 92647**  
 Lot No.: **052275A**  
 Block: **2858**  
 Subdiv: **19276 Harbor Blvd**  
 City: **Garden Grove**  
 State: **CA**  
 Zip: **92647**  
 Permit No.: **052275A**  
 Date Issued: **4-24-72**  
 Issued By: **Paul J. Moore**  
 Title: **Director**  
 Land Use Approved By: **Paul J. Moore**  
 Title: **Director**

**OWNER:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**ARCHITECT:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**ENGINEER:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**CONTRACTOR:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**PLANNING:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**INSPECTION:** **19276 Harbor Blvd, Garden Grove, CA 92647**

**Validation:** **888 75-72 11 269 88888888**  
**DESCRIPTION OF WORK:** **ADDN 1/2 ALTR. EXISTING 1/2 BLDG. 1/2 NO. OF DWELLING UNITS**  
**FLOOR AREA:** **570 SQ. FT.**  
**NO. OF DWELLING UNITS:** **1**  
**NEW 1/2 ADDN 1/2 ALTR. EXISTING 1/2 BLDG. 1/2 NO. OF DWELLING UNITS**  
**NO. OF DWELLING UNITS:** **1**

I certify that I have read this application and state that the above information is correct. I agree to comply with all City Ordinances and State Laws relating to the above work. I will not employ any person in violation of the Labor Code of California relating to Workmen's Compensation Insurance. I further agree to limit the City of Garden Grove fire and burglar alarm fees to the amount of the fee schedule on file with the City of Garden Grove. I further agree to indemnify and hold the City of Garden Grove harmless from any liability or damages that may be incurred by the City of Garden Grove as a result of the above work.

**CONTRACTOR SIGN BELOW**  
 I certify that I am a licensed contractor and that my license is in full force and effect. I am the owner of the above property and will personally perform the above work.  
**OWNER BUILDER SIGN BELOW**  
 I certify that I am exempt from the provisions of Ch. 9, Div. 2, 8 and 9 of the Contractors' License Law because (check one):  
 [ ] I am the owner of the above property and will personally perform the above work.  
 [ ] I am the owner of the above property and I will contract to have all of the above work performed by licensed contractors.  
 [ ] I am the owner of the above property and will employ persons to perform the above work with wages in that same proportion I will employ insurance for my employees as required by the Labor Code of California.

**Contractor:** **19276 Harbor Blvd, Garden Grove, CA 92647**  
**Owner/Builder:** **19276 Harbor Blvd, Garden Grove, CA 92647**

**PERMIT BLDG. 052275A**  
**RELOCATION**  
**CONTRACTOR**

# BUILDING PERMIT

Department of Building CITY OF GARDEN GROVE  
4. C. ADAMS, Director

## ZONING AND BUILDING

Use Zone: C1 Main Use:  Acc. Use:  Var. Use:   
 St. Set Back: PL 37' Projection: PL  
 Side Yard: 14' Projection: 0  
 Side Yard: 0 Projection: 0  
 Rear Yard: 10' No. Parking Sp. Req'd: 10  
 Zoning Approved By: Dr. [Signature] Date: 3/23/60  
 Group: F-1 Type: 1 on Ct. 1

Remarks: Needs Board & Dedication

## INSPECTION RECORD

APPROVAL	DATE	INSPECTOR
Foundation and Location	3-22-60	[Signature]
Reinforcing		
Roof Shing.	3-23-60	[Signature]
Rough Frame	4-1-60	[Signature]
Lath or Drywall	4-5-60	[Signature]
Plas.-Brown Ct.		
Other		
Land Use		
Finishes		
Utility Release	5-11-60	[Signature]

Plan Check Fee: \$10.00 Building Permit Fee: \$20.00  
 Bond: \$ Expiration Date:

Permit Authorized By: [Signature] Date: 3/23/60  
 Routing: #1 Bldg. Inspector #2 Office File #3

For Applicant to Fill in (Use Inks) PC 415 1  
 Job: HAM BOM Permit No. 12272  
 Address: 12272 Beryl

Lot No. ATTACHED Blk No.   
 (Also Attach Notes & Boards if Copies)

Owner: R. GEORGE COOPER

Owner's Address: 12272 HAMMAR BLD

Description of Work: RELOC

Use of Building: 1100 # 1700

Valuation:

Contractor: MICHAEL T. [Signature] Address: 5472A ANA

Address: 3020-K Lincoln Blvd - Beryl Avenue

I hereby acknowledge that I have seen this application and state that the above is correct and agree to comply with all ordinances and laws of the City of Garden Grove and/or State of California, insofar as they apply to the above described property, and I certify that the performance of the work for which this permit is issued shall not employ any person in violation of the minimum wage law of the State of California.

Permittee: MIKE FERRELL Lic. No.

Address: 3020-K Lincoln Blvd 12272 Beryl

PRESENT BLDG. ADDRESS: 12272 - HAM BOM - Beryl

CONTRACTOR: PUBLIC WORKS

Street Address: OK by: [Signature]

Records of Survey: not

RAW Dedication: not

Bonds: not

Encroachment Permit: not

Remarks: Needs Board & Dedication

Statistics: #1 Owner 10/21/60

# BUILDING PERMIT

Department of Building CITY OF  
E. C. ADAMS, Director GARDEN GROVE

## ZONING AND BUILDING

Use Zone: \_\_\_\_\_  
 Acc. Use: \_\_\_\_\_  
 Ver. Use: \_\_\_\_\_

St. Set Back: \_\_\_\_\_

Side Yard: \_\_\_\_\_

Stair, Wind, etc.: \_\_\_\_\_

Part. Ver. I: \_\_\_\_\_

Zoning Approved: ELM Date 7-26-60

Grade: F-1000 ELM

Remarks: ADD TOILET ROOM, DISHWASHER, K.M. ILL. AT PLUMBING + CEILING ACCT. DETACHED PLAS.

### INSPECTION RECORD

Foundation: \_\_\_\_\_

Roofing: \_\_\_\_\_

Roof Shing: \_\_\_\_\_

Rough Frame: \_\_\_\_\_

Left or Drywall: \_\_\_\_\_

Plat. Bracer C: \_\_\_\_\_

Cable: \_\_\_\_\_

Land Use: \_\_\_\_\_

Fire: \_\_\_\_\_

Units Release: \_\_\_\_\_

Fees: \$17.60 plus 4.50

Plan: \_\_\_\_\_

Sheet: \_\_\_\_\_

Bound: \_\_\_\_\_

Permit: \$400

Expiration: \_\_\_\_\_

Date: \_\_\_\_\_

Family Authorized By: ELM Date 7-26-60

Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

12272 Harbor #1955  
 8-17-60  
 8-17-60

For Applicant to Fill In (Use Inkt)  
 Job Address: 12272 HARBOR #1955  
 Lot No.: SEE TR. P. # 1955 G  
 Permit No.: 1955 G

Owner: G.E. COCKRELL  
 Address: 12272 HARBOR  
 Description: CHANGING OFFICE TO RESTAURANT  
 Building: GUEST SHEET RESTAURANT  
 Area of: \_\_\_\_\_  
 S. Set: \_\_\_\_\_  
 Valuation: \$450.00

Foundation: \_\_\_\_\_  
 Arch of: \_\_\_\_\_  
 Eng.: \_\_\_\_\_  
 Contractor: OWNER  
 Phone: \_\_\_\_\_

Address: \_\_\_\_\_  
 Valuation: \$11,006.00  
 License No.: \_\_\_\_\_

Address: TELANIT  
 RELOCATION  
 ADDRESS: PUBLIC WORKS

Record of Survey: \_\_\_\_\_  
 E.W. Dedication: \_\_\_\_\_  
 Bonds: \_\_\_\_\_  
 Encroachment Permit: \_\_\_\_\_  
 Remarks: \_\_\_\_\_

Remarks: I have read this application and state that the above is correct and agrees to comply with all ordinances and laws of the City of Garden Grove and the State of California. I am a duly licensed architect, engineer, or contractor, and I am not providing any services for which the term "architect," "engineer," or "contractor" is used in the laws of the State of California.

**PLOT PLAN**

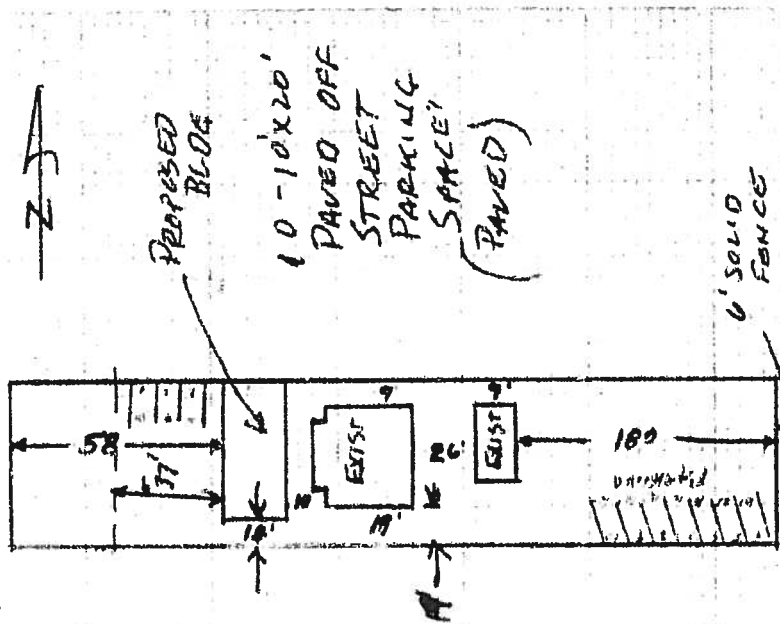
Department of Building  
S. C. Adams  
Director

CITY OF  
GARDEN GROVE

Job Address 15722 Harbor Blvd Permit Number 157151  
Lot 15722 Tract 15722 Blk. 157151

DIMENSION PLOT PLAN COMPLETELY SHOWING  
ALL BUILDINGS ON THE LOT AND THEIR USE

15722 - HARBOR BLVD



I certify the information furnished herein is complete and correct. By W. H. [Signature] Date Mar 21, 1951  
Rooming: 21 Building Inspector 22 Office File 23 Owner

**BUILDING PERMIT**  
**Department of Building CITY OF**  
**B. C. ADAMS, Director GARDEN GROVE**

**ZONING AND BUILDING**

Use Zone: Main Use: PL  
 Side Yard: PL  
 Side Yard: PL  
 Rear Yard: PL  
 Zoning Approved By: *[Signature]* Date: *[Date]*  
 Group: C Type: Plan Ct.

For Applicant to Fill in (Use Ink) 1

Job: 12272 *Marin* Permit No.: 12149  
 Address: *Blvd*  
 Lot No.: SEE P.D. NO. 10756  
 (State Assessor Maps & Records (2 Copies))  
 Owner: MORRIS & WIERE  
 Description: *Refinement*  
 Use of Building: *Restaurant*  
 Valuation: \$ 150.00  
 Location: 11 260 M\*\*\*\*2.00  
 Arch. or Engr. Address: *TRICITIES* Phone: *TE-40596*

**INSPECTION RECORD**

FOUNDATION and LOCATION  
 REINFORCING  
 ROOF SHTG.  
 ROUGH FRAME  
 LATH or DRYWALL  
 PLAS. BROWN CT.  
 OTHER  
 LEAD USE  
 FINAL  
 UTILITY RELEASE

Address: *1133 MARIN WAY G.B.*  
 I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and laws relating to building construction.  
 I hereby certify that I am properly registered with and/or licensed as an architect, engineer, contractor, or other person for which this permit is issued in the State of California.  
 Signature: *[Signature]* Date: *8-17-60*  
 Lic. No.:

**RELOCATION**

PRESENT BLENDING CONTRACTOR: ADDRESS: PUBLIC WORKS  
 Street Address: By: PROVIDED  
 Record of Survey  
 R.V. Dedication  
 Bonds  
 Easement Permit  
 Remarks  
 Permit Authorized by: *ELM* Date: *8-17-60*  
 Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

# CERTIFICATE OF OCCUPANCY 2

DEPARTMENT OF BUILDING  
CITY OF GARDEN GROVE  
11391 ACACIA

B. C. ADAMS, Director

JOB ADDRESS 12272 Harbor PERMIT NO. 16638

USE OF BUILDING Restaurant GROUP F-2 TYPE Y

USE ZONE C-2 APPROVED BY S. D. Hillier DATE Nov. 15, 1961

ZONING REMARKS 35 Parking Spaces Required

Floor load sign installed per Section 2308 Yes  No

Room capacity sign installed per section 3301 (1) Yes  No

The above described building has been inspected and found to comply with the provisions of the Uniform Building Code.

ISSUED TO Martha E. John S. Nardo ADDRESS 12272 Harbor Blvd.

Authorized By B. J. Killey, Structural Field Engineer DATE November 15, 1961

**Notice! Post in a Conspicuous Place on the Premises**



# CERTIFICATE OF OCCUPANCY 2

DEPARTMENT OF BUILDING  
B. C. ADAMS, Director  
CITY OF GARDEN GROVE  
11391 ACACIA

JOB ADDRESS 12272 Harbor PERMIT NO. 16648  
USE OF BUILDING RESTAURANT GROUP R-2 TYPE Y  
USE ZONE C-3 APPROVED BY S. O. MILLER DATE Mar. 15, 1961

### ZONING REMARKS

Floor load sign installed per Section 2308 Yes  No   
Room capacity sign installed per section 3301 (1) Yes  No   
The above described building has been inspected and found to comply with the provisions of the Uniform Building Code.

ISSUED TO Mr. M. S. S. S. S. ADDRESS 12272 Harbor Blvd.  
Authorized By J. E. Miller, Structural Engineer DATE March 15, 1961

**Notice! Post in a Conspicuous Place on the Premises**

**BUILDING PERMIT**  
 Department of Buildings  
 S. C. ADAMS, Director  
 CITY OF GARDEN GROVE  
 ZONING AND BUILDING

Use Zone CA Main Use  Acc. Use  Var. No.  PL  
 St. Set Back - 15' 1st Projection  
 Side Yard 15' Projection  
 Side Yard 15' Projection  
 Rear Yard 15' Projection  
 Zoning Approved By [Signature] No Parking Sp. Req'd. 15'  
 Group F-2 Type II Plan Ck. [Signature]  
 Remarks: See plat plan & floor & DIST STANDARD

For Applicant to Fill in (Use Ink) **1**  
 Job Address 12272 HARBOR Permit No. 10038

Tract No. 12272 Bill No. 10038  
 Please Attach Notes & Record (2 Copies)  
 Owner's Address Gino's 12272 HARBOR BLDG - G.G.  
 Description of Work REST. New  Add'n  Remodel  Relocate   
 Use of Building REST. Valuation \$300  
 Area of Building REST.  
 Validation SEP 28-61 11 063 H 444443.00  
 Arch. or Engr. [Signature] Address [Address] Phone [Phone]

Contractor OWNER  
 Address 12271 Mount Dr G.G.  
 I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and State laws regarding building construction and zoning regulations. I understand that the City of Garden Grove and/or State of California, or that I am the legal owner of the above described property, and I certify that in the performance of the work for which this permit is issued, I will not employ any person in violation of the workmen's compensation laws of the State of California.

Signature of [Signature] Date [Date] Lic. No. [Lic. No.]  
 Address [Address] RELOCATION  
 PRESENT BLDG. ADDRESS [Address]  
 MOVING CONTRACTOR ADDRESS [Address]

Street Address [Address] By [Signature] Date [Date]  
 Record of Survey [Signature]  
 R/W Dedication [Signature]  
 Bonds [Signature]  
 Encroachment Permit [Signature]  
 Remarks [Signature] Statistics #4 Owner

INSPECTION RECORD	DATE	CONTRACTOR
Approval		
Foundation and Location		
Reinforcing		
Roof Shts.		
Rough Frame		
Lath or Drywall		
Plas. Brown Ct.		
Other		
Land Use		
Final	<u>11-15-61</u>	<u>[Signature]</u>

Utility Release [Signature]  
 FEES  
 Building Permit \$300  
 Plan Check \$  
 Bond \$  
 Permit Authorized By [Signature] Date [Date]  
 Routing: #1 Bldg. Inspector #2 Office File #3

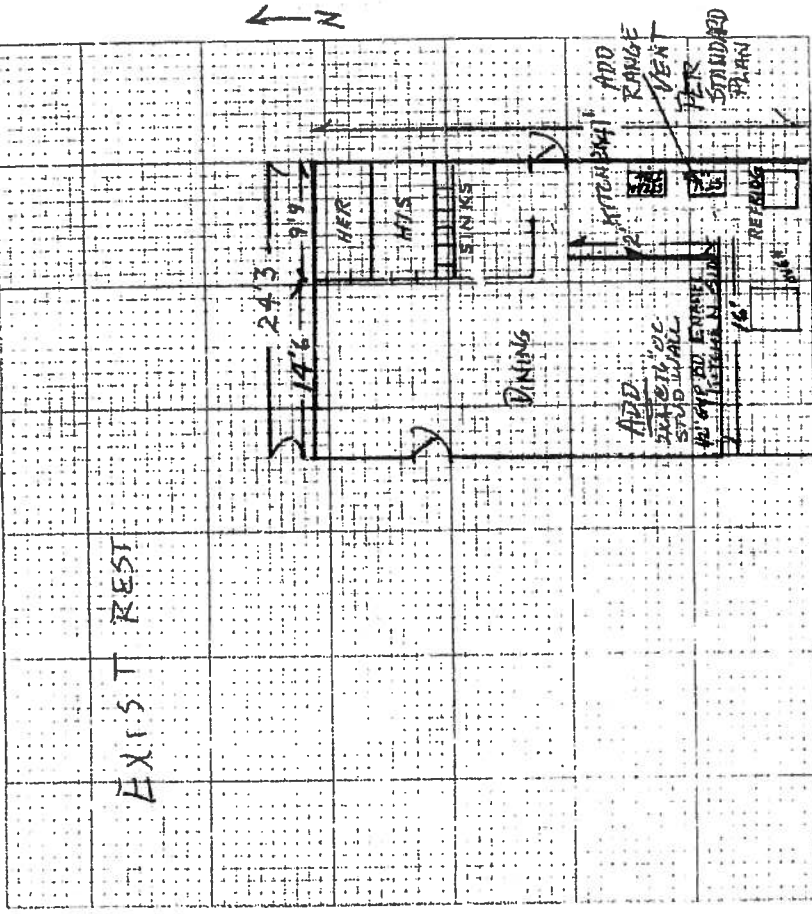
# PLOT PLAN

Department of Building  
B. C. Adams  
Director

CITY OF  
GARDEN GROVE

Job Address 12272 HARBOUR  
Permit Number 16638  
Lot Tract Bik.

DIMENSION PLOT PLAN COMPLETELY SHOWING  
ALL BLDGS. ON THE LOT AND THEIR USE



I certify the information furnished hereon is complete and correct.  
Routing: #1 Building Inspector #2 Office File #3 Owner By *John S. Menzies* Date *9/28/61*

**BUILDING PERMIT**  
 Department of Building  
 & C. ADAMS, Director  
 CITY OF  
 GARDEN GROVE

ZONING AND BUILDING  
 Main Use: CHANGING  
 Acc. Use: Projection  
 Var. No. PL

St. Set Back - PL  
 Side Yard NO  
 Side Yard CHANGING  
 Projection  
 Rear Yard No Parking Sp. Reqd.

Zoning Approved By PL Date PL  
 Group F-2 Type V Plan Cl. ECM  
 Remarks: PLAN ATTACHED  
GUIDE BUILDING WITH  
PARTITION SEE ATTACHED  
AGREEMENT RE: TOILET  
FACILITIES

INSPECTION RECORD

Foundation and Location	OK
Reinforcing	OK
Roof Shkts.	OK
Rough Frame	OK
Lath or Drywall	OK
Plas. Brown Ct.	OK
Other	OK
Land Use	OK
Final	OK
Utility Release	OK

FEES  
 Plan Check Bond \$ NONE  
 Building Permit \$ 5.00  
 Expiration Date 11-15-61  
 Permit Authorized By ECM Date 8-29-61

Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner #5

For Applicant to Fill In (Use Ink)  
 Job Address 12222 HARBOR Permit No. 16648  
 Lot No. 12222 Tract No. HARBOR Blk. No. 16648  
 Photo Attach Notes & Bonds (3 Copies)

Owner's Name MR. W.M. SAMWAYS  
 Address 12222 HARBOR  
 Description RESTAURANT  
 Use of Building RESTAURANT  
 Area of F.S. Plan 450 SF  
 Building Valuation 450 SF  
 No. of Units 1  
 Validation SEP 29-51 11-039

Arch. or Engr. NELSON DYE Phone PR 4-6150

Address ANAHEIM CALIF  
 I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and State laws requiring building construction.  
 I hereby certify that I am properly registered with and/or licensed as required by the City of Garden Grove and/or State of California, or that I am the legal owner of the above described property, and I certify that in the performance of the work for which this permit is issued I am, not employ any person in violation of the workmen's compensation law of the State of California.

Permitter Clay Clark Date 8-29-61  
 Address RELOCATION  
 PRESENT BLDG. ADDRESS RELOCATION  
 MOVING CONTRACTOR ADDRESS PUBLIC WORKS

Street Address OK By W.M. SAMWAYS  
 Record of Survey OK  
 R/W Dedication OK  
 Bonds OK  
 Encroachment Permit OK

Remarks OK  
 Statistics #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner #5

**PLOT PLAN**

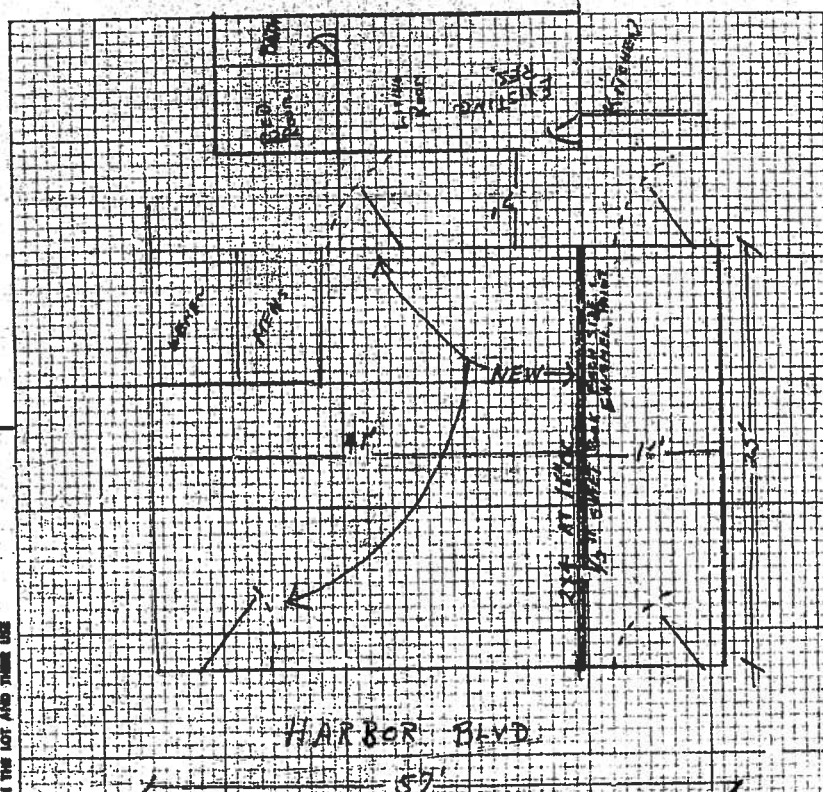
Department of Building  
E. C. Adams  
Director

CITY OF  
GARDEN GROVE

Job  
Address 12272 Harbor  
Lot

Permit No. 16648  
M.

THIS PLAN COMPLETELY SHOWING  
ALL SIDES ON THE LOT AND THEIR USE



I certify the information furnished herein is complete and correct.

Routing: 51 Building Inspector 22 Office File 23 Owner by Selacy Chair Date 10/27/51

# PLUMBING PERMIT

Department of Building  
B. C. Adams  
Director

City of  
GARDEN GROVE

Job No. 7-4200

Permit No. 24016

Address 12778 Hecker

Tract No. Bldg. No.

Owner Bill Demery

Owner's Address 12778 Hecker

Plumbing Contractor

Contractor's Address

Phone 13148 City Lic. No.

Use of Bldg. Commercial

New Bldg.  Old Bldg.

Validation RCT19-61 11 030 MAR 25 50

I, hereby acknowledge that I have read this application and state that the information furnished is true and correct to the best of my knowledge and belief. I hereby certify that I am a properly registered and/or licensed as required by the City of Garden Grove and I have issued this permit in the performance of the work for which the permit is issued. I shall not be held responsible for the completion of the work.

Signature of Permittee

Date 10-9-66

Address

Approvals

DATE

INSPECTOR

SOIL PIPING

GROUND PLUMBING

ROUGH PLUMBING

GAS PIPING

GAS VENT

SEPTIC TANK or Cesspool

SEWER

GAS TEST

MAIN DRAIN AND VACUUM LINES

WATER HEATER

BACKWASH

FINAL

UTILITY CO. NOTIFIED

ISSUE

2 00

TOTAL FEE \$ 5.00

Permit Authorized By

Date 10-19-66

#1 Plumbing Inspector

#2 Office File

#3 Owner

Bldg. Permit #

**INVESTIGATION REPORT**

Department of Building  
Bernard C. Adams  
Inspector

JOB ADDRESS 15277 Harbor Blvd  
Lot No. \_\_\_\_\_ Tract No. \_\_\_\_\_ Bldg. No. \_\_\_\_\_

Owner Plum Exteriors  
Owner's Address 876 W. 16th Street

Violations and Description:

Violation of Ordinance  
# 521 - Sect 5-301  
4 panels added to  
Sign without permit  
SEE Sign permit at  
16777 15545th to this  
address 10-17-61

PLAN OR DESCRIPTION

SEE Plot Plan  
Attached to permit  
# 16777

**INSTRUCTIONS**

It shall be necessary  
to remove all panels  
made of ply wood  
and apply at this  
dept with construction  
necessary to obtain  
permits for panel  
reading Dining Room  
open

<u>1 Sign with</u>	<u>1 Plywood</u>
<u>Sign - 8' x 4'</u>	<u>1 Sign</u>
<u>1 Sign</u>	<u>1 Sign</u>
<u>1 Sign</u>	<u>1 Sign</u>
<u>1 Sign</u>	<u>1 Sign</u>
<u>1 Sign</u>	<u>1 Sign</u>
<u>1 Sign</u>	<u>1 Sign</u>

Comply on or before: 1-11-63

Building  Electric  Plumbing   
Permits Required

SECTION 1284 (CIVIL SERVICE) CODE  
This permit is required for a sign or advertisement under the provisions of this Code,  
which is prohibited by a sign or advertisement more than five hundred inches (5000),  
or by an advertisement in this City or County for a period not over thirty (30)  
months, or 10 feet high and permanent. Each such permit shall be  
issued by a separate officer for each and every sign, advertisement, or  
with any violation of any provision of this Code, the applicant, contractor,  
personified by each person and hereinafter provided, any condition imposed or  
in violation of the provisions of any of the provisions of this Code shall be  
deemed a public nuisance and may be, by this City, summarily abated as such  
and each and every condition shall be registered as a base and separate  
offense.

I certify that this copy was made: MADE

at the job address: X

Inspector's Name: Robert Date: 1-9-63

ROUTINE: 1. Insp. 2. Office 3. Owner

# PLUMBING PERMIT

Department of Building  
 R. C. Adams  
 Director

CITY OF  
 GARDEN GROVE  
 JE 7-6200

For Applicant to Fill In (Use Int.)  
 Job Address 12272 HARBOUR BLVD 29604 Permit No. \_\_\_\_\_  
 Lot No. \_\_\_\_\_ Tract No. \_\_\_\_\_  
 Owner W. T. SAMWAYS Bill No. \_\_\_\_\_  
 Owner's Address 12172 WOODLAWN AVE  
 Plumbing Contractor KILLEN  
 Contractor's Address 29811 NORIA ST  
 Phone 4-6004 City Lic. No. \_\_\_\_\_  
 Use of Bldg. RESTAURANT  
 New Bldg.  Old Bldg.   
 Validation 11-5-63 11 040 11 22 0 0 11 00

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and State laws regarding plumbing.  
 I hereby certify that I am properly registered with the State of California as a plumber and I am the legal owner of the above described property, and I agree that in the performance of the work herein provided for, I will be in compliance with the provisions of the plumbing code of the State of California.  
 Signature W. T. Samways Date 4-5-63  
 Permittee W. T. Samways  
 Address 29811 NORIA ST

No.	TYPE OF FIXTURE OR ITEM	EACH	\$	FEE
	Water Closet (Flush)	1.00		
	Bath Tub	1.00		
	Shower	1.00		
	Lavatory (Wash Basin)	1.00		
	Kitchen Sink <u>RE-LOCATE</u>	1.00		1
	Garbage Disposal	1.00		
	Laundry Tub or Tray	1.00		
	Water Heater	1.50		
	Slop Sink	1.00		
	Floor Sink	1.00		
	Floor Drain	1.00		
	Dish Washer	1.00		
	Drinking Fountain	1.00		
	Urinal	1.00		
	Gas System - Outlets	1.00		1
	House Sewer	1.00		
	Lawn Sprinklers	2.00		
	Swimming Pool Piping	1.00		
	Sand Traps	1.00		
	Automatic Washing Mach.	1.00		
	Water Softeners	1.50		
	Backwash	1.50		
	SOIL PIPING			
	GROUND PLUMBING			
	ROUGH PLUMBING			
	GAS PIPING			
	GAS VENT			
	SEPTIC TANK or Cesspool			
	SEWER			
	GAS TEST			
	MAIN DRAIN AND VACUUM LINES			
	WATER HEATER			
	BACKWASH			
	FINAL UTILITY CO. NOTIFIED			
	ISSUANCE OF PERMIT		2	00
	TOTAL FEE		\$	4

Permit Authorized By [Signature] Date 4-5-63  
 Routing: #1 Plumbing Inspector #2 Office File #3 Owner Bldg. Permit # 28192



**BUILDING PERMIT**  
 Department of Building CITY OF  
 BERNARD C. ADAMS, Director GARDEN GROVE  
 ZONING AND BUILDING

Use Zone Main Use Acc. Use Ver. No.  
 C-2 Use X Use  
 St. Set Back PL PL  
 Side Yard PL  
 Side Yard PL  
 Rear Yard 10 Stories 1  
 Zoning Approved By *Sam* Date *3-7-63*  
 Group F-2 Type II Plan C  
 Remarks: *Rem. & D.C.*

For Applicant to Fill In (USE INK)  
 Job Address *HARBOR BLVD* Permit No. *32142*  
*12272*

Tract No. Blk. No.  
 Please Attach Masters & "smich" (2 Copies)  
 Owner *WILLIAM T. SAMWAYS*  
 Address *12172 WOODLAWN AVE*  
 Description New  Add'n  Remodel  Reloc.   
 Use of *RESTAURANT REMOVE WALL, CUT*  
 Building *THROUGH WALL FOR DOOR & TILE FLOOR*  
 Area of Valuation *400.*

Validation *VAR-7-63* 11 036 N\*\*\*\*\*3.00  
 Arch. or Engr.  
 Contractor *Sam* Phone

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and State laws regulating building construction. I hereby certify that the City of Garden Grove and/or State of California, or that I am the legal owner of the above described property, and I certify that in the performance of the work for which this permit is issued, I shall not employ any person in violation of the workmen's compensation laws of the State of California.  
 Signature *William T. Samways* 3-7-63  
 Permits Lic. No.

Address *SAME* RELOCATION  
 PRESENT BLDG. ADDRESS  
 MOVING ADDRESS  
 CONTRACTOR ADDRESS  
 PUBLIC WORKS

Street Address *O.K.* REQUIRED BY *J.D.*  
 Record of Survey *PROVIDED*  
 R/W Dedication *Provided*  
 Bonds *Provided*  
 Encroachment Permit *Provided*

Remarks *J.D.*

APPROVAL	DATE	INSPECTOR
Foundation		
Reinforcing		
Roof Shlg.		
Rough Frame		
Lath or Drywall		
Plas. Brown Ct.		
Other		
Land Use		
Final	<i>5-21-63</i>	<i>Key</i>
Utility Release		

Permit Authorized By *Sam* Date *3-7-63*

FEES	DATE
Plan Check	\$ 3.00
Building Permit	\$ 3.00
Expiration	
Bond	

Routing: #1 Bldg. Inspector #2 Office File #3 Statistics #4 Owner

# PLUMBING PERMIT

Department of Building  
B. C. Adams  
Director

City of  
GARDEN GROVE

JE 1-4200

## PERMIT FEES

No.	TYPE OF FEATURE OR ITEM	RATE	\$	PER
	Water Check (Toll)	\$1.00		
	Bath Tub	1.00		
	Shower	1.00		
	Lavatory (Wash Basin)	1.00		
2	Kitchen Sink	1.00	2	00
	Garbage Disposal	1.00		
	Laundry Tub or Tray	1.00		
	Water Heater	1.50		
	Sleep Sink	1.00		
	Floor Sink	1.00		
	Floor Drain	1.00		
	Dish Washer	1.00		
	Drinking Fountain	1.00		
	Urinal	1.00		
1	Gas System — Outlets	1.00	1	00
	House Sewer	1.00		
	Lawn Sprinklers	2.00		
	Swimming Pool Piping	1.00		
	Sand Traps	1.00		
	Automatic Washing Mach.	1.00		
	Water Softeners	1.50		
	Backwash	1.50		

Issuance of Permit 2 00  
TOTAL FEE \$ 5 00  
Permit Authorized By *[Signature]* Date 10-19-61

For Applicant to Fill in (Use Int)

Job 12-278 Harbor

Address 12274 Harbor

Permit No. 24016

Lot No. \_\_\_\_\_

Traffic No. \_\_\_\_\_

Bill No. \_\_\_\_\_

Owner *Bill Demery*

Owner's Address *12274 Harbor*

Plumbing Contractor *William S. Hill*

Contractor's Address *101 West 5th*

Phone *1-3148* City Lic. No. \_\_\_\_\_

Use of Bldg. *Commercial*

New Bldg.  Old Bldg.

Validation REC 11-9-61 11 030 H 24255.00

I hereby acknowledge that I have read this application and state that I am a duly licensed plumber in the State of California. I am hereby certifying that I am properly registered with and/or licensed as required by the City of Garden Grove. I have checked the plans and I certify that in the performance of the work shown on this permit, I will not be in violation of the provisions of the plumbing code of California. Signature of *[Signature]* Date 10-19-61

Address	APPROVALS	DATE	INSPECTOR
SOIL PIPING			
GROUND PLUMBING			
ROUGH PLUMBING			
GAS PIPING			
GAS VENT			
SEPTIC TANK or Cesspool			
SEWER			
GAS TEST		10/19/61	<i>[Signature]</i>
MAIN DRAIN AND VACUUM LINES			
WATER HEATER			
BACKWASH			
FINAL			
UTILITY CO. NOTIFIED			

#1 Plumbing Inspector #2 Office File #3 Owner Bldg. Permit #

# PLUMBING PERMIT

Department of Building  
B. C. Adams  
Director

For Applicant to Fill in (Use Ink)

Job 12272  
Address H.A.A. Bldg Blvd

Permit No. 29970  
Tract No. \_\_\_\_\_  
City Lic. No. \_\_\_\_\_

Owner W.M. Simmons  
Owner's Address 1961 Franklin - Tustin

Plumbing Contractor Killeden  
Contractor's Address 2974 No. 1st St

Phone 4-6004  
Use of Bldg. Residential  
New Bldg.  Old Bldg.

Validation # 22-63  
I hereby acknowledge that I have read this application and that the State has reviewed the same and that I am properly registered with and/or licensed as required by the City of Orange for the work described herein, and I hereby certify that in the performance of the work for which this permit is issued I shall not violate the provisions of the Uniform Building Code of the State of California.

Signature of Permittee Killeden  
Address 2974 No. 1st St  
Date 3-22-63

TYPE OF WORK OR ITEM	RATE	PERMIT FEES
Water Closet (Toilet)	\$1.00	
Bath Tub	1.00	
Shower	1.00	
Lavatory (Wash Basin)	1.00	
Kitchen Sink	1.00	
Garbage Dispos.	1.50	
Laundry Tub or Tray	1.00	
Water Heater	1.50	
Slop Sink	1.00	
Floor Sink	1.00	
Floor Drain	1.00	
Dish Washer	1.00	
Drinking Fountain	1.00	
Urinal	1.00	
Gas System - Outlets	1.00	
House Sewer	1.00	
Lawn Sprinklers	2.00	
Swimming Pool Piping	1.00	
Sand Traps	1.00	
Automatic Washing Mach.	1.00	
Water Softeners	1.50	
Backwash	1.50	
SOIL PIPING		
GROUND PLUMBING		
ROUGH PLUMBING		
GAS PIPING		
GAS VENT		
SEPTIC TANK or Cesspool		
SEWER		
GAS TEST		
MAIN DR. N AND VACUUM LINES		
WATER HEATER		
BACKWASH		
FINAL		
UTILITY CO. NOTIFIED		
ISSUANCE OF PERMIT	2.00	
TOTAL FEE	\$	
Permit Authorized By <u>[Signature]</u>	Date <u>3-22-63</u>	
Routing: #1 Plumbing Inspector	#2 Office File	#3 Owner
		Bldg. Permit #

**BUILDING PERMIT**  
 Department of Building CITY OF  
 HELEN G. ABRAHAM, Director GARDEN GROVE  
 ZONING AND BUILDING

Use Zone C-2 Main Use Use Var. No.       
 St. Set Back: PL      PL       
 Side Yard Projection       
 Side Yard Projection      Parking Req'd.       
 Rear Yard Stories       
 Zoning Approved By      Date       
 Group Type      Plan Ct.       
 Remarks: MOVE OUT OF CITY

For Applicant to Fill In (USE RED)  
 Job Address 12272 Burbank Permit No. 21995  
 Lot No.      Tract No.      Block No.       
 Fronts Allocated      Sides      Rear      (2 Copies)

Owner BILL SEGREYS  
 Owner's Address 12172 WOODLAND, BURBANK, CALIF.  
 Description MOVING OUT OF WORK New  Add  Remodel  Relocate   
 Use of Building      Valuation 100.00  
 Area of Building       
 Validation 11 26-63 11 050 N 00000200  
 Arch. or Engr.      Address     

Contractor SEAN MORRIS Permit No. 14-1696  
 Address 11611 VERBENA ST. BURBANK  
 I hereby acknowledge that I have read this permit and refer and the above to correct and agree to comply with all conditions and regulations of the City of Garden Grove and/or State of California, and I agree to pay for the same. I understand that this permit is issued on the basis of the information furnished by me and I shall not be held responsible for any errors or omissions in the information furnished by me.

Signature of SEAN MORRIS Date 2-26-63  
 Address 11611 VERBENA ST. BURBANK Lot No. 211165  
 Address 11611 VERBENA ST. BURBANK  
 Address 11611 VERBENA ST. BURBANK  
 COMMENTS: MOVING TO  
CONTRACTOR'S R. MORRIS ADDRESS 11611 VERBENA ST. BURBANK

INSPECTION RECORD

APPROVAL	BASE	INSPECTOR
Foundations and Location		
Reinforcing		
Roof Sng.		
Rough Frame		
Leak or Drywall		
Plac. Ironed Ct.		
Other		
Land Use		
Final		

UTILITY RELEASE

RECORD OF SURVEY	REQUIRED	PROVIDED
R/W DEDICATION		
BONDS		
ENCROACHMENT PERMIT		

Permit Authorized By      Date 2-26-63  
 Fees: Building Permit \$ 20.00  
 Bond \$      Expiration Date       
 Reading: #1 Bldg. Inspector #2 Office File #4 Owner

**BUILDING PERMIT**  
 Department of Building  
 CITY OF  
 BERNARD G. ARAVES, Mayor  
 GARDEN GROVE

**ZONING AND BUILDING**

Use Zone: Main Use  Var. No.   
 C-2 Use  Use  PL   
 St. Set Back: PL Projection   
 Side Yard: PL Projection   
 Side Yard: PL Projection   
 Rear Yard: 60' Stories 1 Parking Req. -   
 Zoning Approved By: Comm Date: 3-7-63   
 Group: F-2 Type: II Plan Cl.   
 Remarks: REVISIONS

For Applicant to Fill In (SEE REV) **1**  
 Job Address: HARBOR BLVD Permit No. 32142  
12272

Tract No.            Blk No.             
 Plans Attached (sheets & boards) (2 Copies)  
 Owner: WILLIAM T. SAWAYS  
 Address: 22172 WOODLAWN AVE  
 Description:  New  Add'l  Remodel  Rebuild   
 Use of Work: RESTAURANT REMOVES WALL, CUT  
BUILDING TABLE WALL FOR DOOR, TILE FLOOR  
 Area of Valuation: 400

Validation: 91A-7-63 11 036 H 000001.00  
 Arch. or Eng.            Address             
 City:            Phone           

Address:             
 I hereby acknowledge that I have read this application and that I understand the same and intend to comply with all ordinances and laws of the City of Garden Grove and/or State of California, and that I am the legal owner of the above described property, and I warrant that the performance of the work for which this permit is issued shall not violate any laws or ordinances in violation of the ordinance or laws of the City of Garden Grove, California.  
 Signature: William T. Saways Date: 3-7-63  
 Title:            Lic. No.           

Address:            RELOCATION  
 PREPARED BY:             
 ADDRESS:             
 COMMUNITY:           

Street Address:            by             
 Record of Survey:             
 R/W Dedication:             
 Bonds:             
 Encroachment Permit:           

Remarks:             
 #1:            #2:            #3:            #4:           

**INSPECTION RECORD**

APPROVAL	BAR	REVISIONS
Foundation		
Reinforcing		
Roof Shing.		
Rough Frame		
Leak or Drip		
Plas. Insulation		
Other		
Land Use		
Final		
Utility Release		

Land Use:             
 Final:             
 Utility Release:           

**FEE**

Plan Check: \$             
 Building Permit: \$             
 Bond: \$             
 Expiration Date:           

Permit Authorized By:            Date:             
 #1 Bldg. Inspector:            #2 Office File:

# PLOT PLAN

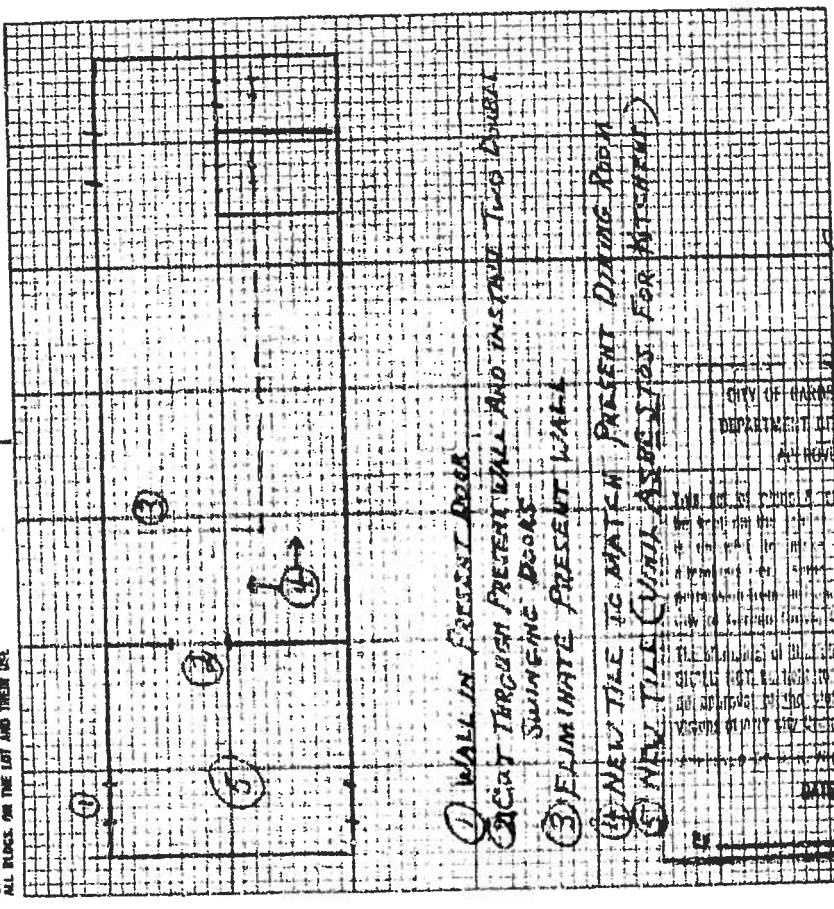
Department of Building  
Bernard C. Adams  
Director

CITY OF  
GARDEN GROVE

Job Address  
12272 HARDY BLVD  
Tract  
Lot

Permit Number  
22142  
BIL

DIMENSION PLOT PLAN COMPLETELY SHOWING  
ALL PLACES ON THE LOT AND THEIR USE



- ① WALL IN PRESENT DOOR
- ② CUT THROUGH PRESENT WALL AND INSTALL TWO DOOR SWINGING DOORS
- ③ ELIMINATE PRESENT WALL
- ④ NEW TILE TO MATCH PRESENT DINING ROOM
- ⑤ NEW TILE (VINYL ASBESTOS FOR KITCHEN)

NO.	DESCRIPTION	AREA	PERCENT	DATE
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...
11	...	...	...	...
12	...	...	...	...
13	...	...	...	...
14	...	...	...	...
15	...	...	...	...
16	...	...	...	...
17	...	...	...	...
18	...	...	...	...
19	...	...	...	...
20	...	...	...	...
21	...	...	...	...
22	...	...	...	...
23	...	...	...	...
24	...	...	...	...
25	...	...	...	...
26	...	...	...	...
27	...	...	...	...
28	...	...	...	...
29	...	...	...	...
30	...	...	...	...
31	...	...	...	...
32	...	...	...	...
33	...	...	...	...
34	...	...	...	...
35	...	...	...	...
36	...	...	...	...
37	...	...	...	...
38	...	...	...	...
39	...	...	...	...
40	...	...	...	...
41	...	...	...	...
42	...	...	...	...
43	...	...	...	...
44	...	...	...	...
45	...	...	...	...
46	...	...	...	...
47	...	...	...	...
48	...	...	...	...
49	...	...	...	...
50	...	...	...	...

City of Garden Grove, California  
 Building Department  
 1000 E. Main Street, Garden Grove, CA 92647  
 Phone: (714) 441-2200  
 Fax: (714) 441-2201  
 Website: www.gardengrove.org  
 Date: 3-7-63  
 Signature: [Handwritten Signature]

# PLUMBING PERMIT

Department of Public Works  
CITY OF GARDEN GROVE

Permit No. **12-27-1992** Permit No. **006882**

DESCRIPTION	PERMIT FEE	DATE
Water Closet (Toilet)	2.00	
Bath Tub	2.00	
Synon		
Laundry Wash Basin	2.00	
Kitchen Sink or Garb. Disp.	2.00	
Laundry Tub or Trough		
Water Heater		
Sump Pump		
Floor Sink	4.00	
Floor Drain	4.00	
Desk Washer		
Drinking Fountain		
Urinal	1.00	
Gas System Outlets	1.00	
House Sewer		
Lawn Sprinklers		
Swimming Pool		
Solid Traps		
Automatic Washing Mach.		
Water Softeners		
Faucets		
Water Heater Test	1.00	
Miscellaneous		
Issuance of Permit	2.00	
TOTAL FEE	\$ 23.00	
Received By		Date
Permit Authorized By		Date

Contractor's Name: **G. WOODS TRADING VILLA**  
 Contractor's Address: **13377 W. HAWAIIAN BLVD**  
 Plumbing Contractor: **JOSEPH BERTALONE**  
 Contractor's Address: **923 W. COHEN SA**  
 Phone: **771-166** City: **LA BREA**  
 Loc. of Bldg.: **Other**  
 New Bldg.  Old Bldg.

I hereby acknowledge that I am properly licensed with and/or licensed by the State of California and I am properly licensed with and/or licensed by the City of Garden Grove and I am the legal owner of the above described premises and I certify that in the performance of this work I will comply with all applicable laws, rules, regulations and orders of the plumbing board of California.

Signature of **J. Bertalone** Date **6-16-92**

APPROVALS	DATE	INSPECTOR
SOIL PIPING	3-5-65	R. J. J. J.
GROUND PLUMBING	3-12-65	R. J. J. J.
ROUGH PLUMBING	4-3-65	R. J. J. J.
WKS PIPING		
GAS VENT		
KNIGHT FURNACE		
SEPTIC TANK or Cesspool		
SEWER		
GAS TEST		
UTILITY CO. NOTIFIED		
FINAL	6-16-92	R. J. J. J.

Routing: #1 Plumbing Inspector #2 Office File #3 Owner

**RELOCATING PERMIT**  
 ALL COSTS ARE USUAL. THE CITY OF GARDEN GROVE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS IN THE COURSE OF THE PERMITTING PROCESS.

**OWNER:** T.O. TIRIC BROS  
**ADDRESS:** 405 N. HARBOR BLVD  
**CITY:** GARDEN GROVE, CALIF. 92640

**PERMIT NO.:** 0000000000

**JOB ADDRESS:** 12272 HARBOR BLVD

**DATE:** FEB 18 1985

**APPLICANT'S SIGNATURE:** *[Signature]*

**DATE:** FEB 29 1985

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**CONTRACTOR'S SIGNATURE:** *[Signature]*

**DATE:** FEB 29 1985

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**CONTRACTOR'S CERTIFICATION:** I have carefully read and examined the above application and find the same to be true and correct. All provisions of the laws and ordinances of the City of Garden Grove and State of California will be complied with whether specified herein or not.

**APPLICANT'S CERTIFICATION:** I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the contractor's compensation laws of California.

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85

**RELOCATING PERMIT:**  **RELOCATION:**

**VALUATION:** \$18,000

**FEES:** \$51.00

**PLAN CHECK:** \$25.00

**BOARD:** \$26.00

**PERMIT AUTHORIZED BY:** T. Sigs, Inspector

**DATE:** 2-17-85



**APPLICANT'S NAME: BACANA MASONRY**  
**ADDRESS: 2323 23rd St. Apt. 893 - 363a**  
**CITY: GARDEN GROVE, CALIF.**

**PERMITS: 11-066**

**DATE: 11-65**

**VALUATION: \$255.00**

**REMARKS: Standard Plan, Public Works**

**INSPECTION RECORD:**

APPROVAL	DATE	INSPECTOR
Foundation and Location	6-10-65	B. B.
Reinforcing		
Roof Slab		
Rough Frame		
Lath or Drywall		
Plac. Brown Ct.		
Other		
Land Use		
Final		
Utility Release		

**FEES:**

Plan Check	\$	
Building Permit	\$	13.00
Expiration Date		

**Permit Authorized By:** [Signature] Bldg. Inspector

**DATE:** 6-11-65

**INSTRUCTION:** USE TRAVELER'S OR BALL POINT PEN. FEE \$15.00. PERMITS ARE ISSUED BY THE CITY ENGINEER. PERMITS ARE VALID FOR 180 DAYS. PERMITS ARE NON-TRANSFERABLE. PERMITS ARE NOT VALID FOR WORK IN STATE PARKS. PERMITS ARE NOT VALID FOR WORK IN STATE PARKS.

**Job Address:** 12272 Harbor Blvd. 1109364 A1

**Lot No.:** 12272

**Tract No.:** Harbor Blvd.

**State Lic. No.:** 1109364 A1

**Permit No.:** 11-066

**Proposed Bldg. Use:** Residential

**Valuation:** \$255.00

**Remarks:** 71'-0" x 4" High

**Inspector:** [Signature]

**APPLICANT'S CERTIFICATION:** I have carefully read and examined the above application and find the same to be true and correct. I am a resident of the City and State of California and will be complied with whether specified herein or not.

**Signature of Applicant:** [Signature]

**Signature of Permittee:** [Signature]

**Address:** 12272 Harbor Blvd. 1109364 A1

**City:** Garden Grove, California

**State:** California

**Permit No.:** 11-066

**Valuation:** \$255.00

**Remarks:** 71'-0" x 4" High

**PLOT PLAN**

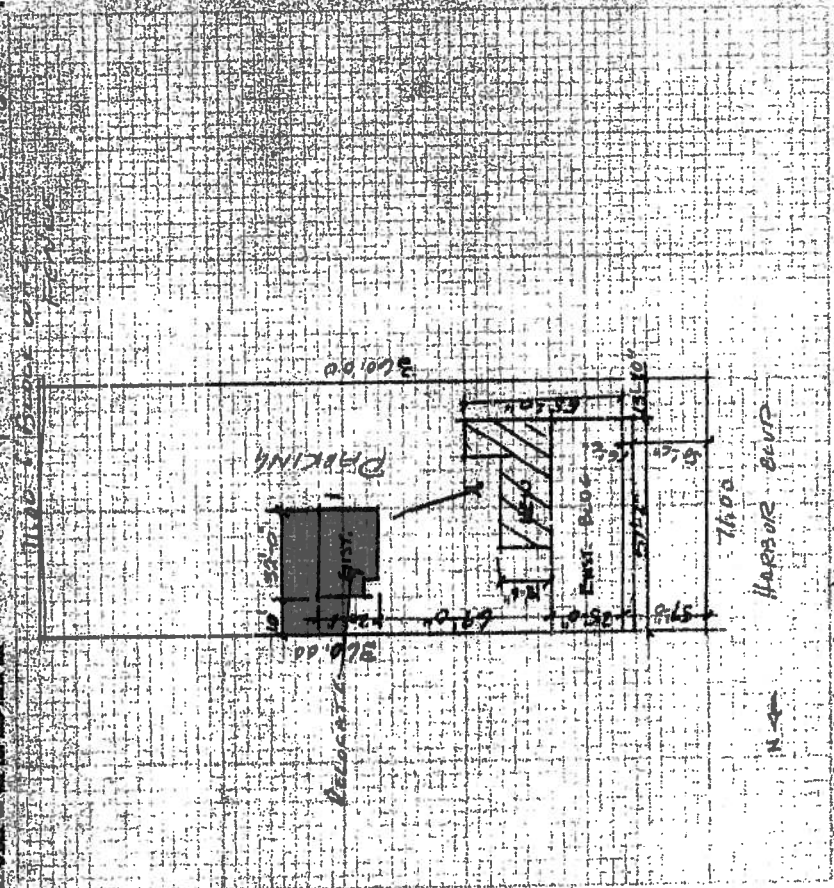
Department of Public Works

CITY OF

MINNESOTA

PLANNING

THIS PLAN IS FOR THE USE OF THE CITY OF MINNESOTA AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.



I certify the information herein is complete and correct.  
Routing: 5 | Building Inspector #2 Office File #3 Owner

Date

By

**BUILDING PERMIT**  
 DEPARTMENT OF BUILDING & SAFETY, GARDEN GROVE PH. 574-4200  
 OCCUPANCY TYPE VD OCC. LOAD FD  
 PLAN ATTACHED: INTERIOR ALTERATION  
 PLANNING

TRACKS	FRONT	LEFT	RIGHT	REAR

PLANNING APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_

APPROVAL	DATE	INSPECTOR

VALUATION NOTE: INCLUDE LABOR, MAT. FINISH, PLUMBING, ELEC., ETC. \$100.00  
 FEES  
 Plan Check \$ 2.50 Building Permit \$ 5.00  
 Bond \$ \_\_\_\_\_ Expiration Date \_\_\_\_\_

Permit Authorized By EUM Date 11-18-68  
 1 Bldg. Inspector

INSTRUCTION: FILL IN ARE WITHIN HEAVY LINES WITH TYPE AND SIZE OF MATERIALS TO BE USED. THIS PERMIT IS VALID FOR 60 DAYS FROM DATE OF ISSUE. IF WORK IS NOT COMPLETED WITHIN 60 DAYS FROM DATE OF ISSUE OR IF APPROVED FOR MORE THAN 120 DAYS, THIS PERMIT WILL BE NULL AND VOID.  
 IS STARTED BEFORE PERMIT IS ISSUED. DOUBLE THE VALUE OF PERMIT IF WORK IS STARTED BEFORE PERMIT IS ISSUED.  
 Job Address 12272 HARROCK BL Tract No. US1995A  
 LOT No. \_\_\_\_\_

OWNER: JACQUES PIERRE MEYER  
 Mailing Address 22272 HARROCK BL City LA BREA Zip No. 91208  
 Tel. No. 616 41700  
 State Lic. No. \_\_\_\_\_ City \_\_\_\_\_ Zip No. \_\_\_\_\_  
 Contractor C. L. ALLEN City \_\_\_\_\_ Zip No. \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ Zip No. \_\_\_\_\_

PRESENT BLDG. USE RESIDENTIAL PROPOSED BLDG. USE RESIDENTIAL  
 Validation 11 073 11 072 11 072 11 072 11 072  
 TO BE DONE REVISION - 65-4-11-68  
 NEW  ADD'N  ALTER  REPAIR  DEMOLISH  
 FLOOR AREA 4100 NO. OF STORIES 1 NO. OF DWELLING UNITS 1  
 I certify that I have read this application and state that the above information is correct. I agree to comply with all City Ordinances and State of California relating to building construction. I certify that no violation of the Uniform Code of Ordinances relating to Workmen's Compensation Insurance. I further agree to hold the City of Garden Grove free and harmless from any liability arising out of injury or bodily damage resulting from work performed relevant to this permit.

CONTRACTORS SIGN BELOW  
 I certify that I am a licensed contractor and that my license is in full force and effect.  
 Signature S. L. L. By Registered Agent Date 11/18/68  
 Contractor \_\_\_\_\_  
 OWNER-BUILDER SIGN BELOW  
 I certify that I am exempt from the provisions of Ch. 9, Div. 3 of the Labor Code (Contractor's License Law) because (check one):  
 I am the owner of the above property and will personally perform the work.  
 I am the owner of the above property and I will contract to have all of the above work performed by licensed contractors.  
 I am the owner of the above property and will employ persons to perform the above work with wages as their sole compensation. I will furnish insurance for my employees as required by the Labor Code of California.

OWNER SIGNATURE Jacques Pierre Meyer By Registered Agent  
 My work is not to be started within 60 days from date of issue or if approved for more than 120 days, this permit will be null and void.  
 PRESENT BLDG. ADDRESS \_\_\_\_\_ RELOCATION ADDRESS \_\_\_\_\_  
 PERMITTING CONTRACTOR ADDRESS \_\_\_\_\_

# PLUMBING PERMIT

Department of Building  
337-4200

CITY OF  
GARDEN GROVE

No.	TYPE OF FIXTURE OR ITEM	PERMIT FEES	BACH	3	FE
	Water Closet (Toilet)		\$1.50		
	Bath Tub		1.50		
	Shower		1.50		
	Lavatory (Wash Basin)		1.50		
	Kitchen Sink		1.50		
	Garbage Disposal		1.50		
	Laundry Tub or Tray		1.50		1.50
	Water Heater		1.50		
	Slop Sink		1.50		
	Floor Sink		1.50		
	Floor Drain		1.50		
	Dish Washer		1.50		
	Drinking Fountain		1.50		
	Urinal		1.50		
	Gas System & Outlets		1.50		1.50
	House Sewer		1.50		
	Lawn Sprinklers (Single Dwellings Only)		2.00		
	Swimming Pool Piping		1.50		
	Sand Traps		1.50		
	Automatic Washing Mach.		1.50		
	Water Softeners		1.50		
	Backwash - Trap		1.50		
	Water Lateral		1.50		
	Backflow Protective Devices		2.00		
	Insurance of Permit			2	00
	<b>TOTAL FEE</b>				<b>\$ 50.00</b>

For Applicant to Fill In (Use Ink)  
Job # 2477 Harrison  
Address \_\_\_\_\_  
Permit No. **032392A**  
Bk. No. \_\_\_\_\_

Lot No. \_\_\_\_\_ Tract No. \_\_\_\_\_  
Owner Joseph F. ...  
Owner's Address \_\_\_\_\_  
Plumbing Contractor Glenn ...  
Contractor's Address 11811 ... City Lic. No. \_\_\_\_\_  
Phone 5343588  
Use of Bldg. Residence

New Bldg.  Old Bldg.   
Valuation 1139 \*\*\*\*\*5.00

I hereby acknowledge that I have read this application and state that the same is correct and agree to comply with all ordinances and State laws pertaining thereto. I am properly registered with and/or licensed as required by the City of Garden Grove and/or State of California, or that I am the legal owner of the work for which this permit is issued. I shall not be liable for any damages or injury to persons in violation of the workman's compensation laws of the State of California.

Signature of Permittee Glenn ... 10-13-68

Address	APPROVALS	DATE	INSPECTOR
	SOIL PIPING		
	GROUND PLUMBING		
	ROUGH PLUMBING		
	GAS PIPING		
	GAS VENT		
	SEPTIC TANK or Compost		
	SEWER		
	GAS TEST		
	MAIN DRAIN AND VACUUM LINES		
	WATER HEATER		
	BACKWASH		
	WATER LATERAL		
	FINAL		

Permit Authorized By ... Date 11/16/68  
ROUTING: #1 Plumbing Inspector #2 Statistics #3 Owner #4 Office File Bldg. Permit # 31995-1

June 28, 1973

Mr. Milton Floorman  
190 North Cannon  
Beverly Hills, California 90065

Dear Sir:

SUBJECT: Removal of Structure at 12272 Harbor Boulevard

This is to confirm the telephone conversation with Mr. Ken Miller, the Senior Building Inspector of the City of Garden Grove, telling you to demolish and remove the damaged building within 48 hours of notification, which was at 2:00 p.m., June 27, 1973.

The existing portions of the building which remain standing, but which appear to be in an unstable condition and may topple possibly injuring someone, should be removed or at least rendered in a stable condition within 24 hours. I have spoken to Mr. Nate Mahmas, who identified himself as your representative, and have given him this information.

If there is any further information needed, do not hesitate to call me at (714) 638-5771.

Very truly yours,

Harry R. Peirce  
Building-Zoning Manager

HRP:mb

cc: Mr. George Hawthorne  
5361 Overland Drive  
Huntington Beach, Ca.

# BUILDING PERMIT

DEVELOPMENT: **BRIMWOODS DEPT. GARDEN GROVE 038-6771**

OWNER: **Shinnick, Inc.**

PROJECT NO.: **10-1-73**

DATE: **10-1-73**

PERMIT NO.: **063501-A**

Job Address: **1927a Harbor Dr**

Lot No.: **1927a**

Traffic No.: **1927a**

Block No.: **1927a**

City: **San Francisco**

State Lic. No.: **1927a**

City: **San Francisco**

Zip No.: **94115**

Arch. No.: **1927a**

Engine No.: **1927a**

Inspector No.: **1927a**

City: **San Francisco**

State Lic. No.: **1927a**

City: **San Francisco**

Zip No.: **94115**

Validation: **JUL 10 73 11 09 AM \*\*\*\*\*5.00**

DESCRIBE WORK TO BE DONE: **REPAIR**

NEW  ADDN  ALTER  REPAIR  DEMOLISH

FLOOR AREA: **1310** SQ. FT.

NO. OF STORIES: **1**

NO. OF DWELLING UNITS: **1**

Remarks: **1. Verify that I have read this application and that the above information is correct. I agree to comply with all City Ordinances and State laws relating to building construction. I certify that in the performance of the above work I shall not employ any person in violation of the Labor Code, Chapter 10, Section 1000, of the Labor Code, or any other law which requires an employer to hold the City of San Francisco license and furnish from any liability arising out of any or bodily damage resulting from work performed pursuant to this permit.**

CONTRACTORS SIGN BELOW

I certify that I am a licensed contractor and that my license is in full force and effect.

Contractor: **Shinnick, Inc.** (Signature)

Address: **1927a Harbor Dr, San Francisco, CA 94115**

City: **San Francisco** State: **CA**

OWNER-BUILDER SIGN BELOW

I certify that I am the owner of the above property and will personally perform the above work.

Owner: **Shinnick, Inc.** (Signature)

Address: **1927a Harbor Dr, San Francisco, CA 94115**

City: **San Francisco** State: **CA**

VALUATION: **10-1-73**

FEES: **10-1-73**

Plan Clerk: **10-1-73**

Permit Authorized By: **10-1-73**

Inspector: **10-1-73**

RELOCATION: **10-1-73**

Permit No.: **063501-A**

Address: **1927a Harbor Dr**

City: **San Francisco**

State: **CA**

Zip: **94115**

INSTRUCTIONS: **THIS IS AN AREA WITHIN THE CITY OF SAN FRANCISCO. ALL COPIES ARE TO BE FILED IN THE CITY OF SAN FRANCISCO. DOUBLE THE WILL BE CHARGED IF WORK IS NOT COMPLETED WITHIN THE PERMIT TERM.**

Job Address: **1927a Harbor Dr**

Lot No.: **1927a**

Traffic No.: **1927a**

Block No.: **1927a**

City: **San Francisco**

State Lic. No.: **1927a**

City: **San Francisco**

Zip No.: **94115**

Arch. No.: **1927a**

Engine No.: **1927a**

Inspector No.: **1927a**

City: **San Francisco**

State Lic. No.: **1927a**

City: **San Francisco**

Zip No.: **94115**

Validation: **JUL 10 73 11 09 AM \*\*\*\*\*5.00**

DESCRIBE WORK TO BE DONE: **REPAIR**

NEW  ADDN  ALTER  REPAIR  DEMOLISH

FLOOR AREA: **1310** SQ. FT.

NO. OF STORIES: **1**

NO. OF DWELLING UNITS: **1**

Remarks: **1. Verify that I have read this application and that the above information is correct. I agree to comply with all City Ordinances and State laws relating to building construction. I certify that in the performance of the above work I shall not employ any person in violation of the Labor Code, Chapter 10, Section 1000, of the Labor Code, or any other law which requires an employer to hold the City of San Francisco license and furnish from any liability arising out of any or bodily damage resulting from work performed pursuant to this permit.**

CONTRACTORS SIGN BELOW

I certify that I am a licensed contractor and that my license is in full force and effect.

Contractor: **Shinnick, Inc.** (Signature)

Address: **1927a Harbor Dr, San Francisco, CA 94115**

City: **San Francisco** State: **CA**

OWNER-BUILDER SIGN BELOW

I certify that I am the owner of the above property and will personally perform the above work.

Owner: **Shinnick, Inc.** (Signature)

Address: **1927a Harbor Dr, San Francisco, CA 94115**

City: **San Francisco** State: **CA**

VALUATION: **10-1-73**

FEES: **10-1-73**

Plan Clerk: **10-1-73**

Permit Authorized By: **10-1-73**

Inspector: **10-1-73**

RELOCATION: **10-1-73**

Permit No.: **063501-A**

Address: **1927a Harbor Dr**

City: **San Francisco**

State: **CA**

Zip: **94115**

Case

February 21, 1973

Mr. George Hawthorne  
1272 Harbor Boulevard  
Garden Grove, California 92640

Dear Mr. Hawthorne:

Subject: Electrical Violation  
1272 Harbor Boulevard

On February 14, 1973, the electrical wiring to the pole sign in front of the SHAWMILL, 1272 Harbor Boulevard, was exposed in the public right of way. An investigation report was given to the manager of the SHAWMILL with instructions to obtain an Electrical Permit, re-install wiring per Code, and have this approved prior to energizing the sign.

To date, an electrical permit has not been obtained, and electrical conduit to service the sign has been installed in the public right of way.

It shall be necessary to remove all conduit and wiring from the public right of way today, February 21, 1973, as sidewalks are to be installed.

Very truly yours,

David R. Atley  
Principal Building Inspector

DRH:mbr

cc: Manager  
SHAWMILL-LA

March 9, 1973

Todd Electric Co.  
10352 Treask Avenue  
Garden Grove, California

Gentlemen:

Subject: Electrical Underground Installation  
12272 Harbor Boulevard  
Permit No. 55C42A

The location of the electrical pull box and the conduit from the pull box to the pole sign has been installed in the public right of way in violation of the Municipal Code. The electrician making this installation was notified of this by the City Electrical Inspector and instructed to correct the condition. To date this has not been done.

Prior to pouring the sidewalk at this location, the electrical installation must be removed from the right of way either by you or the City crew.

If you have any questions please contact Mr. Pokorney between 8:00 - 9:00 A.M. next days.

Yours very truly,

David R. Hibley  
Principal Building Inspector

DRH:fd

cc: Geo. Hawthorn  
12272 Harbor Blvd.  
Garden Grove, Calif.



**INSPECTION RECORD**

**1. INSPECTOR** [Signature]

**DATE** 11-1-79

**ADDRESS** 12272 W. 80th St., Overland Park, KS 66204

**CONTRACTOR** [Signature]

**DESCRIPTION OF WORK** [Handwritten notes]

**RELOCATION** [Handwritten notes]

**WORKMEN'S COMPENSATION REQUIREMENTS** [Handwritten notes]

**FEES AND BONDS** [Table with columns: FEE, AMOUNT]

**APPROVAL** [Signature]

**DATE** 11-1-79

**INSPECTOR** [Signature]

PLEASE USE BALL-POINT PEN

**BUILDING PERMIT PLOT PLAN**  
Public Works & Development Dept.  
CITY OF GARDEN GROVE

PERMIT NO. **583 BEL02**

JOB ADDRESS: **12272 HARRISON** LOT: **01008 TRACT**

APPLICANT: **MR. C. WINFIELD**

DATE: **1-4-79**

JOB DESCRIPTION: **LAUN/RESTRM BLDG**

PERMIT VALUE: **SEE BELOW**

OWNER: **MR. C. WINFIELD**

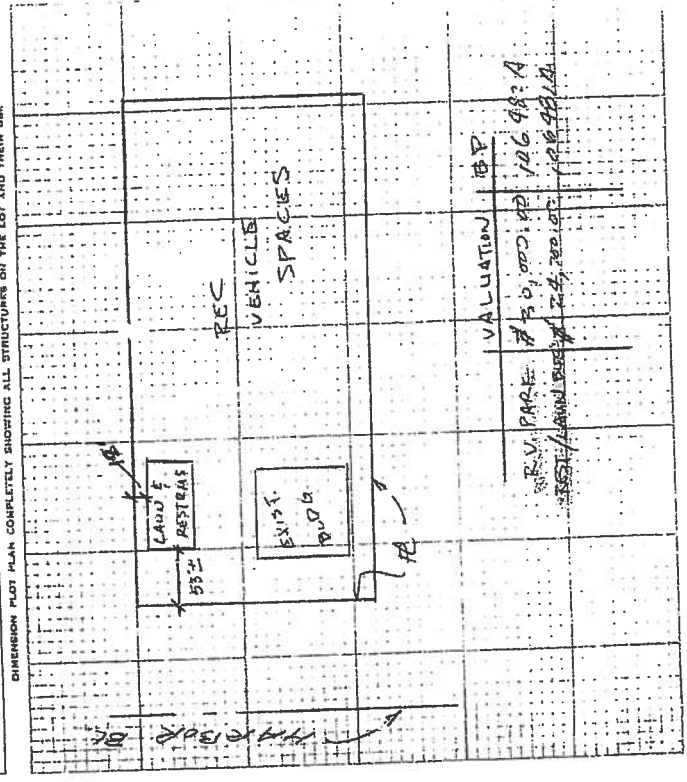
DATE: **1-4-79**

USE: **R.V. PARK**

LAUN/RESTRM BLDG

DATE: **1-4-79**

PERMIT VALUE: **SEE BELOW**



21 Building Insp. / 22 Attester / 23 Pils / 24 Permittee

I certify the information herein is complete and correct. By \_\_\_\_\_ Date \_\_\_\_\_

01008-0177

APPROVALS: INSPECTOR: DATE: 6-17-79  
 TYPE OF FIXTURE OR ITEM: NO.: DASH: \$ FEE

TYPE OF FIXTURE OR ITEM	NO.	DASH	\$ FEE
Water Closet (toilet)	3		15.00
Bath Tub	4		12.00
Lavatory (Wash Basin)	5		18.00
Kitchen Sink	6		18.00
Garbage Disposal			
Laundry Tub or Tray			
Water Heater	1	3	5.00
Floor Sink			
Gas Vent			
Flue Chimney	5	3	15.00
Drain Washer			
Sewer			
Drinking Fountain			
Urinal	1	3	3.00
Gas System - Outlets			
Building Sewer (Less 100 ft.)	1	3	3.00
Building Sewer (Add'l 100 ft.)	1	3	3.00
Building Sewer (See add'l drwn)			
Fluorometer Drain			
Swimming Pool/Piping			
Sand Trap/Interceptor			
Automatic Washing Machine	1	5	12.00
Water Softener			
Backwash Tank			
Water Heater			
Backflow Protective Device			
Water Piping (See 100 ft.)			
Water Piping (See F.D. Only)			
Lowm Sprinklers (Other)			

FINAL: 6-10-79  
 IDENTIFICATION CODE: 6-10-79  
 NOTIFIED BY: [Signature]  
 AUTHORITY CO.: [Signature]  
 ELECTRICAL PERMIT NO.:  
 If work is not started within 120 days from date of issue of this permit, this permit will be null and void.  
 INSPECTOR: [Signature] DATE: 6-17-79

ITEM	CODE	FEE
Plan Check	522	55.00
Permit	8100	81.00
Issued	535	10.00
TOTAL FEES		147.00

LAW USE: [Signature] DATE: 1-11-79

11 INSPECTOR

APPROVALS: INSPECTOR: DATE: 6-17-79  
 TYPE OF FIXTURE OR ITEM: NO.: DASH: \$ FEE

ADDRESS	LOT NO.	BLK NO.	TACT NO.
12,272 Hansen Blvd			

OWNER: CHAD WILFORD 578-4957  
 OWNER: 1021 Kings Rd, Wm. B. Hall, 9445  
 ALLOCATION: 171/79 1/4 M 53.08  
 PLUMBING CONTRACT: 2-1/2" INCH D.C. NO. B TYPE  
 PHONE: 578-4957  
 ADDRESS: 1021 Kings Rd, Wm. B. Hall, 9445

WORKERS' COMPENSATION REQUIREMENTS: [Signature]  
 I certify that the performance of the work for which this permit is issued, shall not employ any person in any manner so as to become a contractor under the provisions of the Workers' Compensation Law. I shall not accept any fee or commission for the performance of the work for which this permit is issued. I shall not accept any fee or commission for the performance of the work for which this permit is issued.

PLUMBING CONTRACT INFORMATION: [Signature]  
 I certify that the following Contractor's License No. [Signature] is in full force and effect, and that the Contractor and Classification [Signature] is in full force and effect.

PLUMBING CONTRACTOR (S) AUTHORIZED BY DATE: [Signature]  
 (PLUM) CONTRACTOR (S) AUTHORIZED BY DATE: [Signature]  
 I certify that I am working on Section 7031B of the Building and Professional Code, Chapter B, Contractor's License Law, under the following Section: [Signature]  
 Employer working for wages only Section 7033 [Signature]  
 Other: [Signature]  
 (PLUM) PERMITS OWNER (S) AUTHORIZED BY DATE: [Signature]

A FEE MAY BE CHARGED FOR REINSPECTION DUE TO CORRECTIONS, NEGLIGENCE, INCOMPLETE WORK, OR FAILURE TO MAKE CORRECTIONS.

INSPECTION RECORD

CITY OF GLEN GROVE  
Public Works Department

**BUILDING PERMIT**

<b>APPROVAL</b> DATE: 1/11/11 INSPECTOR: [Signature]		<b>FOUNDATION &amp; LOCATION</b> FOUNDATION: [ ] CONCRETE FLOOR: [ ] REINFORCING: [ ] ROOF SHTG: [ ] INSULATION, ENERGY: [ ] LATH OR DRYWALL: [ ] PLAS. BROWN CT.: [ ] SOUND INSULATION: [ ] SMOKE DETECTOR: [ ] PARKING: [ ] LANDSCAPING: [ ]		<b>REMARKS:</b> APPROVED BY: [Signature] DATE: 1/11/11 ACTION: 5P 128-78 PLANS 880100	
<b>OWNER:</b> M.C. WINFIELD TEL. NO.: 750-6747 TRACT NO.: PL 270C		<b>MAILING ADDRESS:</b> 1021 KINGS ROAD, N.S. DENVER, CO 80202		<b>VALUATION:</b> 752-0205 CE 16058	
<b>CONTRACTOR:</b> OWNER		<b>MAILING ADDRESS:</b> 2182 OUPONT DR., SUITE 9215 DENVER, CO 80202		<b>VALUATION:</b> 752-0205 CE 16058	
<b>WORKMEN'S COMPENSATION REQUIREMENTS</b> I certify that I have read this application and that the above information is correct. I agree to comply with the Ordinance and State Law relating to building construction. I certify that in the performance of this work, I shall not employ any person in violation of the Labor Code of California relating to Workers' Compensation Insurance. Further, I agree to hold the City of Garden Grove harmless from workmen's liability arising out of injury or death of body members resulting from work performed hereunder to this permit.		<b>ST-BOND</b> WATER BOND WATER ASSMT. FEE (ACMG) WATER ASSMT. FEE (PT) PARKWAY TREE FEE PARK & REC. FEE (DR) DRAIN ASSMT. FEE (DR)		<b>FEES AND BONDS</b> REV. CODE AMOUNT UTILITY RELEASE LAND USE FINAL FINAL	
<b>OWNER-BUILDER SIGN BELOW</b> I certify that I am exempt from the provisions of C.C. 9 Div. 3, B and F Code (Contractor's License Law) because (check one): I am the owner of the above property and will personally perform the above work. I certify that in the above property and will personally perform the above work. I shall not employ any person in any manner so as to become subject to the workmen's compensation laws of the State of California.		<b>OWNER-BUILDER SIGN BELOW</b> I certify that I am exempt from the provisions of C.C. 9 Div. 3, B and F Code (Contractor's License Law) because (check one): I am the owner of the above property and will personally perform the above work. I shall not employ any person in any manner so as to become subject to the workmen's compensation laws of the State of California.		<b>FEES</b> PLAN RETENTION FEE BLDG. PLAN CHECK BLDG. PERMIT FEE ISSUANCE	
<b>RELOCATION</b> A FEE MAY BE CHARGED FOR RE-INSPECTION DUE TO NEGLIGENCE, INCOMPLETE WORK, OR FAILURE TO MAKE CONNECTIONS. FLOOR AREA: 150 FT. STORIES: 1 NO. OF OVERHANG: 20		<b>RELOCATION</b> A FEE MAY BE CHARGED FOR RE-INSPECTION DUE TO NEGLIGENCE, INCOMPLETE WORK, OR FAILURE TO MAKE CONNECTIONS. FLOOR AREA: 150 FT. STORIES: 1 NO. OF OVERHANG: 20		<b>TOTAL FEES</b> 20.00 40.00 50.00 65.00	
<b>ADDRESS</b> 12322 HARBOR BLVD 92724		<b>ADDRESS</b> 12322 HARBOR BLVD 92724		<b>DATE</b> 1-11-11	



1

PLEASE USE BALL-POINT PEN

**BUILDING PERMIT PLOT PLAN**  
Public Works & Development Dept.  
CITY OF GARDEN GROVE

FLOT PLAN APPROVED BY  
*Chas. Winfield*

JOB ADDRESS  
*12777 Harbor*

PERMIT NO.  
*107618A*

ASSESSOR'S PARCEL NO. LOT  
*138-201-14*

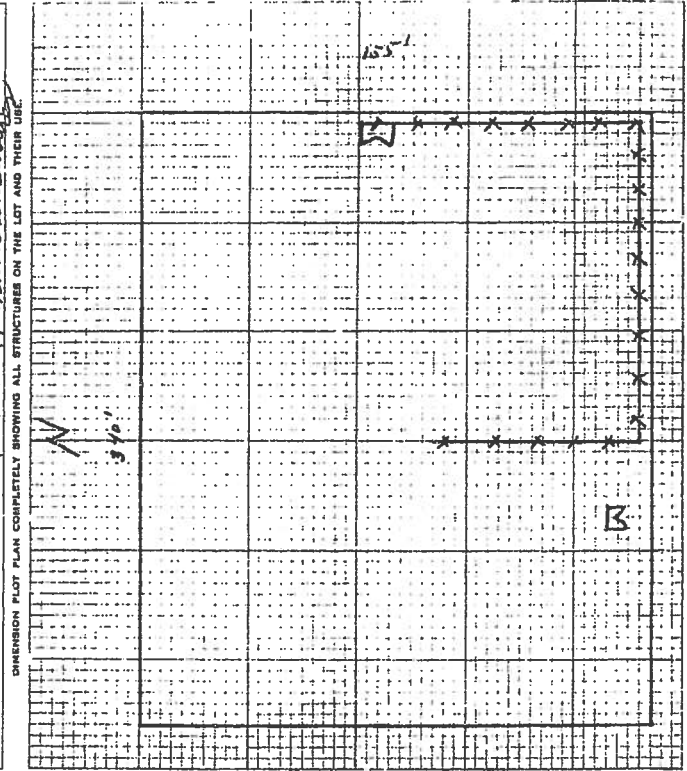
UNLOCK TRACT

JOB DESCRIPTION PLEASE CHECK  
 New  Addition  Alteration  Repair  Move  Demolish

DATE  
*3/19/79*

PERMIT VALUE  
*7000.00*

USE  
*Block wall & Trash enclosure*



#1 Building Imp. / #2 Access / #3 Etc. / #4 Permits  
I certify the information herein is complete and correct.

Date \_\_\_\_\_ By \_\_\_\_\_

BUILDING PERMIT INSPECTION RECORD

For Applicant to Fill In

APPROVAL DATE: 4/11/79 INSPECTOR: HARRISON	FOUNDATION & LOCATION: 12272 HARISON	APPROVAL DATE: 4/11/79 INSPECTOR: HARRISON	CONCRETE FLOOR: 10281AA
REINFORCING: 1011 Kinross Ave. LATHAM, GARDEN GROVE	ROOF SHTS: 1011 Kinross Ave. LATHAM, GARDEN GROVE	INSULATION, ENERGY: 1011 Kinross Ave. LATHAM, GARDEN GROVE	LATH ON DRYWALL: 1011 Kinross Ave. LATHAM, GARDEN GROVE
PLANS DATE: 3/11/79	PLANS DATE: 3/11/79	PLANS DATE: 3/11/79	PLANS DATE: 3/11/79
LAND USE: 138 M 2860	LAND USE: 138 M 2860	LAND USE: 138 M 2860	LAND USE: 138 M 2860
LANDSCAPING: 138 M 2860	LANDSCAPING: 138 M 2860	LANDSCAPING: 138 M 2860	LANDSCAPING: 138 M 2860
LAND USE FINAL: 138 M 2860	LAND USE FINAL: 138 M 2860	LAND USE FINAL: 138 M 2860	LAND USE FINAL: 138 M 2860
REV. CODE: 138 M 2860	REV. CODE: 138 M 2860	REV. CODE: 138 M 2860	REV. CODE: 138 M 2860
AMOUNT: 138 M 2860	AMOUNT: 138 M 2860	AMOUNT: 138 M 2860	AMOUNT: 138 M 2860
ST. BOND: 138 M 2860	ST. BOND: 138 M 2860	ST. BOND: 138 M 2860	ST. BOND: 138 M 2860
WATER ASSMT. FEE (ACMO.): 138 M 2860	WATER ASSMT. FEE (ACMO.): 138 M 2860	WATER ASSMT. FEE (ACMO.): 138 M 2860	WATER ASSMT. FEE (ACMO.): 138 M 2860
WATER ASSMT. FEE (FT.): 138 M 2860	WATER ASSMT. FEE (FT.): 138 M 2860	WATER ASSMT. FEE (FT.): 138 M 2860	WATER ASSMT. FEE (FT.): 138 M 2860
PARKWAY TREE FEE: 138 M 2860	PARKWAY TREE FEE: 138 M 2860	PARKWAY TREE FEE: 138 M 2860	PARKWAY TREE FEE: 138 M 2860
PARK & REC. FEE (DST.): 138 M 2860	PARK & REC. FEE (DST.): 138 M 2860	PARK & REC. FEE (DST.): 138 M 2860	PARK & REC. FEE (DST.): 138 M 2860
DRAIN ASSMT. FEE (DST.): 138 M 2860	DRAIN ASSMT. FEE (DST.): 138 M 2860	DRAIN ASSMT. FEE (DST.): 138 M 2860	DRAIN ASSMT. FEE (DST.): 138 M 2860
PLAN RETENTION FEE: 138 M 2860	PLAN RETENTION FEE: 138 M 2860	PLAN RETENTION FEE: 138 M 2860	PLAN RETENTION FEE: 138 M 2860
BLDG. PLAN CHECK: 138 M 2860	BLDG. PLAN CHECK: 138 M 2860	BLDG. PLAN CHECK: 138 M 2860	BLDG. PLAN CHECK: 138 M 2860
BLDG. PERMIT FEE: 138 M 2860	BLDG. PERMIT FEE: 138 M 2860	BLDG. PERMIT FEE: 138 M 2860	BLDG. PERMIT FEE: 138 M 2860
ISSUANCE: 138 M 2860	ISSUANCE: 138 M 2860	ISSUANCE: 138 M 2860	ISSUANCE: 138 M 2860
TOTAL FEES: 138 M 2860	TOTAL FEES: 138 M 2860	TOTAL FEES: 138 M 2860	TOTAL FEES: 138 M 2860
VALUATION: 138 M 2860	VALUATION: 138 M 2860	VALUATION: 138 M 2860	VALUATION: 138 M 2860

WORKER'S COMPENSATION REQUIREMENTS

State Compensation Insurance Code, Section 102.5, requires that every contractor, subcontractor, or other person engaged in the construction of a building or structure, or the installation of any mechanical, electrical, or plumbing equipment, or the painting or other finishing work on any building or structure, or the excavation or other earthmoving work, or the construction of any bridge, viaduct, or other structure over water, or the construction of any dam, dike, or other structure for the control of water, or the construction of any levee, dike, or other structure for the protection of lands from flooding, or the construction of any other structure, shall secure and maintain a policy of workers' compensation insurance covering all persons employed by him or her in the performance of such work, and shall file a certificate of such insurance with the Department of Industrial Relations, and shall file a copy of such certificate with the City Engineer, before commencing such work.

NOTE: If the contractor, subcontractor, or other person engaged in the construction of a building or structure, or the installation of any mechanical, electrical, or plumbing equipment, or the painting or other finishing work on any building or structure, or the excavation or other earthmoving work, or the construction of any bridge, viaduct, or other structure over water, or the construction of any dam, dike, or other structure for the control of water, or the construction of any levee, dike, or other structure for the protection of lands from flooding, or the construction of any other structure, shall not employ any person in any manner so as to become subject to the Worker's Compensation laws of California, the contractor, subcontractor, or other person engaged in such work shall file a copy of this notice with the City Engineer, before commencing such work.

I certify that the person(s) named above in this permit is/are the contractor(s) or subcontractor(s) for the work described herein, and that I have read this application and state that the above information is correct. I agree to comply with all City ordinances and regulations relating to building permits, and to file a copy of this permit with the City Engineer, before commencing such work.

APPLICANT: DEBRA K. BROWN  
ADDRESS: 12272 HARISON  
CITY: GARDEN GROVE  
STATE: CALIFORNIA  
DATE: 4/11/79

RELOCATION

RELOCATION: 12272 HARISON  
CITY: GARDEN GROVE  
STATE: CALIFORNIA  
DATE: 4/11/79

INSPECTION RECORD

INSPECTION RECORD: 12272 HARISON  
CITY: GARDEN GROVE  
STATE: CALIFORNIA  
DATE: 4/11/79

ADDRESS

ADDRESS: 12272 HARISON  
CITY: GARDEN GROVE  
STATE: CALIFORNIA  
DATE: 4/11/79

PLUMBING PERMIT

Inspection Requests 638-6771  
General Information 632-6601  
For Applicant to Fill In

APPROVALS		DATE	INSPECTOR	TYPE OF FIXTURE ON ITEM		NO.	\$ FEE
				Water Closet ( toilet )			
				Bath Tub			
				Shower			
				Laundry (Tub Basin)			
				Kitchen Sink			
				Garbage Disposal			
				Laundry (Tub or Tray)			
				Water Heater			
				Floor Sink			
				Dish Washer			
				Drinking Fountain			
				Urinal			
				Gas System - Outlets			
				Building Sewer (Front 100 Ft.)			
				Building Sewer (Rear 100 Ft.)			
				Building Sewer (Add'l Drain)			
				Plumbing Drain			
				Swimming Pool Piping			
				Sanitary Drainage			
				Water Solenoid			
				Water Solenoid			
				Backwash - Trap			
				Water Meter			
				Backflow Protective Device			
				Water Piping (ea. 100 Ft.)			
				Lawn Sprinklers (S.F. D. Only)			
				Lawn Sprinklers (other)			

FINALS		DATE	INSPECTOR	TYPE OF FIXTURE ON ITEM		NO.	\$ FEE
9-10-79	KL	8-20-79	KL	PLAN REVIEW		6.00	
10-6-79	KL	5/29/79	OMC	TOTAL FEES		6.00	6.00

IDENTIFICATION CODE	DATE
1064814	5/29/79

ADDRESS	CITY	STATE	ZIP
13272 Harbor Blvd	Orange	CA	92668
1021 Kings Rd - Apt. 6C-97663	Orange	CA	92668

Plumbing Contractor: **C.M. Werner**  
 City License No. **1173**  
 State License No. **1173**  
 Insurance Policy No. **70401488**

**WORKER'S COMPENSATION REQUIREMENTS**  
 I certify that the following information is true and correct:  
 I have read the provisions of the Worker's Compensation Act and I understand that my employees are covered by the provisions of this act. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct.

**BUSINESS TAX CERTIFICATE INFORMATION**  
 I certify that the following information is true and correct:  
 I have read the provisions of the Business Tax Act and I understand that my business is covered by the provisions of this act. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct.

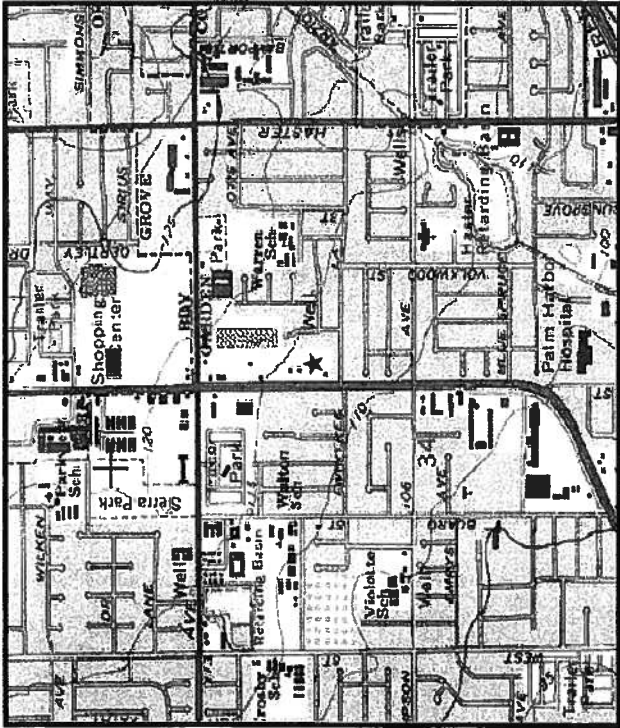
**PLUMBING PERMIT**  
 I certify that the following information is true and correct:  
 I have read the provisions of the Plumbing Act and I understand that my plumbing work is covered by the provisions of this act. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct.

**PLUMBING PERMIT**  
 I certify that the following information is true and correct:  
 I have read the provisions of the Plumbing Act and I understand that my plumbing work is covered by the provisions of this act. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct. I have read this agreement and agree that the above information is correct.

**APPENDIX D**

**ONE-MILE RADIUS REGULATORY DATABASE REPORT**





Prepared by:  
**ERS – Environmental Record Search**  
**(800) 377-2430**

Site Location:  
12262 Harbor Boulevard  
Garden Grove, CA 92840  
(N 33-47-6, W 117-54-50) NAD83

**RecCheck**

The New Standard for ASTM Radius Searches  
(One Mile Environmental Record Search. Exceeds ASTM 1527/1528 and AASHTO)

## CONTENTS

EXECUTIVE SUMMARY .....	1
LISTED OCCURRENCE SUMMARY .....	3
SITE LOCATION TOPOGRAPHIC MAP .....	5
SITE LOCATION STREET MAP .....	6
1-MILE RADIUS STREET MAP W/OCCURRENCES .....	7
1/4-MILE RADIUS STREET MAP W/OCCURRENCES .....	8
1-MILE TOPOGRAPHIC MAP W/OCCURRENCES .....	9
1/2-MILE RADIUS STREET MAP .....	10
LISTED OCCURRENCE DETAILS.....	11
RECORD SOURCES SEARCHED .....	14
OCCURRENCES NOT MAPPED .....	31
DISCLAIMER, LIMITS AND LIABILITIES.....	32

**EXECUTIVE SUMMARY**

**INFORMATION ON THE REQUESTED LOCATION**

<b>Site Address:</b>	12262 Harbor Boulevard Garden Grove, CA 92840 6995
<b>Client Project Number:</b>	
<b>Coordinates:</b>	N 33-47-6, W 117-54-50 (NAD 83)
<b>ERS Project Number:</b>	2104625915
<b>Subject Site Listed on the following lists:</b>	Not Listed
<b>Subject Site Listed as Map ID#:</b>	N/A
<b>USGS 7.5 Minute Quad Map:</b>	Anaheim
<b>Township, Section and Range:</b>	Township: 04S Range: 10W Section: 34 Baseline: San Bernardino 114
<b>Site Elevation: (feet above mean sea level)</b>	
<b>Flood Zone: (FEMA Q3 Digital Data)</b>	Parcel: 06059C0020E Zone A - Areas of 100-year flooding
<b>Fire Insurance Map Coverage:</b>	No
<b>Date of Report</b>	June 1, 2010

Soil Type: (USGS STATSGO Data)	
BEACHES 1% to 5% slopes, 1% of total	CHINO 0% to 2% slopes, 3% of total
CHINO 0% to 2% slopes, 2% of total	CROPLEY 2% to 5% slopes, 6% of total
DELHI 0% to 2% slopes, 1% of total	DIABLO 4% to 9% slopes, 1% of total
ELDER 0% to 2% slopes, 1% of total	GREENFIELD 2% to 5% slopes, 2% of total
HANFORD 0% to 2% slopes, 17% of total	HANFORD 2% to 5% slopes, 2% of total
HUENEME 0% to 2% slopes, 1% of total	METZ 0% to 2% slopes, 2% of total
RAMONA 2% to 5% slopes, 2% of total	RIVERWASH 0% to 2% slopes, 1% of total
SORRENTO 0% to 2% slopes, 2% of total	SORRENTO 0% to 2% slopes, 7% of total
SORRENTO 0% to 2% slopes, 2% of total	TUJUNGA 0% to 2% slopes, 2% of total
TUJUNGA 0% to 2% slopes, 1% of total	URBAN LAND 0% to 2% slopes, 43% of total
BEACHES 1% to 5% slopes, 1% of total	

In-House Aerial Photos or Historical Topo Maps	
1994 Aerial File:FSXL124 Rank: 4	1932 USGS Map File:30D0132 AJC Rank: 4
1963 Aerial File:28D63031063 Rank: 2	1963 Aerial File:28D63031054 Rank: 2
1963 Aerial File:28D63031064 Rank: 1	1963 Aerial File:28D63031065 Rank: 3
1963 Aerial File:28D63031066 Rank: 1	5/23/38 Aerial File:19D38OC0132 Rank: 2
5/23/38 Aerial File:19D38OC0145 Rank: 4	6/22/38 Aerial File:27D38OC1781 Rank: 2
6/22/38 Aerial File:27D38OC1782 Rank: 1	6/22/38 Aerial File:27D38OC1784 Rank: 2
6/22/38 Aerial File:27D38OC1785 Rank: 1	

**KEY TO AERIAL RANK OR HISTORICAL TOPO MAPS**

Rank:	Description:
4	The subject site located near center of Aerial or Topographical map.
3	The subject site located towards edge of Aerial or Topographical map.
2	The subject site is likely covered and located near outer edge of Aerial or Topographical map.
1	The subject site is likely covered and located near outer corner of Aerial or Topographical map.

Radon	
For County: 0.5% of homes predicted to be over 4 Pico Curies/Liter	
For zip code 92840	
Number of tests per zip code: 1	
Number of tests where radon is > 4 pCi/L: 0	
Percentage of test where radon is > 4 pCi/L: 0.00%	

**HIGH RISK\* OCCURRENCES FOUND IN REQUESTED SEARCH RADIUS**

LIST SEARCHED	DISTANCE SEARCHED (IN MILES)	OCCURRENCES FOUND
Cal Superfund Active	1	0
NPL	1	0
CERCLIS	0.5	0
Cal State Response Active	1	0
Cal Military Active	1	0
LUST-Open	0.5	1
Cal VCP Active	0.5	0
SLIC-Open	0.5	0
Cal School Active	0.5	0
Cal Eval-Hist	0.5	0

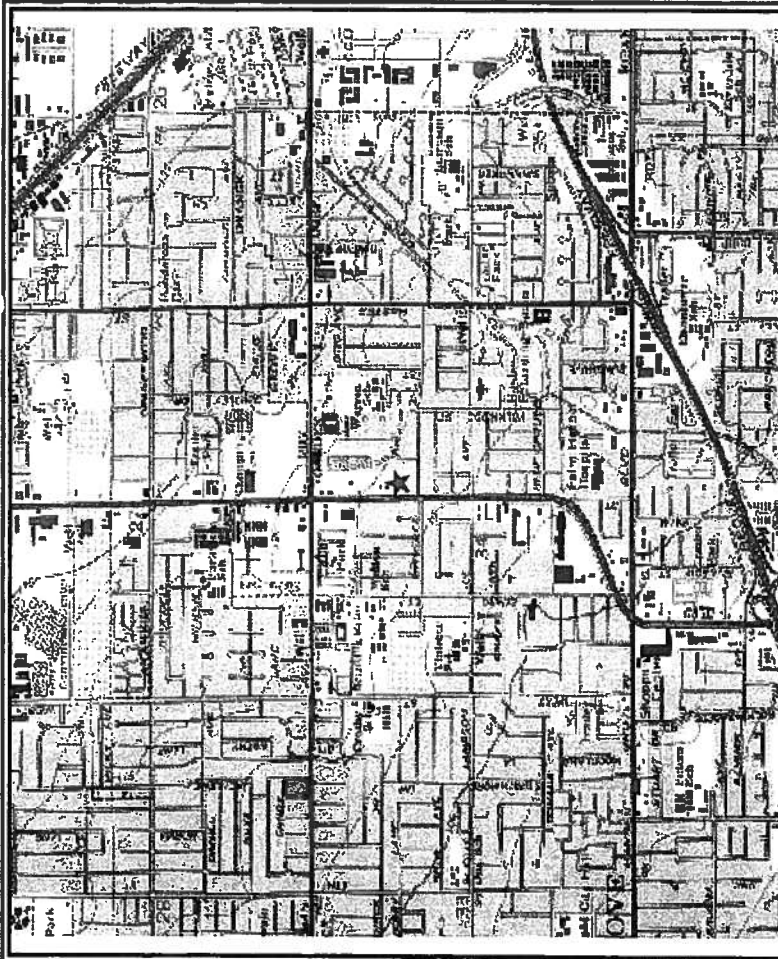
\* For the purposes of this report, "high risk" occurrences are those that have known contamination and have not received a "case closed" or "no further action" status from the agency that maintains the records.

**LISTED OCCURRENCE SUMMARY**

LIST SEARCHED	DISTANCE SEARCHED	0.125	0.25	0.5	1.0	TOTAL
Cal Superfund Active	1	0	0	0	0	0
NPL	1	0	0	0	0	0
CERCLIS	0.5	0	0	0	0	0
Cal State Response Active	1	0	0	0	0	0
Cal Military Active	1	0	0	0	0	0
Cal School Active	0.5	0	0	0	0	0
Cal State Response Other	0.5	0	0	0	0	0
Cal VCP Active	0.5	0	0	0	0	0
SLIC-Open	0.5	0	0	0	0	0
Cal Superfund Other	1	0	0	0	0	0
Cal School Active	0.5	0	0	0	0	0
Cal State Response Other	0.5	0	0	0	0	0
Cal VCP Other	0.5	0	0	0	0	0
Cal School Other	0.5	0	0	0	0	0
Cal Military Other	1	0	0	0	0	0
SWIS	0.5	0	0	0	0	0
Cal Superfund NFA	1	0	0	0	0	0
RCRA-COR	1	0	0	0	0	0
RCRA-TSD	0.5	0	0	0	0	0
Cal VCP NFA	0.5	0	0	0	0	0
Controls-CA	0.5	0	0	0	0	0
Historic-Sources-US	0.25	0	0	0	0	0
Cal State Response NFA	0.5	0	0	0	0	0
Cal Eval-Hist	0.5	0	0	0	0	0

Copyright©2007, Environmental Record Search, All rights reserved. www.RecCheck.com (800) 377-2430

NFA									
Cal School NFA	0.5	0	0	0	0	0	-	-	0
Cal Military NFA	0.5	0	0	0	0	0	-	-	0
Tribal-UST	0.125	0	-	-	-	-	-	-	0
Tribal-LUST-Open	0.5	0	0	0	0	0	-	-	0
Tribal-LUST-Closed	0.5	0	0	0	0	0	-	-	0
OGW	0.25	0	0	0	0	0	-	-	0
ERNS	0.125	0	-	-	-	-	-	-	0
CERCLIS-Archived	0.5	0	0	0	0	0	-	-	0
LUST-Closed	0.5	0	0	0	0	2	-	-	2
SLIC-Closed	0.5	0	0	0	0	0	-	-	0
UST	0.125	0	-	-	-	-	-	-	0
Hist-UST	0.125	0	-	-	-	-	-	-	0
RCRA	0.125	0	-	-	-	-	-	-	0
HWIS-CA	0.125	0	-	-	-	-	-	-	0

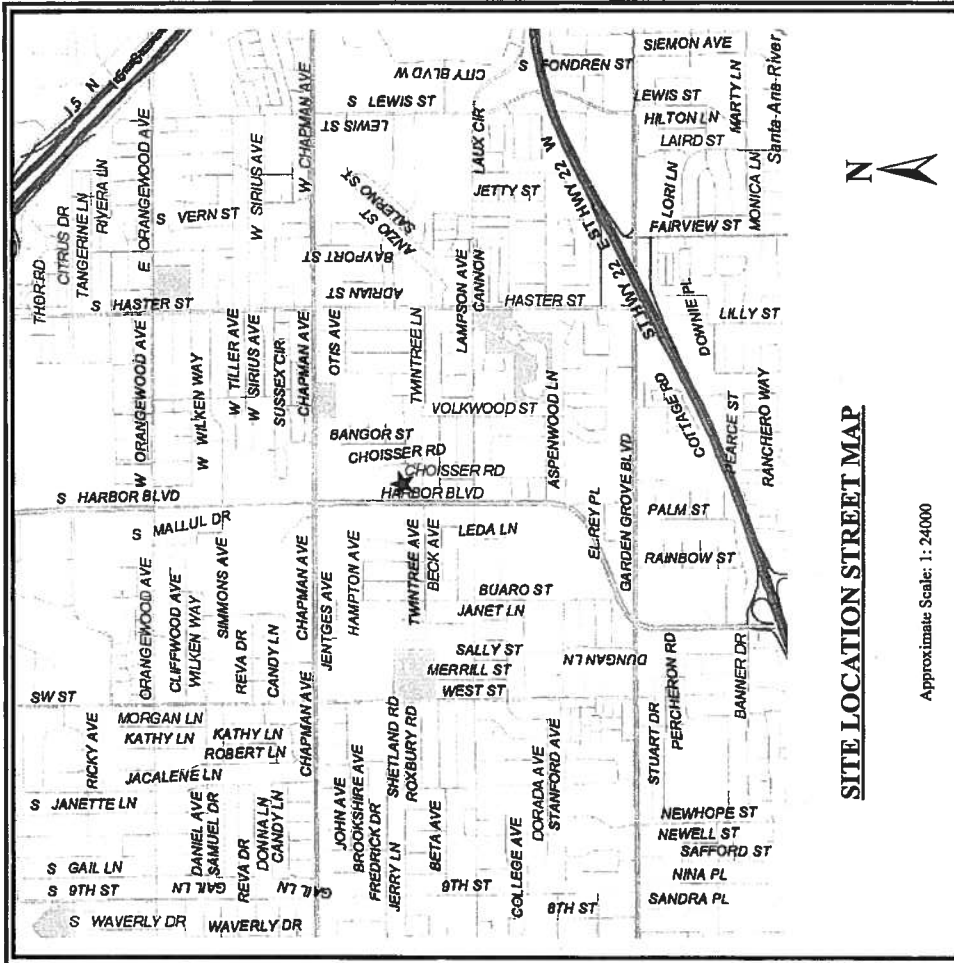


**SITE LOCATION TOPOGRAPHIC MAP**

U.S. Geological Survey, Anaheim Quadrangle  
 7.5 Minute Series, Approximate Scale: 1: 24000



<p>PHASE ONE INC.</p>	<p>12262 Harbor Boulevard          Garden Grove, CA 92840</p>	<p>FIGURE: 1          JOB: 6995          DATE: 7/15/2010</p>
-----------------------	---	--



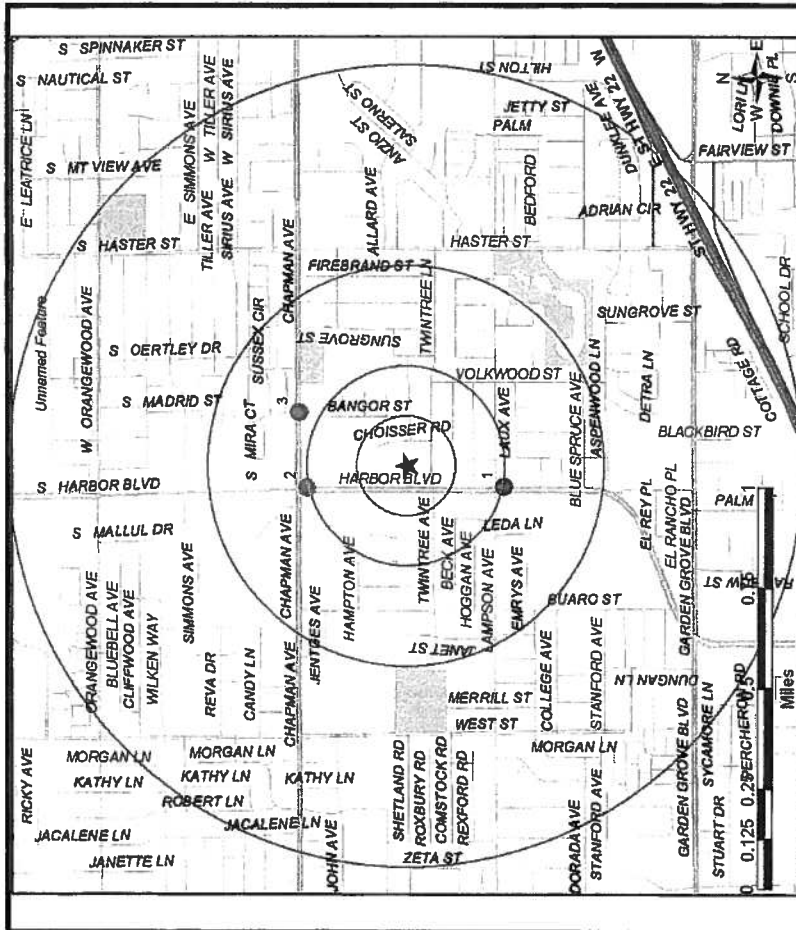
**SITE LOCATION STREET MAP**

Approximate Scale: 1: 24000

<p>PHASE ONE INC.</p>	<p>12262 Harbor Boulevard Garden Grove, CA 92840</p>	<p>FIGURE: 6995 JOB: 6995 DATE: 7/15/2010</p>
-----------------------	--	---



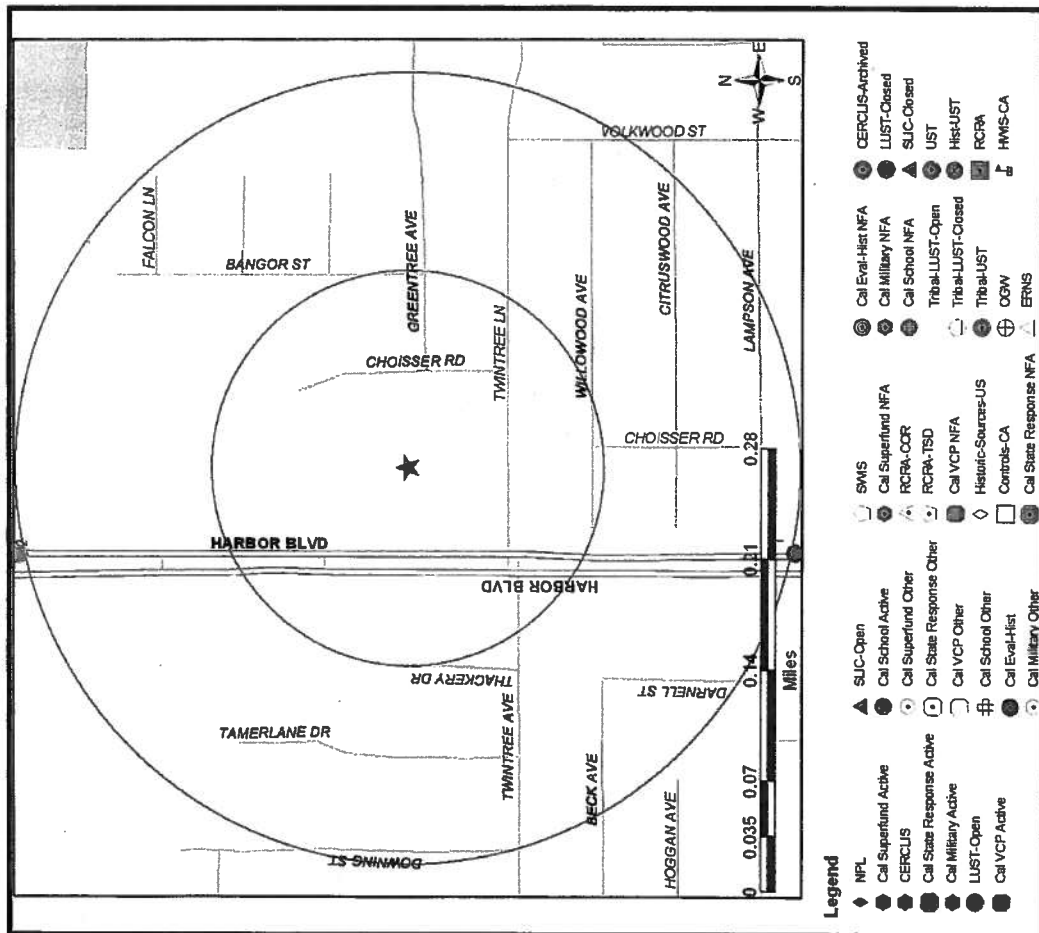
# 1-MILE RADIUS STREET MAP W/OCCURRENCES



- Legend**
- ◆ NFL
  - Cal Superfund Active
  - CERCLIS
  - Cal State Response Active
  - Cal Military Active
  - LUST-Open
  - Cal VCP Active
  - ▲ SLIC-Open
  - Cal School Active
  - Cal Superfund Other
  - Cal State Response Other
  - Cal VCP Other
  - Cal School Other
  - Cal Military Other
  - Cal State Response NFA
  - SWIS
  - Cal Superfund NFA
  - RCRA-COR
  - RCRA-TSD
  - Cal VCP NFA
  - Historic-Sources-US
  - Controls-CA
  - Cal State Response NFA
  - Cal Eval-Hist NFA
  - Cal Military NFA
  - Tribal-LUST-Open
  - Tribal-LUST-Closed
  - Tribal-LUST
  - OGW
  - ERNS
  - CERCLIS-Archived
  - LUST-Closed
  - SLIC-Closed
  - UST
  - Hist-UST
  - RCRA
  - HMWS-CA

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not been fully investigated or remediated. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be consulted for more information. Occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.

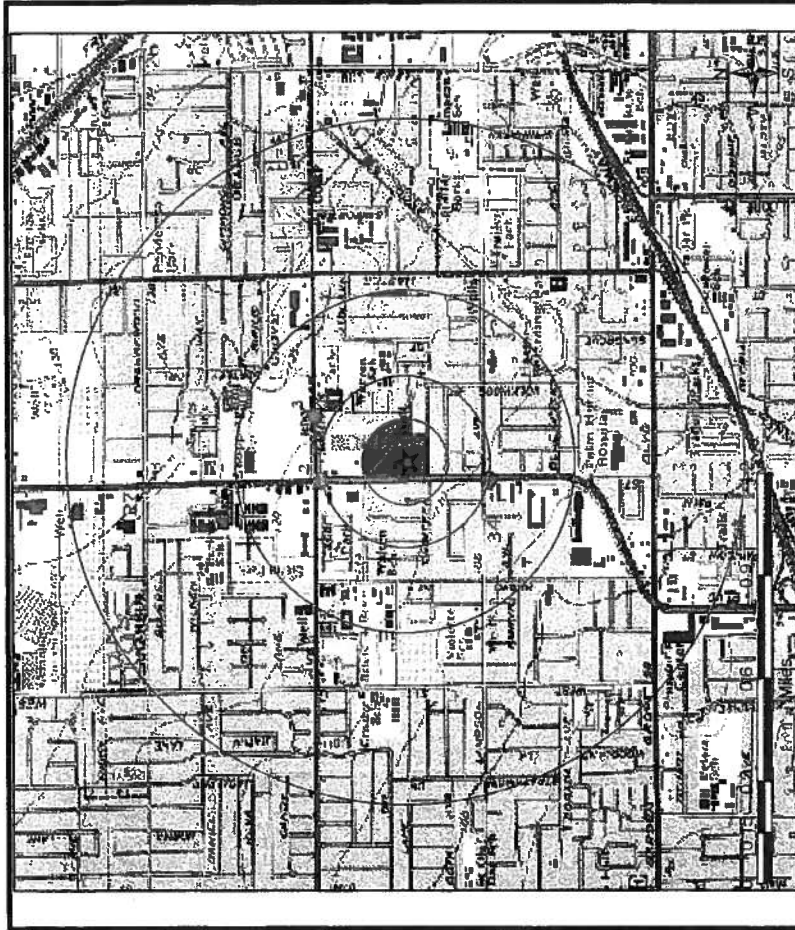
# 1/4-MILE RADIUS STREET MAP W/OCCURRENCES



- Legend**
- ◆ NFL
  - Cal Superfund Active
  - CERCLUS
  - Cal State Response Active
  - Cal Military Active
  - LUST-Open
  - Cal VCP Other
  - Cal VCP Active
  - ▲ SLIC-Open
  - Cal School Active
  - Cal Superfund Other
  - Cal State Response Other
  - Cal VCP NFA
  - Cal School Other
  - Cal Military Other
  - Cal State Response NFA
  - SWIS
  - Cal Superfund NFA
  - RCRA-COR
  - RCRA-TSD
  - Cal VCP NFA
  - Historic-Sources-US
  - Controls-CA
  - Cal State Response NFA
  - Cal Eval-Hist NFA
  - Cal Military NFA
  - Cal School NFA
  - Tribal-LUST-Open
  - Tribal-LUST-Closed
  - Tribal-LUST
  - OGW
  - ERNS
  - CERCLUS-Archived
  - LUST-Closed
  - SLIC-Closed
  - UST
  - Hist-UST
  - RCRA
  - HMS-CA

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences always in RED are locations with known contamination that have not been fully investigated by the responsible agency. Occurrences always in GREEN are locations that have not been fully investigated for further action. Occurrences always in BLUE are locations that have active permits or have had contamination in the past but have received a "use closed" or "no further action" status and therefore do not likely present an environmental risk.

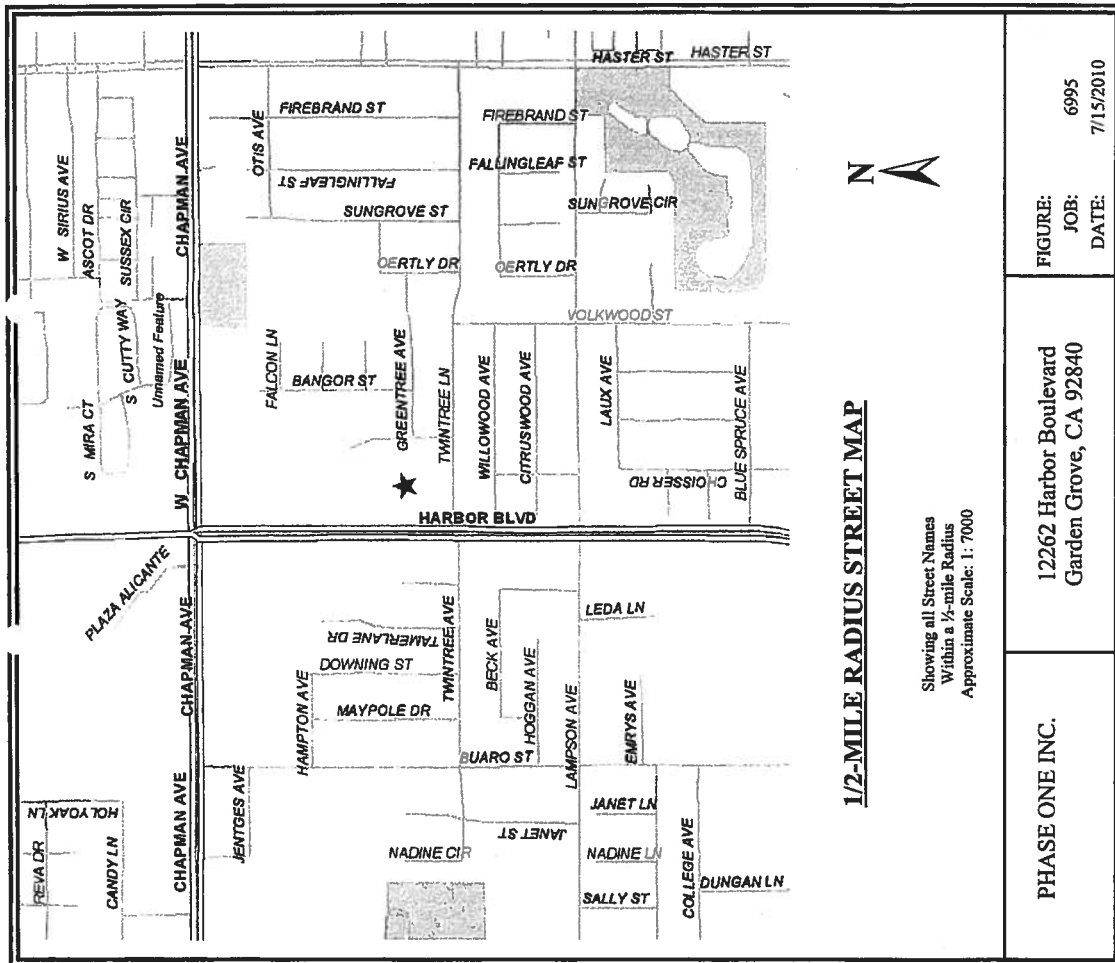
# 1-MILE TOPOGRAPHIC MAP W/OCCURRENCES



## Legend

- ◆ NPL
- ▲ Cal Superfund Active
- CERCLUS
- Cal State Response Active
- Cal Military Active
- LUST-Open
- Cal VCP Active
- ▲ SLIC-Open
- Cal School Active
- Cal Superfund Other
- Cal State Response Other
- Cal VCP Other
- Cal School Other
- Cal Ever-Hit
- Cal Military Other
- SNIS
- Cal Superfund NFA
- RCRA-COR
- RCRA-TSD
- Cal VCP NFA
- Historic-Sources-US
- Controls-CA
- Cal State Response NFA
- Cal Ever-Hit NFA
- Cal Military NFA
- Cal School NFA
- Tribal-LUST-Open
- Tribal-LUST-Closed
- Tribal-LUST
- OGW
- ERNS
- CERCLUS-Archived
- LUST-Closed
- SLIC-Closed
- UST
- HM4JUST
- RCRA
- HIMS-CA

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.



## LISTED OCCURRENCE DETAILS

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Open	Remediation Underway	0.25 miles SW	108 ft (6 ft lower than site)	<b>1</b>
<b>SITE NAME</b>				
ARCO #5202				
<b>AGENCY ID#</b>				
T0605901648				
<b>ADDRESS</b>				
12502 HARBOR				
<b>CITY</b>				
GARDEN GROVE				
<b>ZIP</b>				
92840				
<b>DETAILS</b>				
<p>Case Number: 083002298T                      Lead Agency: LOCAL AGENCY                      Local Case Number: 93UT047                      Discovered: 1993-05-20                      Stop Date: 9999-09-09                      Leak Confirmed: 1993-03-25                      Preliminary Site Assessment Workplan Submitted: 1993-05-20                      Preliminary Site Assessment Underway: 1993-09-01                      Pollution Characterization Underway: 1993-12-10                      Remediation Workplan (Corrective Action Plan) Submitted: 1999-11-10                      Remediation Underway: 2003-02-18                      Case Type: Other Groundwater affected (uses other than drinking water)                      Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded &amp; unleaded"                      Field Point: B-10 ,B-11 ,B-12 ,B-13 ,B-3 ,B-5 ,B-6 ,B-7 ,B-8 ,B-9 ,CPT-1a ,CPT-1b ,CPT-1d ,CPT-4a ,CPT-4b ,CPT-4c ,CPT-4d ,CPT-4e ,CPT-4f ,CPT-4g ,CPT-4h ,CPT-4i ,CPT-4j ,CPT-4k ,CPT-4l ,CPT-4m ,CPT-4n ,CPT-4o ,CPT-4p ,CPT-4q ,CPT-4r ,CPT-4s ,CPT-4t ,CPT-4u ,CPT-4v ,CPT-4w ,CPT-4x ,CPT-4y ,CPT-4z ,CPT-4aa ,CPT-4ab ,CPT-4ac ,CPT-4ad ,CPT-4ae ,CPT-4af ,CPT-4ag ,CPT-4ah ,CPT-4ai ,CPT-4aj ,CPT-4ak ,CPT-4al ,CPT-4am ,CPT-4an ,CPT-4ao ,CPT-4ap ,CPT-4aq ,CPT-4ar ,CPT-4as ,CPT-4at ,CPT-4au ,CPT-4av ,CPT-4aw ,CPT-4ax ,CPT-4ay ,CPT-4az ,CPT-4ba ,CPT-4bb ,CPT-4bc ,CPT-4bd ,CPT-4be ,CPT-4bf ,CPT-4bg ,CPT-4bh ,CPT-4bi ,CPT-4bj ,CPT-4bk ,CPT-4bl ,CPT-4bm ,CPT-4bn ,CPT-4bo ,CPT-4bp ,CPT-4bq ,CPT-4br ,CPT-4bs ,CPT-4bt ,CPT-4bu ,CPT-4bv ,CPT-4bw ,CPT-4bx ,CPT-4by ,CPT-4bz ,CPT-4ca ,CPT-4cb ,CPT-4cc ,CPT-4cd ,CPT-4ce ,CPT-4cf ,CPT-4cg ,CPT-4ch ,CPT-4ci ,CPT-4cj ,CPT-4ck ,CPT-4cl ,CPT-4cm ,CPT-4cn ,CPT-4co ,CPT-4cp ,CPT-4cq ,CPT-4cr ,CPT-4cs ,CPT-4ct ,CPT-4cu ,CPT-4cv ,CPT-4cw ,CPT-4cx ,CPT-4cy ,CPT-4cz ,CPT-4da ,CPT-4db ,CPT-4dc ,CPT-4dd ,CPT-4de ,CPT-4df ,CPT-4dg ,CPT-4dh ,CPT-4di ,CPT-4dj ,CPT-4dk ,CPT-4dl ,CPT-4dm ,CPT-4dn ,CPT-4do ,CPT-4dp ,CPT-4dq ,CPT-4dr ,CPT-4ds ,CPT-4dt ,CPT-4du ,CPT-4dv ,CPT-4dw ,CPT-4dx ,CPT-4dy ,CPT-4dz ,CPT-4ea ,CPT-4eb ,CPT-4ec ,CPT-4ed ,CPT-4ee ,CPT-4ef ,CPT-4eg ,CPT-4eh ,CPT-4ei ,CPT-4ej ,CPT-4ek ,CPT-4el ,CPT-4em ,CPT-4en ,CPT-4eo ,CPT-4ep ,CPT-4eq ,CPT-4er ,CPT-4es ,CPT-4et ,CPT-4eu ,CPT-4ev ,CPT-4ew ,CPT-4ex ,CPT-4ey ,CPT-4ez ,CPT-4fa ,CPT-4fb ,CPT-4fc ,CPT-4fd ,CPT-4fe ,CPT-4ff ,CPT-4fg ,CPT-4fh ,CPT-4fi ,CPT-4fj ,CPT-4fk ,CPT-4fl ,CPT-4fm ,CPT-4fn ,CPT-4fo ,CPT-4fp ,CPT-4fq ,CPT-4fr ,CPT-4fs ,CPT-4ft ,CPT-4fu ,CPT-4fv ,CPT-4fw ,CPT-4fx ,CPT-4fy ,CPT-4fz ,CPT-4ga ,CPT-4gb ,CPT-4gc ,CPT-4gd ,CPT-4ge ,CPT-4gf ,CPT-4gg ,CPT-4gh ,CPT-4gi ,CPT-4gj ,CPT-4gk ,CPT-4gl ,CPT-4gm ,CPT-4gn ,CPT-4go ,CPT-4gp ,CPT-4gq ,CPT-4gr ,CPT-4gs ,CPT-4gt ,CPT-4gu ,CPT-4gv ,CPT-4gw ,CPT-4gx ,CPT-4gy ,CPT-4gz ,CPT-4ha ,CPT-4hb ,CPT-4hc ,CPT-4hd ,CPT-4he ,CPT-4hf ,CPT-4hg ,CPT-4hh ,CPT-4hi ,CPT-4hj ,CPT-4hk ,CPT-4hl ,CPT-4hm ,CPT-4hn ,CPT-4ho ,CPT-4hp ,CPT-4hq ,CPT-4hr ,CPT-4hs ,CPT-4ht ,CPT-4hu ,CPT-4hv ,CPT-4hw ,CPT-4hx ,CPT-4hy ,CPT-4hz ,CPT-4ia ,CPT-4ib ,CPT-4ic ,CPT-4id ,CPT-4ie ,CPT-4if ,CPT-4ig ,CPT-4ih ,CPT-4ii ,CPT-4ij ,CPT-4ik ,CPT-4il ,CPT-4im ,CPT-4in ,CPT-4io ,CPT-4ip ,CPT-4iq ,CPT-4ir ,CPT-4is ,CPT-4it ,CPT-4iu ,CPT-4iv ,CPT-4iw ,CPT-4ix ,CPT-4iy ,CPT-4iz ,CPT-4ja ,CPT-4jb ,CPT-4jc ,CPT-4jd ,CPT-4je ,CPT-4jf ,CPT-4jg ,CPT-4jh ,CPT-4ji ,CPT-4jj ,CPT-4jk ,CPT-4jl ,CPT-4jm ,CPT-4jn ,CPT-4jo ,CPT-4jp ,CPT-4jq ,CPT-4jr ,CPT-4js ,CPT-4jt ,CPT-4ju ,CPT-4jv ,CPT-4jw ,CPT-4jx ,CPT-4jy ,CPT-4jz ,CPT-4ka ,CPT-4kb ,CPT-4kc ,CPT-4kd ,CPT-4ke ,CPT-4kf ,CPT-4kg ,CPT-4kh ,CPT-4ki ,CPT-4kj ,CPT-4kk ,CPT-4kl ,CPT-4km ,CPT-4kn ,CPT-4ko ,CPT-4kp ,CPT-4kq ,CPT-4kr ,CPT-4ks ,CPT-4kt ,CPT-4ku ,CPT-4kv ,CPT-4kw ,CPT-4kx ,CPT-4ky ,CPT-4kz ,CPT-4la ,CPT-4lb ,CPT-4lc ,CPT-4ld ,CPT-4le ,CPT-4lf ,CPT-4lg ,CPT-4lh ,CPT-4li ,CPT-4lj ,CPT-4lk ,CPT-4ll ,CPT-4lm ,CPT-4ln ,CPT-4lo ,CPT-4lp ,CPT-4lq ,CPT-4lr ,CPT-4ls ,CPT-4lt ,CPT-4lu ,CPT-4lv ,CPT-4lw ,CPT-4lx ,CPT-4ly ,CPT-4lz ,CPT-4ma ,CPT-4mb ,CPT-4mc ,CPT-4md ,CPT-4me ,CPT-4mf ,CPT-4mg ,CPT-4mh ,CPT-4mi ,CPT-4mj ,CPT-4mk ,CPT-4ml ,CPT-4mn ,CPT-4mo ,CPT-4mp ,CPT-4mq ,CPT-4mr ,CPT-4ms ,CPT-4mt ,CPT-4mu ,CPT-4mv ,CPT-4mw ,CPT-4mx ,CPT-4my ,CPT-4mz ,CPT-4na ,CPT-4nb ,CPT-4nc ,CPT-4nd ,CPT-4ne ,CPT-4nf ,CPT-4ng ,CPT-4nh ,CPT-4ni ,CPT-4nj ,CPT-4nk ,CPT-4nl ,CPT-4nm ,CPT-4nn ,CPT-4no ,CPT-4np ,CPT-4nq ,CPT-4nr ,CPT-4ns ,CPT-4nt ,CPT-4nu ,CPT-4nv ,CPT-4nw ,CPT-4nx ,CPT-4ny ,CPT-4nz ,CPT-4oa ,CPT-4ob ,CPT-4oc ,CPT-4od ,CPT-4oe ,CPT-4of ,CPT-4og ,CPT-4oh ,CPT-4oi ,CPT-4oj ,CPT-4ok ,CPT-4ol ,CPT-4om ,CPT-4on ,CPT-4oo ,CPT-4op ,CPT-4oq ,CPT-4or ,CPT-4os ,CPT-4ot ,CPT-4ou ,CPT-4ov ,CPT-4ow ,CPT-4ox ,CPT-4oy ,CPT-4oz ,CPT-4pa ,CPT-4pb ,CPT-4pc ,CPT-4pd ,CPT-4pe ,CPT-4pf ,CPT-4pg ,CPT-4ph ,CPT-4pi ,CPT-4pj ,CPT-4pk ,CPT-4pl ,CPT-4pm ,CPT-4pn ,CPT-4po ,CPT-4pp ,CPT-4pq ,CPT-4pr ,CPT-4ps ,CPT-4pt ,CPT-4pu ,CPT-4pv ,CPT-4pw ,CPT-4px ,CPT-4py ,CPT-4pz ,CPT-4qa ,CPT-4qb ,CPT-4qc ,CPT-4qd ,CPT-4qe ,CPT-4qf ,CPT-4qg ,CPT-4qh ,CPT-4qi ,CPT-4qj ,CPT-4qk ,CPT-4ql ,CPT-4qm ,CPT-4qn ,CPT-4qo ,CPT-4qp ,CPT-4qq ,CPT-4qr ,CPT-4qs ,CPT-4qt ,CPT-4qu ,CPT-4qv ,CPT-4qw ,CPT-4qx ,CPT-4qy ,CPT-4qz ,CPT-4ra ,CPT-4rb ,CPT-4rc ,CPT-4rd ,CPT-4re ,CPT-4rf ,CPT-4rg ,CPT-4rh ,CPT-4ri ,CPT-4rj ,CPT-4rk ,CPT-4rl ,CPT-4rm ,CPT-4rn ,CPT-4ro ,CPT-4rp ,CPT-4rq ,CPT-4rr ,CPT-4rs ,CPT-4rt ,CPT-4ru ,CPT-4rv ,CPT-4rw ,CPT-4rx ,CPT-4ry ,CPT-4rz ,CPT-4sa ,CPT-4sb ,CPT-4sc ,CPT-4sd ,CPT-4se ,CPT-4sf ,CPT-4sg ,CPT-4sh ,CPT-4si ,CPT-4sj ,CPT-4sk ,CPT-4sl ,CPT-4sm ,CPT-4sn ,CPT-4so ,CPT-4sp ,CPT-4sq ,CPT-4sr ,CPT-4ss ,CPT-4st ,CPT-4su ,CPT-4sv ,CPT-4sw ,CPT-4sx ,CPT-4sy ,CPT-4sz ,CPT-4ta ,CPT-4tb ,CPT-4tc ,CPT-4td ,CPT-4te ,CPT-4tf ,CPT-4tg ,CPT-4th ,CPT-4ti ,CPT-4tj ,CPT-4tk ,CPT-4tl ,CPT-4tm ,CPT-4tn ,CPT-4to ,CPT-4tp ,CPT-4tq ,CPT-4tr ,CPT-4ts ,CPT-4tt ,CPT-4tu ,CPT-4tv ,CPT-4tw ,CPT-4tx ,CPT-4ty ,CPT-4tz ,CPT-4ua ,CPT-4ub ,CPT-4uc ,CPT-4ud ,CPT-4ue ,CPT-4uf ,CPT-4ug ,CPT-4uh ,CPT-4ui ,CPT-4uj ,CPT-4uk ,CPT-4ul ,CPT-4um ,CPT-4un ,CPT-4uo ,CPT-4up ,CPT-4uq ,CPT-4ur ,CPT-4us ,CPT-4ut ,CPT-4uu ,CPT-4uv ,CPT-4uw ,CPT-4ux ,CPT-4uy ,CPT-4uz ,CPT-4va ,CPT-4vb ,CPT-4vc ,CPT-4vd ,CPT-4ve ,CPT-4vf ,CPT-4vg ,CPT-4vh ,CPT-4vi ,CPT-4vj ,CPT-4vk ,CPT-4vl ,CPT-4vm ,CPT-4vn ,CPT-4vo ,CPT-4vp ,CPT-4vq ,CPT-4vr ,CPT-4vs ,CPT-4vt ,CPT-4vu ,CPT-4vv ,CPT-4vw ,CPT-4vx ,CPT-4vy ,CPT-4vz ,CPT-4wa ,CPT-4wb ,CPT-4wc ,CPT-4wd ,CPT-4we ,CPT-4wf ,CPT-4wg ,CPT-4wh ,CPT-4wi ,CPT-4wj ,CPT-4wk ,CPT-4wl ,CPT-4wm ,CPT-4wn ,CPT-4wo ,CPT-4wp ,CPT-4wq ,CPT-4wr ,CPT-4ws ,CPT-4wt ,CPT-4wu ,CPT-4wv ,CPT-4ww ,CPT-4wx ,CPT-4wy ,CPT-4wz ,CPT-4xa ,CPT-4xb ,CPT-4xc ,CPT-4xd ,CPT-4xe ,CPT-4xf ,CPT-4xg ,CPT-4xh ,CPT-4xi ,CPT-4xj ,CPT-4xk ,CPT-4xl ,CPT-4xm ,CPT-4xn ,CPT-4xo ,CPT-4xp ,CPT-4xq ,CPT-4xr ,CPT-4xs ,CPT-4xt ,CPT-4xu ,CPT-4xv ,CPT-4xw ,CPT-4xx ,CPT-4xy ,CPT-4xz ,CPT-4ya ,CPT-4yb ,CPT-4yc ,CPT-4yd ,CPT-4ye ,CPT-4yf ,CPT-4yg ,CPT-4yh ,CPT-4yi ,CPT-4yj ,CPT-4yk ,CPT-4yl ,CPT-4ym ,CPT-4yn ,CPT-4yo ,CPT-4yp ,CPT-4yq ,CPT-4yr ,CPT-4ys ,CPT-4yt ,CPT-4yu ,CPT-4yv ,CPT-4yw ,CPT-4yx ,CPT-4yy ,CPT-4yz ,CPT-4za ,CPT-4zb ,CPT-4zc ,CPT-4zd ,CPT-4ze ,CPT-4zf ,CPT-4zg ,CPT-4zh ,CPT-4zi ,CPT-4zj ,CPT-4zk ,CPT-4zl ,CPT-4zm ,CPT-4zn ,CPT-4zo ,CPT-4zp ,CPT-4zq ,CPT-4zr ,CPT-4zs ,CPT-4zt ,CPT-4zu ,CPT-4zv ,CPT-4zw ,CPT-4zx ,CPT-4zy ,CPT-4zz</p>				

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Closed	Case Closed	0.25 miles NW	118 ft (4 ft higher than site)	2
SITE NAME				
UNOCAL #3746				
ADDRESS				
12002 HARBOR				
CITY				
GARDEN GROVE				
ZIP				
92640				
AGENCY ID#				
T0605901645				
DETAILS				
<p>Case Number: 083002246T  Lead Agency: LOCAL AGENCY  Local Case Number: 93UT075  Discovered: 1993-06-22  Stop Date: 9999-09-09  Case Closed: 1997-06-11  Case Type: Soil only affected  Substance released: *Gasoline-Automotive (motor gasoline and additives), loaded &amp; unloaded*  HOWDISCOVER: TC  HOWSTOPPED: CT  LEAKCAUSE: U  LEAKSOURCE: U  REPORTDATE: 1993-06-22 00:00:00  COUNTY: 30  REGBOARD: 08  STATUS: 9  SUB: 8006619  RP: MARCIA BAVERMAN  RADDRESS: PO BOX 7600  PROGRAM: LUST  MTBECNTS: 0  MTBEFUEL: 1  MTBE_TESTED: NT  STAFF: NOM  LSTAFF: SS  LEADAGENCY: L  LOCLAGENCY: 30000L  BENEFICIAL_USE: MUN  SUBOTY: 0  DISTANCE: 0  MTBECLASS: *</p>				

LIST	STATUS	DISTANCE	ELEVATION	MAP ID
LUST-Closed	Case Closed	0.29 miles NE	121 ft (7 ft higher than site)	3
<b>SITE NAME</b>				
4-DAY TIRE STORE				
<b>ADDRESS</b>				
12602 CHAPMAN				
<b>CITY</b>				
GARDEN GROVE				
<b>ZIP</b>				
92640				
<b>AGENCY ID#</b>				
T0605901313				
<b>DETAILS</b>				
Case Number: 083001746T Lead Agency: LOCAL AGENCY Local Case Number: 91UT015 Discovered: 1991-01-09 Stop Date: 9999-09-09 Case Closed: 1998-03-18 Case Type: Sell only affected HOWDISCOVER: TC HOWSTOPPED: CT LEAKCAUSE: U LEAKSOURCE: U REPORTDATE: 1991-01-09 00 00 00 COUNTY: 30 REGBOARD: 08 STATUS: 9 SUB: 12034,800661 RP: JOHN SIMONS RPADDRESS: 220 CONGRESS PARK DRIVE PROGRAM: LUST MTBECNTS: 0 MTBEFUEL: 0 MTBE TESTED: NRQ STAFF: VIB LSTAFF: SS LEADAGENCY: 1 LOCLAGENCY: 30000L BENEFICIAL_USE: MUN SUBOTY: 0 DISTANCE: 0 MTBECLASS: *				

sites, potential hazardous waste sites, and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL.

Agency: United States Environmental Protection Agency

Phone Number: 8004249346

Date last updated: 3/26/2010

Date last checked: 3/9/2010

Distance searched: 0.5 miles

Sites:

None Found

#### Cal State Response Active

Full

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. State Response Sites are confirmed release sites where DTSC is involved in remediation, either in a lead or oversight capacity. These confirmed release sites are generally high-priority and high potential risk.

Agency: CA Environmental Protection Agency, Department of Toxic Substances Control

Phone Number: 9163233400

Date last updated: 3/24/2010

Date last checked: 3/10/2010

Distance searched: 1 mile

Sites:

None Found

#### Cal Military Active

Full

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. Military sites include open and closed bases and Former Used Defense Sites.

Agency: CA Environmental Protection Agency, Department of Toxic Substances Control

Phone Number: 9163233400



**The Spills, Leaks, Investigation & Cleanup, Open Cases**

**Description:** The Spills, Leaks, Investigation & cleanup (SLIC) Program deals with site investigation and corrective action involving sites not overseen by the Underground Tank Program and the Well Investigation Program. This program is not restricted to particular pollutants or environments; rather, the program covers all types of pollutants (such as solvents, petroleum fuels, and heavy metals) and all environments (including surface and water, groundwater, and the vadose zone). Upon confirming that an unauthorized discharge is polluting or threatens to pollute regional water bodies, the Regional Board oversees site investigation and corrective action. Statutory authority for the program is derived from the California Water Code, Division 7, Section 13304. Guidelines for site investigation and remediation are promulgated in State Board Resolution No. 92-49 entitled Policies and Procedures For Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304.

**Agency:** CA State Water Resources Control Board (Spills, Leaks, Investigation & cleanup Program)

**Phone Number:** 2135766717

**Date last updated:** 8/29/2008

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

**Cal Superfund Other**

**Full**

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. Federal Superfund sites are identified sites where the U.S. EPA proposed, listed, or delisted a site on the National Priorities List (NPL). The list of sites is developed and maintained by U.S. EPA, which typically has primary regulatory oversight for the sites listed on the NPL.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control

**Phone Number:** 9163233400

**Date last updated:** 3/24/2010

**Date last checked:** 3/10/2010

**Distance searched:** 1 mile

**Sites:**

None Found

**Cal School Active**

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites.

Evaluation sites are identified suspected, but unconfirmed, contaminated sites that need or have gone through a limited investigation and assessment process. Historical sites are identified sites from an older database where no site type was identified.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control

**Phone Number:** 9163233400

**Date last updated:** 3/24/2010

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

#### Cal VCP Other

##### Full

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. Voluntary Cleanup: Identifies sites with either confirmed or unconfirmed releases, and the project proponents have requested that DTSC oversee evaluation, investigation, and/or cleanup activities and have agreed to provide coverage for DTSC's costs.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control

**Phone Number:** 9163233400

**Date last updated:** 3/24/2010

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

#### Cal School Other

##### Full

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for

Agency: CA Integrated Waste Management Board

Phone Number: 9163416320

Date last updated: 4/2/2010

Date last checked: 3/10/2010

Distance searched: 0.5 miles

Sites:

None Found

#### Cal Superfund NFA

Full

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. Federal Superfund sites are identified sites where the U.S. EPA proposed, listed, or delisted a site on the National Priorities List (NPL). The list of sites is developed and maintained by U.S. EPA, which typically has primary regulatory oversight for the sites listed on the NPL.

Agency: CA Environmental Protection Agency, Department of Toxic Substances Control

Phone Number: 9162333400

Date last updated: 3/24/2010

Date last checked: 3/10/2010

Distance searched: 1 mile

Sites:

None Found

#### RCRA-COR

**Resource Conservation and Recovery Act - Corrective Actions (CORRACTS)**

**Description:** In 1965, to encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse, Congress passed the first federal law to require safeguards on these activities, the Solid Waste Disposal Act. Congress amended this law in 1976 by passing the Resource Conservation and Recovery Act (RCRA) (pronounced "Ric-ra"). The primary goals of RCRA are to: Protect human health and the environment from the potential hazards of waste disposal. Conserve energy and natural resources. Reduce the amount of waste generated. Ensure that wastes are managed in an environmentally sound manner.

EPA estimates that between 50 and 70 percent of all TSDFs have some degree of environmental contamination requiring detailed investigation and perhaps cleanup. Under a program entitled Corrective Action, EPA has the statutory authority to require permitted and interim status TSDFs to clean up hazardous waste contamination.

Agency: United States Environmental Protection Agency

Copyright©2007, Environmental Record Search, All rights reserved.

www.RecCheck.com  
(800) 377-2430

Distance searched: 0.5 miles

**Sites:**

None Found

**Controls-CA**

**Calsites with Deed Restrictions or other Controls**

**Description:** A deed restricted site is a property where DTSC has placed limits or requirements on future use of the property due to varying levels of cleanup possible, practical, or necessary at the site. The DTSC Site Mitigation and Brownfield's Reuse Program (SMBRP) list includes sites cleaned up under the program's oversight and generally does not include current or former hazardous waste facilities that required a hazardous waste facility permit. The list represents deed restrictions that are active. Some sites have multiple deed restrictions. Not all deed restrictions are available at this time.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control

**Phone Number:** 9162553745

**Date last updated:** 3/30/2010

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

**Historic-Sources-US**

**Nationwide List of Proprietary Historic Potential Contamination Source Sites**

**Description:** ERS has compiled a proprietary list of MILLIONS of records dating back to the 1800's that have shown up in historic resources and based on their classification, may have used hazardous materials or petroleum products. These records have been combined into one database for ease of use. The original source databases include:

- Auto. Truck & Tire Service
- Auto & Truck Dealership
- Vehicle Parts
- Laundry / Cleaners Services
- Ranches / Farms, Livestock / Agriculture
- Service Stations / Vehicle Fueling
- Machine shops
- Machinists
- Manufacturing
- Manufacturing / District Chemicals / Gases / Solids
- Plating
- Printers
- Crematories / Mortuary
- Vehicle Salvage or Wrecker
- RV, Trailer & Recreational Vehicles
- Petroleum Refining / Manufacturing / Chemicals
- Agency:** Environmental Records Search (ERS)
- Phone Number:** 8003772430
- Date last updated:** 4/7/2010

**Sites:**  
None Found

**Cal School NFA**

**Full**

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. School sites are Identified as proposed and existing school sites that are being evaluated by DTSC for possible hazardous materials contamination. All proposed school sites that will receive State funding for acquisition or construction are required to go through a rigorous environmental review and cleanup process under DTSC's oversight.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control  
**Phone Number:** 9163233400

**Date last updated:** 3/24/2010

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

**Cal Military NFA**

**Full**

**Description:** The Department of Toxic Substances Control's (DTSC's) EnviroStor database is an online search and Geographic Information System (GIS) tool for identifying sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer (TSDTF) hazardous waste. The EnviroStor database includes the following site types: Federal Superfund sites (National Priority List (NPL)); State Response, including Military Facilities and Stateuperfund; Voluntary Cleanup; and School sites. The EnviroStor database replaced a former database, referred to as, "the Site Mitigation and Brownfields Reuse Program (SMBRP) database, also known as CalSites. Military sites include open and closed bases and Former Used Defense Sites.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control  
**Phone Number:** 9163233400

**Date last updated:** 3/24/2010

**Date last checked:** 3/10/2010

**Distance searched:** 0.5 miles

**Sites:**

None Found

health, property, and natural resources; (2) underground and surface waters suitable for irrigation or domestic use; and (3) oil, gas, and geothermal reservoirs.

Agency: California Department of Conservation, Division of Oil, Gas & Geothermal Resources

Phone Number: 9163231779

Date last updated: 3/30/2010

Date last checked: 3/10/2010

Distance searched: 0.25 miles

Sites:

None Found

#### ERNS

##### Emergency Response Notification System

Description: The primary function of the National Response Center is to serve as the sole national point of contact for reporting all oil, chemical, radiological, biological, and geological discharges into the environment anywhere in the United States and its territories. In addition to gathering and distributing spill data for Federal On-Scene Coordinators and serving as the communications and operations center for the National Response Team, the NRC maintains agreements with a variety of federal entities to make additional notifications regarding incidents meeting established trigger criteria.

Agency: National Response Center

Phone Number: 8004248802

Date last updated: 10/31/2008

Date last checked: 3/9/2010

Distance searched: 0.125 miles

Sites:

None Found

#### CERCLIS-Archived

##### CERCLIS sites that have been archived (NFRAP)

Description: The Archive designation means that assessment at a site has been completed and EPA has determined no steps will be taken to designate the site as a priority by listing it on the National Priorities List (NPL). No further remedial action is planned for these sites under the Superfund Program.

Agency: United States Environmental Protection Agency

Phone Number: 8004249346

Date last updated: 4/2/2010

Date last checked: 3/9/2010

Distance searched: 0.5 miles

Sites:

None Found

#### LUST-Closed

##### Leaking Underground Storage Tanks, Closed Cases

**Sites:**  
None Found

**Hist-UST**

**Historical Underground Storage Tanks**

**Description:** The California State Water Resources Control Board keeps the Hazardous Substances Storage Container Information on file. This is a database of historical underground storage tanks that was kept until the late 1980's, but has been discontinued and is no longer updated.

**Agency:** California State Water Resources Control Board

**Phone Number:** 9163415851

**Date last updated:** 8/29/2008

**Date last checked:** 3/10/2010

**Distance searched:** 0.125 miles

**Sites:**

None Found

**RCRA**

**Resource Conservation and Recovery Act**

**Description:** In 1965, to encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse, Congress passed the first federal law to require safeguards on these activities, the Solid Waste Disposal Act. Congress amended this law in 1976 by passing the Resource Conservation and Recovery Act (RCRA) (pronounced "Ric-ra"). The primary goals of RCRA are to: Protect human health and the environment from the potential hazards of waste disposal. Conserve energy and natural resources. Reduce the amount of waste generated. Ensure that wastes are managed in an environmentally sound manner.

**Agency:** United States Environmental Protection Agency

**Phone Number:** 8004249346

**Date last updated:** 11/5/2008

**Date last checked:** 3/9/2010

**Distance searched:** 0.125 miles

**Sites:**

None Found

**HWIS-CA**

**Hazardous Waste Information Summary**

**Description:** The Hazardous Waste Summary Report (formerly the Tanner Report) is prepared from data extracted from the copies of hazardous waste manifests received each year by DTSC. The volume of manifests is typically 900,000 - 1,000,000 annually, representing approximately 450,000 - 500,000 shipments.

**Agency:** CA Environmental Protection Agency, Department of Toxic Substances Control

**Phone Number:** 9162553745

**Date last updated:** 10/28/2008

**Date last checked:** 3/10/2010

## OCCURRENCES NOT MAPPED

The following occurrences were not mapped due to various reasons mostly resulting from incomplete or inaccurate address information. All of the following occurrences were determined to share the same zip code as the subject site. General status information is given with each occurrence along with any address information entered by the agency responsible for the list.

No unplonable sites requested.



**APPENDIX E**  
**SAMPLING AND ANALYSIS DOCUMENTS**

**APPENDIX F**  
**INTERVIEW NOTES**

USER QUESTIONNAIRE  
12262-12272 Harbor Boulevard, Garden Grove, CA

JOB# 6995 TODAY'S DATE: 7/1/80  
INTERVIEWEE NAME: Carlos Henrique COMPANY: \_\_\_\_\_  
TITLE: Real Property Agent PHONE: 714-741-5131  
ADDRESS: 11922 Arden Parkway, Garden Grove, CA 92842  
CURRENT OWNER OF SITE: Richard K. I. HOW LONG AS OWNER: \_\_\_\_\_  
OWNER'S PHONE # 714-750-6747  
PREVIOUS OWNER OF SITE: N/A HOW LONG AS OWNER: \_\_\_\_\_  
PREVIOUS OWNER'S PHONE # N/A  
CURRENT SITE MANAGER: Richard K. I. HOW LONG AS MANAGER: \_\_\_\_\_  
SITE MANAGER'S PHONE # N/A  
PREVIOUS SITE MANAGER'S NAME AND PHONE # N/A  
SITE ADDRESS: (address/city/state/zip) 19222 Harbor Blvd, Garden Grove, CA  
SITE NAME: C.C. Campbrell  
PROPOSED PROPERTY USE: \_\_\_\_\_

1. WHAT IS THE PURPOSE OF THIS PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT (Property Sale, Refinancing, Bank Loan, etc.)? Property Sale
2. WHAT WAS THE PURCHASE PRICE OF THE SUBJECT PROPERTY? (Current Purchase Price of the property, NOT the original purchase price, Put N/A, if no applicable) \$ 0,000,000
3. WHAT IS THE FAIR MARKET VALUE (FMV) OF THE SUBJECT PROPERTY? \$ 2,400,000
4. IF THERE IS A DIFFERENCE BETWEEN THE PURCHASE PRICE AND THE FMV, IS IT DUE TO CONTAMINATION, THE PRESENCE OF RELEASES OF HAZARDOUS SUBSTANCES, THREATENED RELEASES OF POLLUTANTS, CONTAMINANTS, PETROLEUM, PETROLEUM PRODUCTS, OR CONTROLLED SUBSTANCES? Not related to environmental reasons
5. ARE YOU AWARE OF ANY ACTIVITY OR LAND-USE LIMITATIONS, ENGINEERING CONTROLS, INSTITUTIONAL CONTROLS, ENVIRONMENTAL LIENS, OR OTHER RESTRICTIONS THAT HAVE BEEN PLACED ON THE PROPERTY RELATING TO HAZARDOUS MATERIALS OR PETROLEUM PRODUCTS?  
 YES  NO  
IF YES, WHAT?
6. DO YOU HAVE ANY SPECIALIZED KNOWLEDGE OF THE SUBJECT PROPERTY AND SURROUNDING AREAS THAT IS MATERIAL TO RECOGNIZED ENVIRONMENTAL CONDITIONS IN CONNECTION WITH THE SUBJECT PROPERTY?  
 YES  NO  
IF YES, WHAT?

Completed By: Carlos Henrique

# YAHOO! MAIL

FW: POI, Phase I ESA, 1262 Thursday, June 17, 2010 4:41 PM  
From: "Nadine Kieselbach" <nadinek@phaset.com>  
To: rick@yahoo.com  
1 File (56KB)



Richard,  
Please let me know when we may anticipate receiving a completed owner questionnaire. THANKS!  
Sincerely,

## Nadine Kieselbach

Client Services  
Phase One Inc.  
[www.phaset.com](http://www.phaset.com)  
2820 Walnut Avenue, Suite A  
Tustin, CA 92780  
P 900.624.8877 X127  
P 714.689.8055 X127  
F 714.689.8026 FAX  
NadineK@phaset.com

From: Nadine Kieselbach [mailto:nadinek@phaset.com]  
Sent: Saturday, May 29, 2010 12:49 PM  
To: 'rick@yahoo.com'  
Subject: POI, Phase I ESA, 1262

Richard,  
We are conducting a Phase I ESA for the property referenced above for Carlos Marquez, City of Garden Grove. As you are the owner of this property, we would appreciate you completing the attached questionnaire, and e-mailing or faxing back to us.  
Thank you for your assistance.

## Nadine Kieselbach

SITE OWNER INTERVIEW  
12262-12272 Harbor Boulevard, Garden Grove, CA

JOB# 6995 TODAY'S DATE: 6/18/2010  
INTERVIEWER NAME: Richard Kil COMPANY: CC CAMPERLAND  
TITLE: MANAGER/OWNER PHONE: (714) 950-6141  
ADDRESS: 12262 Harbor Blvd. Garden Grove, CA 92840

RELATIONSHIP TO SUBJECT PROPERTY (CHECK ALL THAT APPLY):  
 OWNER  PREVIOUS OWNER  SITE MANAGER  PREVIOUS SITE MANAGER  
 OCCUPANT  OTHER

# OF YEARS RELATIONSHIP HAS EXISTED: 18 years  
CURRENT OWNER OF SITE: Richard Kil HOW LONG AS OWNER: 18 years  
OWNER'S PHONE #: (310) 995-9920  
PREVIOUS OWNER OF SITE: \_\_\_\_\_ HOW LONG AS OWNER: \_\_\_\_\_  
PREVIOUS OWNER'S PHONE #: \_\_\_\_\_  
CURRENT SITE MANAGER: \_\_\_\_\_ HOW LONG AS MANAGER: \_\_\_\_\_  
SITE MANAGER'S PHONE #: \_\_\_\_\_  
PREVIOUS SITE MANAGER: \_\_\_\_\_ HOW LONG AS MANAGER: \_\_\_\_\_  
PREVIOUS SITE MANAGER'S PHONE #: \_\_\_\_\_

SITE ADDRESS: (address/city/state/zip) 12262 Harbor Blvd. Garden Grove, CA  
PREVIOUS STREET NAMES/ADDRESSES: \_\_\_\_\_  
SITE NAME: CC CAMPERLAND, RV PARK SITE PARCEL #S) \_\_\_\_\_  
LEASED OR SUBLEASED BUILDINGS OR SPACE: \_\_\_\_\_  
GENERAL BUSINESS TYPE/PRESENT PROPERTY USE: RV PARK  
PROPOSED PROPERTY USE, if known: \_\_\_\_\_

1. FOR WHAT TYPE OF TRANSACTION IS THIS PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT BEING CONDUCTED (Property Sale, Refinancing, Bank Loan, etc.)?  
SALE of property
2. WHAT IS/WAS THE PURCHASE PRICE OF THE SUBJECT PROPERTY? (Current Purchase Price of the property, NOT the original purchase price) \$ 5.1M
3. WHAT IS THE FAIR MARKET VALUE (FMV) OF THE SUBJECT PROPERTY? \$ 5M
4. IF THERE IS A DIFFERENCE BETWEEN THE PURCHASE PRICE AND THE FMV, IS IT DUE TO CONTAMINATION, THE PRESENCE OF RELEASES OF HAZARDOUS SUBSTANCES, THREATENED RELEASES OF POLLUTANTS, CONTAMINANTS, PETROLEUM, PETROLEUM PRODUCTS, OR CONTROLLED SUBSTANCES?  
NO

**SITE OWNER INTERVIEW**  
**12262-12272 Harbor Boulevard, Garden Grove, CA**

5. ARE YOU AWARE OF ANY ACTIVITY OR LAND USE LIMITATIONS, ENGINEERING CONTROLS, INSTITUTIONAL CONTROLS, ENVIRONMENTAL LENS, OR OTHER RESTRICTIONS THAT HAVE BEEN PLACED ON THE PROPERTY RELATING TO HAZARDOUS MATERIALS OR PETROLEUM PRODUCTS?

YES  NO  
 IF YES, WHAT:

7. DO YOU HAVE ANY SPECIALIZED KNOWLEDGE OF THE SUBJECT PROPERTY AND SURROUNDING AREAS THAT IS MATERIAL TO RECOGNIZED ENVIRONMENTAL CONDITIONS IN CONNECTION WITH THE SUBJECT PROPERTY?

YES  NO  
 IF YES, WHAT:

TOTAL # OF BUILDINGS OR STRUCTURES: 3 GRAND TOTAL SQ. FOOTAGE: 6000 #

IF APARTMENTS, OFFICE SUITES, ETC. HOW MANY TOTAL UNITS:

Unit #	Date Built	# of Stories	# Units/Offices	Square Footage
Unit #1				
Unit #2				
Unit #3				
Unit #4				
Unit #5				

PAST PROPERTY USES (include dates)

CURRENT OCCUPANTS:

PROPERTY STATUS AT TIME OF CONSTRUCTION (vacant? prior bldg. dema' ed?)

LOT SIZE (ACREAGE): 6800 # GROUNDWATER DEPTH/FLOW DIRECTION:

POTABLE WATER SUPPLY:  Private Wells  Municipal; Supplier: CITY

SEWAGE DISPOSAL:  Septic System  Municipal; Supplier: CITY

AGE OF SEWER LINES/SYSTEM:

MEANS OF HEATING/COOLING (gas, electric, heating oil, radiators/rctam boilers):

FUEL SOURCE FOR HEATING/AIR CONDITIONING:

DO YOU HAVE ANY OF THE FOLLOWING: (IF YES, PLEASE FORWARD A COPY):

YES  NO TITLE REPORT / PRELIMINARY TITLE REPORT / CHAIN OF TITLE

YES  NO APPRAISAL REPORT

YES  NO PLOT PLAN SHOWING THE SITE PROPERTY AND ADJACENT BUILDINGS

YES  NO SITE PLAN SHOWING THE INTERIOR WALLS OF THE STRUCTURE(S)

YES  NO AERIAL PHOTOGRAPHS OF THE SITE

YES  NO REGULATORY COMPLIANCE AUDIT REPORTS, GEOTECHNICAL REPORTS, PHASE I ENVIRONMENTAL REPORTS, OR PHASE II SURFACE REPORTS, ASBESTOS SURVEY REPORT, PREPARED FOR THE SUBJECT SITE?

**SITE OWNER INTERVIEW**  
**12262-12272 Harbor Boulevard, Garden Grove, CA**

**ARE THERE CURRENTLY, OR HAVE THERE BEEN IN THE PAST, ANY OF THESE ITEMS ON SITE:**

Y = Yes IF YES, please indicate as much detail as possible  
 N = No  
 ? = Don't Know

Comments, as applicable

**QUESTIONS FOR ALL SITES**

- trench, creek, stream, drainage ditches
- ponds or tanks
- fill material (prior to or since construction)
- storm water drains in parking lots
- gw wells
- oil or gas wells
- hazardous materials (other than hazardous)
- hazardous wastes: disposal permit?
- hazardous materials management plan/business plan
- MSDS - Material Safety Data Sheets on file?
- above-ground storage tanks: Permit?
- underground storage tanks: Permit?
- vent or fill pipes or access ways indicating a fill pipe is an underground storage area
- electrical transformers
- surface impoundments: Permit?
- lead/bill: Permit?
- belowground lifts
- agricultural use of property

**QUESTIONS FOR SITES THAT STORE OR USE HAZARDOUS MATERIALS and/or GENERATE HAZARDOUS WASTES (other than janitoria)**

- storm water management plan
- hazardous waste generator notices or reports
- 55-gallon drums of raw materials or waste
- wastewater discharge points to sewer: wastewater permit?
- wastewater discharge points to river/stream: NPDES?
- clarifiers: Permit?
- sump/clarifier: Permit?
- trenches
- floor drains or floor sinks
- community right to know plan
- safety, preparedness/prevention, spill prevention plans

**ADDITIONAL INFORMATION:**

\_\_\_\_\_

**SITE OWNER INTERVIEW**  
**12262-12272 Harbor Boulevard, Garden Grove, CA**

ADDITIONAL QUESTIONS		Yes	No	Don't Know
1.	Has the subject property been used as any of the following: gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard, or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?		<input checked="" type="checkbox"/>	
2.	Other than stains from parked cars, has there been, or is there any, stained soil of any kind on the subject property?		<input checked="" type="checkbox"/>	
3.	Has there been, or are there any, stained surfaces inside the building on the subject property (concrete or tile floors, etc.)?		<input checked="" type="checkbox"/>	
4.	Other than food preparation, are there any odors associated with operations at the site?		<input checked="" type="checkbox"/>	
5.	Do you know of any notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the subject site, or relating to environmental liens encumbering the subject site?		<input checked="" type="checkbox"/>	
6.	Do you know of any pending, threatened or past litigation or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property?		<input checked="" type="checkbox"/>	
7.	Do you know of any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products?		<input checked="" type="checkbox"/>	
8.	Do you know of any environmental concerns associated with the subject site?		<input checked="" type="checkbox"/>	
9.	Do you know of any environmental concerns on an adjacent or nearby properties?		<input checked="" type="checkbox"/>	

OTHER NOTES:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Completed By: Richard Kil

171'



*INTERVIEW NOTES And/Or  
CONVERSATION RECORD*

INTERVIEWEE: Jerry Holstein DATE: 6/3/2010  
PROJECT #: 6995 INTERVIEWER: EE  
COMPANY: City of Garden Grove, Building Department

NOTES: The property was initially a gift shop and in 1960 the property was then changed into a restaurant. In 1979 the site was transformed into an RV Park.

**APPENDIX G**  
**MISCELLANEOUS INFORMATION**

UPDATED (April 12, 2010)

Carlos Marquez  
City of Garden Grove  
11222 Acacia Parkway PO Box 3070  
Garden Grove, CA 92842



625 The City Drive, Suite 150, Orange, CA 92668  
(714) 748-7000

Customer Reference:

Order Number: 15828 (dn)

Title Officer: David Noble  
Phone: (714) 481-4970  
Fax No.: (714) 852-4097  
E-Mail: dnoble@westernresourcestitle.com  
Buyer:  
Owner: KI  
Property: 12272 and 12292 Harbor Boulevard  
Garden Grove, CA

**PRELIMINARY REPORT**

First American Title Insurance Company

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy of title insurance, including the terms, conditions, coverages, amounts, and the amount of the premium to be paid therefor, which policy is subject to the terms, conditions, coverages, amounts, and the amount of the premium set forth in the printed Schedules, Conditions and Stipulations of said Policy forms. It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all items, defects, and encumbrances affecting title to the land.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all items, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

*Western Resources Title Company*

Dated as of April 2, 2010 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

**Richard Kii and Yong Hui Kii, husband and wife as joint tenants**

The estate or interest in the land hereinafter described or referred to covered by this Report is:

**A FEE**

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2010-2011, a lien not yet due or payable.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.  
Although the above supplemental taxes may be a lien, the installments thereof are not yet due or payable.
3. An easement for roads, railroads and ditches over the west 15 feet of said land; also the use and control of cienegas and natural streams or water, if any, naturally upon, flowing across, into or by said tract, and the right of way for and to construct and irrigation or drainage ditches through said tract to irrigate or drain the adjacent land, as reserved in deeds of record.
4. An easement for road and incidental purposes in the document recorded as Book 300, page 376 of Official Records.
5. Rights and rights of way as contained in the agreement between Geo J. Waldvogel and others, Recorded May 7, 1919 in Book 322, page 107 of Deeds.
6. An easement for operation and maintenance of water pipelines and incidental purposes in the document recorded as Book 1910, page 202 of Official Records.

7. The right to use water lines along the west line of said land, together with the right to convey said right of use to any person, firm, or corporation, as reserved in various deeds of record.
8. The terms and conditions of an agreement relating to a well and pumping plant dated November 3, 1951, executed by Willard R. Campbell, Sr. and wife, as first parties, Clarence A. Pingston and wife as second parties, and Arthur W. Muller, as third party, recorded November 6, 1951 in Book 2250, page 353 of Official Records.
9. An easement for pole lines and conduits and incidental purposes in the document recorded as Book 2662, page 557 of Official Records.
10. An easement for pole lines and conduits and incidental purposes in the document recorded as Book 3030, page 91 of Official Records.
11. An easement for pole lines and conduits and incidental purposes in the document recorded as Book 3037, page 117 of Official Records.
12. An easement for highway and incidental purposes in the document recorded as Book 3174, page 570 of Official Records.
13. By Resolution No. 3298-67 of the City Council of the City of Garden Grove, recorded March 8, 1967 in Book 8193, page 441 of Official Records, a portion of the easement was vacated and abandoned.
14. An easement for highway and incidental purposes in the document recorded as Book 5206, page 459 of Official Records.
15. An easement for street and highway and incidental purposes in the document recorded as Book 5206, page 460 of Official Records.
16. An easement for street and highway and incidental purposes in the document recorded as Book 6549, page 879 of Official Records.
17. An easement for ingress and egress and incidental purposes in the document recorded as Book 7366, page 683 of Official Records.
18. The terms and provisions contained in the document entitled "Agreement" recorded May 5, 1966 as Book 11727, page 466 of Official Records.
19. An easement for pole lines and conduits and incidental purposes in the document recorded as Book 5205, page 255 of Official Records.
20. An easement for ingress and egress and incidental purposes in the document recorded as Book 11722, page 1165 of Official Records.
21. The terms and provisions contained in the document entitled "Agreement" recorded December 27, 1978 as Instrument No. 36097 of Official Records.

Order Number: 15828 (dn)  
Page Number: 4

20. An easement for public utilities and incidental purposes, recorded June 1, 1979 as Book 13120, page 730 of Official Records.  
In Favor of: Southern California Edison Company, a corporation  
Affects: a portion of the land
21. An easement for public utilities and incidental purposes, recorded November 23, 1987 as Instrument No. 87-656163 of Official Records.  
In Favor of: Southern California Edison Company, a corporation  
Affects: a portion of the land
22. An easement for public utilities and incidental purposes, recorded April 8, 1989 as Instrument No. 89-179424 of Official Records.  
In Favor of: Pacific Bell  
Affects: a portion of the land
23. Rights of parties in possession.

**INFORMATIONAL NOTES**

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

1. This report is preparatory to the issuance of an ALTA Loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA endorsement forms 100 and 116 and if applicable, 115 and 116.2 attached.

When issued, the CLTA endorsement form 116 or 116.2, if applicable will reference a(n) commercial improvement known as 12272 and 12292 Harbor Boulevard, Garden Grove, California.

2. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

3. Taxes for proration purposes only for the fiscal year 2009-2010.

First Installment: \$1,621.49, PAID  
Second Installment: \$1,621.49, PAID  
Tax Rate Area: 18-350  
APN: 231-521-03

4. Taxes for proration purposes only for the fiscal year 2009-2010.

First Installment: \$2,450.96, PAID  
Second Installment: \$2,450.96, PAID  
Tax Rate Area: 18-350  
APN: 231-521-04

5. Taxes for proration purposes only for the fiscal year 2009-2010.

First Installment: \$3,604.60, PAID  
Second Installment: \$3,604.60, PAID

*Western Resources Title Company*

Order Number: 15828 (dn)  
Page Number: 6

Tax Rate Area: 18-350  
APN: 231-521-05

6. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:

**A. WITH RESPECT TO A CORPORATION:**

- a. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
- b. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.
- c. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

**B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:**

- a. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
- b. A full copy of the partnership agreement and any amendments;
- c. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;

- d. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

**C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:**

- a. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;
- b. A full copy of the partnership agreement and any amendment;
- c. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;

- d. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

**D. WITH RESPECT TO A GENERAL PARTNERSHIP:**

*Western Resources Title Company*



- a. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-1), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
- b. A full copy of the partnership agreement and any amendments;
- c. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.

**E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:**

- a. A copy of its operating agreement and any amendments thereto;
- b. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
- c. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
- d. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
  - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;

- (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.

- e. Requirements which the Company may impose following its review of the above material and other information which the Company may require.

**F. WITH RESPECT TO A TRUST:**

- a. A certification pursuant to Section 18500.5 of the California Probate Code in a form satisfactory to the Company.
- b. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act

Order Number: 15828 (dn)  
Page Number: 8

in the pending transaction.

c. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.

G. WITH RESPECT TO INDIVIDUALS:

a. A statement of information.

Order Number: 15828 (dn)  
Page Number: 9

SECTION 12413.1, CALIFORNIA INSURANCE CODE, COMMONLY KNOWN AS ASSEMBLY BILL 512, BECAME EFFECTIVE JANUARY 1, 1990. THIS LEGISLATION DEALS WITH THE DISBURSEMENT OF FUNDS DEPOSITED WITH ANY TITLE ENTITY ACTING IN AN ESCROW OR SUBSCROW CAPACITY. THE LAW REQUIRES THAT ALL FUNDS BE DEPOSITED AND COLLECTED BY THE TITLE ENTITY'S ESCROW AND/OR SUBSCROW ACCOUNT PRIOR TO DISBURSEMENT OF ANY FUNDS. SOME METHODS OF FUNDING MAY SUBJECT FUNDS TO A HOLDING PERIOD WHICH MUST EXPIRE BEFORE ANY FUNDS MAY BE DISBURSED. IN ORDER TO AVOID ANY SUCH DELAYS, ALL FUNDINGS SHOULD BE DONE THROUGH WIRE TRANSFER, CERTIFIED CHECK OR CHECKS DRAWN ON CALIFORNIA FINANCIAL INSTITUTIONS.

FOR YOUR CONVENIENCE, THE FOLLOWING IS WESTERN RESOURCES TITLE COMPANY WIRING INSTRUCTIONS:

UNION BANK OF CALIFORNIA  
1980 SATURN STREET  
MONTEREY PARK, CA 91754

ABA ROUTING #122000496  
CREDIT WESTERN RESOURCES TITLE COMPANY  
TITLE TRUST ACCOUNT #9120267369

REFERENCE: David Noble, TITLE OFFICER  
WRTC ORDER NO.: 15828

WHEN THIS ORDER CLOSSES AND WESTERN RESOURCES TITLE COMPANY HAS CLEARED FUNDS TO DISBURSE THROUGH SUBSCROW, WE WILL DEDUCT FROM LOAN PROCEEDS ALL TITLE CHARGES, TAXES, WIRE FEES, DELIVERY FEES AND \$25.00 PER DEMAND OVER TWO (2), IF ANY.

PRIVACY NOTICE (15 U.S.C. 6801 AND 16 CFR PART 313):

WE COLLECT NONPUBLIC PERSONAL INFORMATION ABOUT YOU FROM INFORMATION YOU PROVIDE ON FORMS AND DOCUMENTS AND FROM OTHER PEOPLE SUCH AS YOUR LENDER, REAL ESTATE AGENT, ATTORNEY, ESCROW, ETC. WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT OUR CUSTOMERS OR FORMER CUSTOMERS TO ANYONE, EXCEPT AS PERMITTED BY LAW. WE RESTRICT ACCESS TO NONPUBLIC PERSONAL INFORMATION ABOUT YOU TO THOSE EMPLOYEES WHO NEED TO KNOW THAT INFORMATION IN ORDER TO PROVIDE PRODUCTS OR SERVICES TO YOU. WE MAINTAIN PHYSICAL, ELECTRONIC AND PROCEDURAL SAFEGUARDS THAT COMPLY WITH FEDERAL REGULATIONS TO GUARD YOUR NONPUBLIC PERSONAL INFORMATION.

*Western Resources Title Company*

**LEGAL DESCRIPTION**

Real property in the City of Garden Grove, County of Orange, State of California, described as follows:

**PARCEL 1:**

**HAS BEEN INTENTIONALLY OMITTED.**

**PARCEL 2:**

**AN EASEMENT FOR INGRESS AND EGRESS AND FOR PUBLIC UTILITIES OVER THE NORTH 12 FEET OF THE WEST 400 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION THIRTY-FOUR, TOWNSHIP FOUR SOUTH, RANGE TEN WEST, IN THE RANCHO LAS BOLSAS AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.**

**PARCEL 3:**

**THE NORTH 45 FEET OF THE SOUTH 200 FEET OF THE WEST 400 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, IN TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 51, PAGE 7, ET SEQ., MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY;**

**EXCEPT THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING IN, UNDER OR ON THE ABOVE DESCRIBED PROPERTY, UNTIL FEBRUARY 2, 1974; PROVIDED, HOWEVER, THAT SHOULD OIL, GAS, MINERAL OR HYDROCARBON SUBSTANCES BE DISCOVERED PRIOR TO SAID FEBRUARY 2, 1974, OR BE DISCOVERED IN ANY WELL BEING DRILLED ON SAID PREMISES ON SAID DATE, OR BE DISCOVERED SUBSEQUENTLY TO SAID DATE IN ANY LEASE THAT IS IN EFFECT ON SAID FEBRUARY 2, 1974, COVERING THE ABOVE DESCRIBED PROPERTY, OR ANY PART THEREOF, THEN AND IN THAT EVENT THE GRANTORS EXCEPT FROM THIS GRANT AND RESERVED TO THEMSELVES, THEIR SUCCESSORS AND ASSIGNS, ONE-HALF OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES PRODUCED FROM SAID PROPERTY DURING THE TERM OF SAID LEASE, AND SO LONG AS OIL, GAS MINERAL OR HYDROCARBON SUBSTANCES ARE PRODUCED FROM SAID PROPERTY; ALSO RESERVING THE RIGHT OF ENTRY UPON THE SURFACE AND INTO THE SUBSURFACE OF SAID LAND FOR THE PURPOSE OF PROSPECTING FOR, DEVELOPING AND PRODUCING SAID SUBSTANCES, OR ANY OF THEM; AND FURTHER RESERVING ONE-HALF OF ANY BONUS OR RENTAL PAID BY ANY LESSEE ON ACCOUNT OF ANY SUCH OIL, GAS, MINERAL OR OTHER HYDROCARBON LEAS COVERING SAID PROPERTY, AS RESERVED BY WALTER R. GISLER, ET AL., IN DEED RECORDED MARCH 31, 1949 IN BOOK 1823, PAGE 196, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY.**

**PARCEL 4:**

**A NON-EXCLUSIVE EASEMENT FOR THE OPERATION AND MAINTENANCE OF WATER**

PIPE LINES OVER THE EAST 6 FEET OF SAID WEST 400 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 10 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPT THEREFROM THE NORTH 12 FEET.

ALSO EXCEPTING THE SOUTH 200 FEET THEREOF.

PARCEL 5:

THE SOUTH 200 FEET OF THE WEST 400 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34 IN TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 51, PAGE 7, ET SEQ., MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

EXCEPT THE NORTH 45 FEET THEREOF;

ALSO EXCEPT THEREFROM THE SOUTH 84 FEET THEREOF;

ALSO EXCEPT THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING IN, UNDER OR ON THE ABOVE DESCRIBED PROPERTY, AS RESERVED BY WALTER R. GISLER, ET AL., IN DEED RECORDED IN BOOK 1823, PAGE 196, OFFICIAL RECORDS.

PARCEL 6:

THE SOUTH 84 FEET OF THE WEST 400 FEET OF THE NORTH ONE-HALF OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 51, PAGE 10 ET SEQ., OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

EXCEPT ALL RIGHT, TITLE AND INTEREST IN ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS LYING IN AND UNDER THE SURFACE OF THE FOLLOWING DESCRIBED PROPERTY, BELOW THE DEPTH OF FIVE HUNDRED FEET, UNTIL FEBRUARY 2, 1974. PROVIDED, HOWEVER THAT SHOULD OIL, GAS, MINERAL OR HYDROCARBON SUBSTANCES BE DISCOVERED BELOW THE DEPTH OF FIVE HUNDRED FEET PRIOR TO FEBRUARY 2, 1974, OR BE DISCOVERED IN ANY WELL BEING DRILLED ON SAID DATE OR BE DISCOVERED SUBSEQUENTLY TO SAID DATE IN ANY LEASE THAT IS IN EFFECT ON FEBRUARY 2, 1974, COVERING SAID PROPERTY, OR ANY PART THEREOF, THEN AND IN THAT EVENT, THE ABOVE NAMED GRANTEE HEREIN, OR THEIR SUCCESSORS AND ASSIGNS, SHALL BE ENTITLED TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES PRODUCED FROM SAID PROPERTY BELOW SAID FIVE HUNDRED FOOT DEPTH DURING THE TERM OF SAID LEASE AND SO LONG AS OIL, GAS, MINERAL OR HYDROCARBON SUBSTANCES ARE SO PRODUCED, THEY HAVING THE RIGHT OF ENTRY INTO THE SUBSURFACE OF SAID LAND BELOW THE DEPTH OF FIVE HUNDRED FEET BY THE METHOD COMMONLY KNOWN AS WHIPSTOCKING OR SLANT DRILLING FOR THE

Order Number: 15828 (dn)  
Page Number: 12

**PURPOSE OF PROSPECTING FOR, DEVELOPING AND PRODUCING SAID SUBSTANCES  
OR ANY OF THEM.**

APN: 231-521-03, 231-521-04 & 05

EXHIBIT A  
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)  
1. CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990  
SCHEDULE B

EXCEPTIONS FROM COVERAGE

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
  2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
  3. Discrepancies in boundary lines, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
  4. Discrepancies in boundary lines, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
  5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

EXCLUSIONS FROM COVERAGE

- The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:
1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) resulting, regulating, providing or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the creation, transmission or assignment of an interest in the land; or (iii) the exercise of any power or authority over the land; or (b) any part of which the land is or was a part; or (c) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  2. (a) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  3. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without notice.
  4. Defects, liens, encumbrances, advance claims or other matters:
    - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
    - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant; and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
    - (c) resulting in no loss or damage to the insured claimant;
    - (d) attaching or created subsequent to Date of Policy; or
    - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by the policy.
  5. Inability or unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the realty, to comply with applicable "being business" laws of the state in which the land is situated.
  6. Inability or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
  7. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by their policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

2. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970  
SCHEDULE OF EXCLUSIONS FROM COVERAGE

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement new or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions of area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, advance claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant; and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or

created subsequent to Date of Policy, or (6) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

**3. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 2 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

- Part One
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  2. Easements, claims or encumbrances which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
  3. Easements, claims of easement or encumbrances which are not shown by the public records.
  4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
  5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
  6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

**4. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970  
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE  
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant, (b) not disclosed in the records of the public records, or (c) not disclosed in the records of the public records and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder, (d) resulting in no loss or damage to the insured claimant; (e) attaching or created subsequent to Date of Policy (except to the extent insurance is afforded herein as to any statutory lien for labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy).
4. Unenforceability of the lien of the insured mortgage because of failure of the insured at Date of Policy or of any subsequent owner of the indebtedness to comply with applicable "doing business" laws of the state in which the land is situated.

**5. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association Loan Policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy, the exclusions set forth in paragraph 4 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

- Part One
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
  3. Easements, claims of easement or encumbrances which are not shown by the public records.
  4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
  5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
  6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.



6. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE  
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) which are in effect on the date of the policy; (b) the character, dimensions or location of any improvement, easement, or other interest on the land; (c) the character, dimensions or location of any interest, easement, or other interest on the land; (d) any governmental regulation, ordinance, or other law, ordinance, or governmental regulation, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy; (e) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy;
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge;
3. Defects, liens, encumbrances, adverse claims, or other matters:  
(a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or the extent insurance is afforded herein as to assessments for street improvements under construction completed at date of policy); or
- (e) resulting in no loss or damage to the insured claimant.
4. Unenforceability of the lien of the insured mortgage because of the failure of the insured mortgagee to comply with the applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not limited in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy are in the hands of the insured mortgagee or its transferee.
7. Any claim, which arises out of the transaction evidencing the interest of the mortgage insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:  
(i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or  
(ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or  
(iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:  
(a) to timely record the instrument of transfer; or  
(b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

7. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH REGIONAL EXCEPTIONS

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 6 above are used and the following exceptions to coverage appear in the policy.

SCHEDULE B

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
  3. Easements, claims of easement or encumbrances which are not shown by the public records.
  4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
  5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights; claims or title to water.
  6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

8. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY - 1992

Western Resources Title Company

EXCLUSIONS FROM COVERAGE

- The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which are:
1. Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, use, or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  2. Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy, but not excluding Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
  3. Defects, liens, encumbrances, adverse claims, or other matters:  
(a) created, suffered, assumed or agreed to by the insured claimant;  
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;  
(c) resulting in no loss or damage to the insured claimant;  
(d) arising or created subsequent to Date of Policy; or  
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
  4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:  
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or  
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:  
(a) to timely record the instrument of transfer; or  
(b) of such recalculation to impart notice to a purchaser for value or a judgment or lien creditor.

9. AMERICAN LAND TITLE ASSOCIATION OWNERS' POLICY - 1992  
WITH REGIONAL EXCEPTIONS

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 8 above are used and the following exceptions to coverage appear in the policy.

SCHEDULE B

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:
- Part One:
1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
  2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
  3. Easements, claims of easement or encumbrances which are not shown by the public records.
  4. Discrepancies, conflicts in boundary lines, storage in area, encroachments, or any other facts which a correct survey would disclose, and unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
  5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
  6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

10. AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL  
TITLE INSURANCE POLICY - 1967  
EXCLUSIONS

- In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:
1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
    - \* land use
    - \* improvements on the land
    - \* environmental protection
- This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
  - a. a notice of exercising the right appears in the public records on the Policy Date
  - a. the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.
3. This risks:
  - a. that are created, allowed, or agreed to by you
  - a. that result in no loss to you, on the Policy Date - unless they appeared in the public records
  - a. that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
  - a. to any land outside the area specifically described and referred to in Item 3 of Schedule A, or
  - a. in streets, alleys, or waterways that touch your landThis exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**11. EAGLE PROTECTION OWNER'S POLICY**

CITA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998  
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998

Covered Risks 14 (Subadvice Law Violation), 15 (Zoning) and 18 (Encroachment of boundary walls or fences) are subject to Deductible Amounts and Maximum Dollar Limits of Liability

**EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
  - a. building
  - b. zoning
  - c. land use
  - d. improvements on the land
  - e. land division
  - f. environmental protection
2. The exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the public records at the Policy Date.  
This exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
3. The failure of your policy to provide coverage for the cost of building construction or the cost of the violation or enforcement of these matters if notice of the violation appears in the Public Records at the Policy Date. This Exclusion does not apply to violations or the enforcement of these matters if notice of the violation appears in the Public Records at the Policy Date.  
The right to take the Land by condemnation:
  - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
  - b. the taking happened before the Policy Date and is binding on you if you bought the Land without knowing of the taking.
4. Risks:
  - a. that are created, allowed, or agreed to by you, whether or not they appear in the Public Records;
  - b. that are known to you at the Policy Date, but not to us, unless they appear in the Public Records at the Policy Date;
  - c. that result in no loss to you; or
  - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - b. in streets, alleys, or waterways that touch the Land.This exclusion does not limit the coverage described in Covered Risk 11 or 18.

**12. SECOND GENERATION EAGLE LOAN POLICY AMERICAN LAND TITLE ASSOCIATION EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses resulting therefrom by reason of:  
1. (A) Any governmental regulations (including but not limited to building and zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the use, enforcement of the Land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the Land; (iii) any violation of these laws, ordinances, or regulations or any part of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion

does not limit the coverage provided under Covered Risks 12, 13, 14 and 16 of this policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14 and 16 of this policy.  
Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.

3. Defects, liens, encumbrances, adverse claims or other matters:  
(a) created, suffered, assumed or agreed to by the Insured Claimant;  
(b) the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Insured Claimant; or  
(c) resulting in no loss or damage to the Insured Claimant.

4. (d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or  
(e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

5. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the Indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.

6. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law, Real Estate Law, or any governmental authority which becomes a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.

8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting title, the substance of which are known to the Insured at:

(a) This time of the advance; or  
(b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification.

9. The failure of the residential building, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

**SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. The following existing statutes, reference to which are made part of the ALTA 8.1 Environmental Protection Lien Endorsement incorporated into this Policy following Item 28 of Covered Risks: NONE.

**13. SECOND GENERATION EAGLE LOAN POLICY AMERICAN LAND TITLE ASSOCIATION EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/03)**

**WITH REGIONAL EXCEPTIONS**

When the American Land Title Association loan policy with EAGLE Protection Added is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 12 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Disbursements, claims of easement or encumbrances which are not shown by the public records.
4. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Part Two:

Order Number: 15828 (dn)  
Page Number: 19

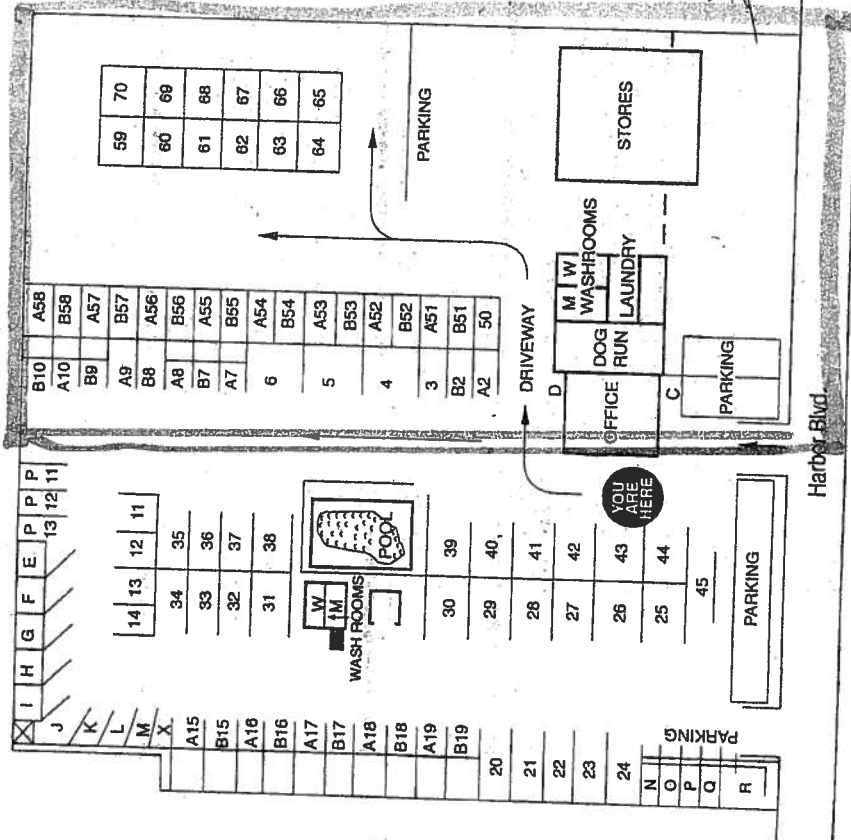
1. The following existing encumbrances, reference to which are made part of the ALTA 6.1 Environmental Protection Lien Endorsement incorporated into this Policy following Item 28 of Covered Risks: None.

Welcome To

# CC CAMPERLAND

12262 Harbor Blvd., Garden Grove, CA 92840 (714) 750-6747

## SITE MAP



Map Not to Scale.

**APPENDIX H**  
**REFERENCES**

## APPENDIX H

### REFERENCES

#### AGENCIES

See Appendix B for a comprehensive list of the state and local agencies consulted for this project.

#### PUBLICATIONS

- Basic Guide for Environmental Inspection. EEA. 1991.
- Environmental Evaluations for Real Estate Transactions. Government Institutes, Inc. 1989.
- "Flatland Deposits" Geological Survey Professional Paper No. 943. 1991.
- "Geologic Principles for Prudent Land Use." Geological Survey Professional Paper No. 946. 1990.
- "Groundwater Geology of the Valley." California Earthquakes: California Division of Mines and Geology Bulletin. 1975.
- Hazardous Materials, Substances and Wastes Compliance Guide 1990-1991.
- Oil and Gas Field and Wildcat Maps. California Department of Conservation, Division of Oil and Gas. Various dates.
- "Planned Utilization of the Groundwater Basins of the Coastal Plain of Los Angeles." State of California, Department of Water Resources, Bulletin No. 104. 1961 and 1988.
- Principles of Contaminant Hydrogeology. Palmer, Christopher M. 1992.
- Protection of Public Water Supplies from Groundwater Contamination: A Publication of the Environmental Protection Agency.
- "Radon: A Homeowner's Guide to Detection and Control." 1987 and 1989.
- Report and General Soil Map. California Soil Conservation Service, United States Department of Agriculture. 1967 and 1969.
- The Sourcebook for Aerial Photographs, California edition. 1992.
- Underground Storage Tank Corrective Action Technologies: A Publication of the Environmental Protection Agency. 1987.



**APPENDIX I**  
**RESUMES**



**ERIC EXTON**  
**Operations Manager**

Education

Numerous college courses focusing on science, computers, and business including: biology, micro-biology, environmental biology, chemistry, statistics, anatomy and physiology, programming in BASIC, Programming in C, programming in Pascal, advanced data structures, database programming, accounting and business law.

Licenses and Certifications

- California State Registered Assessor, REA I.#083334
- State of California, Department of Health Services, Lead Related Construction Certificate, Inspector/Assessor ID#17704
- Certification in Mold Inspection & Sampling
- Microsoft Certified Systems Engineer (MCSE) #44842
- Microsoft Certified Professional in Microsoft Windows, Windows NT, Networking, SQL Server Administration, and SQL Server Implementation

Special Qualifications

Mr. Exton qualifies as an "Environmental Professional" in accordance with the US EPA's AAI ( All Appropriate Inquiries) 40 C.F.R. § 312.22. Mr. Exton has extensive experience in managing and supervising technical and administrative staff as well as in managing remote offices. Mr. Exton has also managed large, multi-site projects that have encompassed sites in multiple states. He has been involved with Phase II projects, prepared site characterization plans, and has worked in unison with governmental agencies and clients to achieve closure for contaminated properties. He has overseen soil cleanups and the installation of ground monitoring wells. In addition, he is an expert in computer programming, networking, databases, and systems administration.

Summary of Experience

1992 - Phase One, Inc., Tustin, California - Current

Mr. Exton has written, researched, or performed the fieldwork for thousands of Phase I Environmental Site Assessments for various types of properties including manufacturing facilities, automotive repair facilities, and agricultural properties. In addition, he is the company's expert in the Federal Communications Commission's (FCC) responsibilities under the National Environmental Policy Act (NEPA). He has consulted on hundreds of NEPA compliance projects for various telecommunications companies. He has also consulted on NEPA compliance for several Department of Housing and Urban Development's (HUD) redevelopment projects as well as CEQA projects. He has made determinations and received concurrence from the State Historical Preservation Officer (SHPO) of many states for hundreds of Section 106 compliance projects. Mr. Exton has also managed special projects including Native American consultation, endangered species mitigation, consultation with the US Fish and Wildlife Service, wetlands surveys, flood plain hydrology studies, and archaeological testing. His archaeological projects have included the discovery of human remains. Mr. Exton has also written the majority of custom software utilized by Phase One, Inc; this software has increased the company's productivity and has improved the quality of reports compiled.

1 year - Valmer, Inc., Palo Alto, California

Mr. Exton managed and supported the computers and network for Valmer, Inc., a computer software company. He also managed the technical support of the company's contact management software, wrote several utilities to import data from other contact management and database programs, and merged data into popular word processing and fax programs.

**APPENDIX J**

**ENVIRONMENTAL ACRONYMS AND DEFINITIONS**

APPENDIX J

ENVIRONMENTAL ACRONYMS

AA	Administering Agency
ACM	Asbestos Containing Materials
AHERA	Asbestos Hazard Emergency Response Act, 1986
AHM	Acutely Hazardous Materials
AQMD	Air Quality Management District
CEG	Certified Engineering Geologist
CERCLA	Comprehensive Environmental Response, Comprehensive Liability Act of 1980 (Federal Superfund), 42 USC 9601 et seq.
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System
CFR	Code of Federal Regulations
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency (Federal)
EPA #	Generator # for RCRA manifesting
HMBP	Hazardous Materials Business Plans, H&S Code 25504
HWIS	Hazardous Waste Information System
LUFT	Leaking Underground Fuel Tank
LUST	Leaking Underground Storage Tank
MSDS	Material Safety Data Sheet
NEPA	National Environmental Policy Act
NIOSH	National Institute for Occupational Safety & Health
NPDES	National Pollution Discharge Elimination System (CWA)
NPL	National Priority List (Federal Superfund)
OEA	Office of Environmental Affairs
OSHA	Occupational Safety and Health Administration (Federal)
PCB	Polychlorinated biphenyl
POTW	Publicly-Owned Treatment Works
ppb	part per billion
ppm	part per million
PRP	Potentially Responsible Party (in Superfund site)
RAP	Remedial Action Plan
RCRA	Resource Conservation and Recovery Act
	(Federal) 42 USC 6902, 40 CFR
R&D	Research and Development
REA	Registered Environmental Assessor
RG	Registered Geologist
R/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision (CERCLA)

RP.....Responsible Party (CERCLA) 42 UCF 9607(a)  
 RQ.....Reportable Quantity  
 .....(under DOT CERCLA and SARA Title III)  
 RWQCB.....Regional Water Quality Control Board  
 SARA.....Superfund amendments and Reauthorization Act of 1986  
 .....SARA Title III Emergency Preparedness and Community  
 .....Right-to-Know section  
 SB.....Senate Bill  
 SIC.....Standard Industrial Classification  
 .....(company description)  
 SOP.....Standard Operating Procedures  
 SWA.....Solid Waste Act (a/k/a RCRA)  
 SWMU.....Solid Waste Management Unit  
 TPCA.....Toxic Pits Cleanup Act H&S Code 25208 et seq.  
 TSCA.....Toxic Substance Control Act (Federal)  
 .....15 USC 2601 et seq.  
 TSD.....Treatment, Storage, and Disposal Facilities (permitted by RCRA) H&S Code  
 .....25123.3  
 TSDF.....Treatment, Storage, Disposal Facility (hazardous waste)  
 UBC.....Uniform Building Code  
 UFC.....Uniform Fire Code  
 UST.....Underground Storage Tank  
 UM.....Uniform Manifest  
 UST.....Underground Storage Tanks  
 VOC.....Volatile Organic Compound H&S 25123.6  
 WDR.....Waste Discharge Requirements  
 WWTP.....Wastewater Treatment Plant

## SELECTED DEFINITIONS

**ASPIS** - This database lists potentially hazardous waste sites identified by the Historical Abandoned site Survey Program.

**CERCLIS** - The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) is commonly referred to as "Superfund". The United States Environmental Protection Agency maintains a database referred to as "CERCLIS", which is used by the EPA to track activities conducted under its Superfund Program.

Sites which come to EPA's attention that may have a potential for releasing hazardous substances into the environment are added to the CERCLIS inventory. EPA learns of these sites in various ways. Examples include notification by the owner, citizen complaints, state and local government identification, and as a result of other EPA investigations.

**NPL** - The United States Environmental Protection Agency (EPA) maintains a National Priorities List (NPL) under the Comprehensive Environmental Response and Liability Act of 1980 (CERCLA), 42 U.S.C. Section 9601 (1985). Sites which have previously been designated on the CERCLIS List are evaluated by the EPA and ranked according to potential risk to human health and the environment. Those CERCLIS sites which present the greatest risk are added to the NPL, which qualifies them to receive remedial funding Through CERCLA.

**RCRA** - The following list has been compiled from a search of the RCRA data base list for generators (gen), transporters (trans), and treatment storage disposal facilities (TSDF) of hazardous materials. All generators of waste material are required by the Department of Health Services to have hazardous material removed from the site every sixty days. The list is generally representative of the type of businesses in the region surrounding the subject property.

**REPORT SIGNATURE SHEET AND CERTIFICATION**

The undersigned hereby certifies that:

The following people have prepared, written, and/or reviewed the Phase I Environmental Assessment Report. All the below parties have, in good faith, conducted their respective project responsibilities using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields.

All parties have acted in good faith and have no known relationship with the subject site, owners, buyers, or any other entity associated with the subject site. All respective project responsibilities have been conducted independently, and with no conflict of interest.

The statements of fact contained in this report are true and correct based on materials reviewed.

The reported analyses, opinions, and conclusions are personal, unbiased, professional, and limited only by the assumptions and qualifications stated herein. Compensation is not contingent upon an action or an event resulting from the analyses, opinions, or conclusions included in this report. Nor is it contingent upon the use of this report.

The investigation has been performed in accordance with all applicable legal requirements and in accordance with accepted practices prevailing in the environmental assessment and asbestos consulting industries. The personnel who performed the investigation are properly licensed and certified in accordance with the requirements of all federal, state, and local laws, rules, and regulations.

I/We declare that, to the best of our professional knowledge and belief, I/we meet the definition of Environmental Professional as defined in §312.10 of this part.

I/We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I/We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

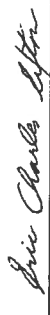
We have no present or prospective interest in the subject property or the parties involved.

If necessary, expert testimony and other legal appearances will be provided for a reasonable fee to be arranged.



Eric Kieselbach  
President

  
Nadine Kieselbach  
Report Writer



Eric Exton  
Operations Manager, Technical Reviewer





**Subject:** More phase 1  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Thu, 12 May 2016 10:45:13 -0400  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

---

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

<b>Environmental Site Assessment - Phase Two Report - 12222 Harbor Blvd.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---	---

---

Part 1.1.3

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> quoted-printable
-------------------	---

Thu 12 May 2016  
10:45:13-0400

**LIMITED PHASE II  
ENVIRONMENTAL SITE ASSESSMENT**

**PREPARED FOR THE CITY OF GARDEN GROVE**

**PROPERTY LOCATION:**

**12222 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA**

**DATE: MARCH 2009**



***PHASE ONE INC.***

**THE NATIONWIDE ENVIRONMENTAL SPECIALISTS**

*"Setting the Due Diligence Industry Standard"*

# PHASE ONE INC.

NATIONWIDE ENVIRONMENTAL SPECIALISTS

March 10, 2009



Carlos Marquez  
City of Garden Grove  
11222 Acacia Parkway, 3<sup>rd</sup> Floor  
Garden Grove, CA 92840

**RE: PHASE ONE INC. Project No. 6904**  
**Limited Phase II Environmental Site Assessment (ESA)**  
**Subject Site Location: 12222 Harbor Boulevard, Garden Grove, California**

Dear Mr. Marquez:

Enclosed is the Limited Phase II ESA Report completed by *PHASE ONE INC.* for the site referenced above (See Figure 1, *Site Location Map*). The Limited Phase II ESA was undertaken at your request, in accordance with *PHASE ONE INC.*'s *Standard Terms and Conditions* and as outlined in *PHASE ONE INC.*'s *Letters of Intent/Authorization* for Project N<sup>o</sup>. 6904.

The findings and conclusions of this investigation are based upon the observations of *PHASE ONE INC.*'s field personnel and the soil sampling analytical results reported by the contracted analytical laboratory. Our conclusions regarding the investigation are summarized in the final section of this report, *Section 5.0 Conclusions and Recommendations*.

Please do not hesitate to contact us should you have any questions regarding this report, or if we can be of additional assistance.

Sincerely,

A handwritten signature in black ink that reads 'Eric Charles Exton'.

Eric Exton  
Operations Manager

Enclosures

**LIMITED PHASE II  
ENVIRONMENTAL SITE ASSESSMENT**

**PREPARED FOR  
THE CITY OF GARDEN GROVE**

**PROPERTY LOCATION:  
12222 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA**

**PROJECT NO. 6904**

**BY**

***PHASE ONE INC.***  
**2620 Walnut Avenue, Suite A**  
**Tustin, California 92780**  
**(800) 524-8877**

**THIS REPORT WAS PREPARED FOR THE SOLE USE AND BENEFIT OF OUR CLIENT, THE CITY OF GARDEN GROVE, AND IS BASED, IN PART, UPON DOCUMENTS, WRITINGS, AND INFORMATION OWNED AND POSSESSED BY OUR CLIENT. NEITHER THIS REPORT, NOR ANY OF THE INFORMATION CONTAINED HEREIN, SHALL BE USED OR RELIED UPON FOR ANY PURPOSE BY ANY PERSON OR ENTITY OTHER THAN OUR CLIENT. ALL STANDARD TERMS, CONDITIONS, AND LIMITATIONS BY *PHASE ONE INC.* APPLY AT ALL TIMES AND FOR THIS REPORT AND ALL REPORTS ISSUED BY *PHASE ONE INC.***

## TABLE OF CONTENTS

### **1.0 BACKGROUND INFORMATION**

### **2.0 PROPOSED FIELD INVESTIGATION**

### **3.0 ACTUAL FIELD INVESTIGATION**

### **4.0 FIELD INVESTIGATION RESULTS**

#### **4.1 Subsurface Conditions Encountered**

#### **4.2 Analytical Results**

### **5.0 CONCLUSIONS AND RECOMMENDATIONS**

### **6.0 LIMITATIONS**

### **7.0 REPORT SIGNATURE AND CERTIFICATION**

### **FIGURES**

Figure 1 – Site Location Map

Figure 2 – Site Plan

### **APPENDICES**

APPENDIX A – SAMPLING PROTOCOL

APPENDIX B – SOIL BORING LOGS (On File at *PHASE ONE INC.*)

APPENDIX C – ANALYTICAL LABORATORY REPORTS

## 1.0 BACKGROUND INFORMATION

This report presents the results of the Limited Phase II ESA conducted by *PHASE ONE INC.* at 12222 Harbor Boulevard, Garden Grove, California (See **Figure 1, Site Location Map**). This Limited Phase II ESA was undertaken at the request of Carlos Marquez, City of Garden Grove, in accordance with *PHASE ONE INC.*'s *Standard Terms and Conditions*, as outlined in *PHASE ONE INC.*'s *Letter of Intent/Authorization* for Project N<sup>o</sup> 6904

At the time of this assessment, the site specifics are as follows:

- **Address:** 12222 Harbor Boulevard, Garden Grove, CA
- **Acres:** 0.8
- **Improvements:** None
- **Current Site Use:** Vacant land
- **Proposed Site Use:** Hotel/retail development
- **Site Contact:** Joey Lin

The proposed field investigation, soil sample locations, and analyses were determined based on the conclusion and recommendation included in *PHASE ONE INC.*'s Phase I Environmental Site Assessment Report, Project No. 6891, dated December 10, 2008. The conclusion and recommendation of the Phase I ESA that is being further investigated is as follows:

### ITEMS OF RECOGNIZED ENVIRONMENTAL CONDITION (MAJOR, MEDIUM, OR MINOR)

Condition #	Location Description	Description of Recognized Environmental Condition	Level of Condition
1	Eastern Portion of Subject Site	<p><b>DESCRIPTION OF CONDITION:</b> Several soil piles and debris were observed on-site. The origin of the soil piles and debris is not known. The concern exists that the soil and debris may be contaminated or have come from a contaminated source and that reuse at the site may not be appropriate. Special handling may be required prior to the disposal or use of the materials.</p> <p><b>ACTION SUGGESTED:</b> Contact <i>PHASE ONE INC.</i> or another consultant to sample the soil piles/debris to determine if any of the material is contaminated. If contamination is identified, <i>PHASE ONE INC.</i> can assist in and help facilitate the disposal of the soil piles/debris in accordance with regulatory agency guidelines.</p>	REC*

REC=Recognized Environmental Condition

## 2.0 PROPOSED FIELD INVESTIGATION

**PHASE ONE INC.** observed soil piles of unknown origin on the subject site in the Phase I Environmental Site Assessment that was conducted in December of 2008, Project No. 6891. In order to determine if the soil piles are clean (not contaminated), **PHASE ONE INC.** recommends soil sampling to evaluate the potential contamination of the soil piles. The proposed Scope of Work proposed to accomplish this investigation is outlined below:

Drill **three (3)** hand-auger borings to a maximum depth of **one (1)** foot in the soil piles. Sample collection, analysis, and boring depths are as follows:

Areas	Soil Piles
# of Borings	3
Depth of Borings (feet)	1
Sample Depths (feet)	1
# of Samples	3
Analysis	8015M, 8260B 7000 Series for CAM 17 Metals, 8081A

Up to **three (3)** soil samples will be collected and analyzed in accordance with United States Environmental Protection Agency (EPA) Method 8081A for chlorinated pesticides, Method 7000 for CAM 17 Metals, Method 8260B for Volatile Organic Compounds (VOCs), and Method 8015M for Total Petroleum Hydrocarbons (TPH).

All borings/probes will be backfilled with cuttings, bentonite or as local jurisdictions require; holes in the surface will be repaved with concrete/asphalt.

## 3.0 ACTUAL FIELD INVESTIGATION

On February 20, 2009, **PHASE ONE INC.** completed three (3) hand-auger soil borings at the subject site. The soil borings were identified as HA1 through HA3. The locations of the soil borings are shown on **Figure 2, Site Plan**. Details of the actual soil borings are on the following page:

### BORING DETAILS

Boring ID#	Total Depth (FT)	Sample Depths (FT)	Analyses Run	Location Description (See Figure 2, Site Plan)
HA1	1	1	8015M, TPH 8260B VOCs 7000 Series, CAM Metals 8081A for Organochlorine Pesticides	Soil pile in the northeastern portion of the property
HA 2	1	1	8015M, TPH 8260B VOCs 7000 Series, CAM Metals 8081A for Organochlorine Pesticides	Western soil pile in central eastern portion of site
HA3	1	1	8015M, TPH 8260B VOCs 7000 Series, CAM Metals 8081A for Organochlorine Pesticides	Eastern soil pile in central eastern portion of site
TOTAL SAMPLES		3		

For the investigated areas and the soil boring locations, see **Figure 2, Site Plan**. All soil samples were collected following the sampling protocol included in **Appendix A, Sampling Protocol**.

The proposed Scope of Work detailed in Section 2.0 was completed as outlined.

#### 4.0 FIELD INVESTIGATION RESULTS

##### 4.1 Subsurface Conditions Encountered

The soils encountered at the subject site within the maximum explored depth of one (1) foot below ground surface (bgs) consisted of non-native materials. Groundwater was not encountered in any of the soil borings. The field personnel did not notice any unusual odors emanating from the soil samples. No other unusual conditions were noted during the field work. The Soil Boring Logs are on file at **PHASE ONE INC.**

##### 4.2 Analytical Results

Copies of the final analytical reports are included in **Appendix C, Analytical Laboratory Reports**. The principal findings of the analysis of the soil samples are presented in the tables below. The table titled "Summary of Analytical Results" comments on the results of the entire EPA analysis method versus the individual chemicals. The table titled "Analytical Results of Chemicals of Possible Concern" lists only the chemicals that require further discussion and/or investigation. All the results of all the chemicals identified above Non-Detect (ND) are compared with their



respective regulatory action levels, (when applicable) such as the *United States Environmental Protection Agency Preliminary Remediation Goals* (USEPA PRGs) or other applicable regulatory-designated levels. The concentrations of detectable levels of some chemicals and metallic elements are compared with the Total Threshold Limit Concentration (TTLC); and Soluble Threshold Limit Concentration (STLC) values established by the *California Code of Regulations (CCR Title 22, Chapter 11, Article 3)* for hazardous waste characterization.

### SUMMARY OF ANALYTICAL RESULTS

Samples Collected February 20, 2009

Sample ID#	USEPA 8015 TPH Carbon Chain	USEPA 8260B VOCs	USEPA 8081A Organochlorine Pesticides	USEPA 7000 Series CAM 17 Metals
HA1-1	ND	ND	ND	NC
HA2-1	ND	ND	ND	NC
HA3-1	ND	ND	ND	NC

ND Non-Detect

NC No Concern (Levels detected are below any identified action levels and/or are background levels in the area).

### ANALYTICAL RESULTS OF CHEMICALS OF POSSIBLE CONCERN

Samples Collected 2/20/2009

Sample ID#				USEPA PRG Action Level	CA TTLC Action Level
Chemical					
N/A	N/A	N/A	N/A	N/A	N/A

N/A Not applicable -- all sample results were below reporting limits

### 5.0 CONCLUSIONS AND RECOMMENDATIONS

The principal findings of *PHASE ONE INC.*'s Limited Phase II ESA for all the soil piles sampled are as follows:

- No levels of TPH (USEPA Method 8015M Carbon Chain) were detected that are a concern or exceed their respective reporting limits and/or any identified action levels.
- No levels of VOCs (USEPA Method 8260B) were detected that are a concern or exceed their respective reporting limits and/or any identified action levels.

- No levels of CAM 17 Metals (USEPA Method 7000 series) were detected that are a concern or that exceed their respective reporting limits and/or any identified action levels.
- No levels of Organochlorinated pesticides (USEPA Method 8081A) were detected that are a concern or exceed their respective reporting limits and/or any identified action level.

Based on the soil sample results presented in this report, *PHASE ONE INC.* does not find evidence of contamination in any of the soil piles sampled. The soil piles may be used during the grading for the future development of the property. Further investigation is not recommended.

*PHASE ONE INC.* attempted to assess the most likely potential sources of contamination; however, it is not possible or feasible to sample all the possible locations where impact from the previous land and/or site use may have occurred. Specific areas of impact may have escaped detection due to:

- 1) Unknown areas where releases or spills may have occurred,
- 2) Unknown areas of chemicals storage and handling,
- 3) Difficulty in accessing suspect locations, or
- 4) The limited extent of the assessments performed.

## 6.0 LIMITATIONS

To achieve the study objectives stated in this report, we were required to base *PHASE ONE INC.*'s conclusions and recommendations on the best information available during the period the investigation was conducted and within the limits prescribed by *PHASE ONE INC.*'s client in the contract/authorization agreement and standard terms and conditions

*PHASE ONE INC.*'s professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields. The findings were mainly based upon examination of historic records, governmental agencies lists, and laboratory analytical reports. Recommendations are based on the historic land use of the subject property, as well as features noted during the site walk and Phase II assessment. The absence of potential gross contamination sources, historic or present, does not necessarily imply that the subject property is free of any contamination. This report only represents a "due diligence" effort as to the integrity of the subject property. No other warranty or guarantee, expressed or implied, is made as to the professional conclusions or recommendations contained in this report. The limitations contained within this report supersede all other contracts or scopes of work, implied or otherwise, except those stated or acknowledged herewith.

This report is not a legal opinion. It does not necessarily comply with requirements defined in any environmental law such as the "innocent landowner defense" or "due diligence inquiry." Only legal counsel retained by the client is competent to determine the legal implications of any information, conclusions, or recommendations in this report.

The findings, conclusions, recommendations, and professional opinions contained in this report have been prepared by the staff of *PHASE ONE INC.*, in accordance with generally accepted professional practices.

Sample results should not be construed as conclusive and binding in any way. All sampling conducted is only for the purposes of general screening and does not imply that all materials, locations, or hazardous materials have been identified nor was the sampling intended to identify every instance of the materials sampled. *PHASE ONE INC.* only relays the information supplied by the laboratory conducting the analysis.

## 7.0 REPORT SIGNATURE AND CERTIFICATION

### The undersigned hereby certifies that:

The following people have prepared, written, and/or reviewed the report for Project No. 6904. All the below parties have, in good faith, conducted their respective project responsibilities using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields.

All parties have acted in good faith and have no known relationship with the subject site, owners, buyers, or any other entity associated with the subject site. All respective project responsibilities have been conducted independently, and with no conflict of interest.


The statements of fact contained in this report are true and correct based on materials reviewed to the best of our abilities.

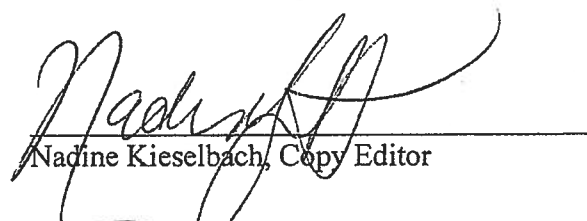
The reported analyses, opinions, and conclusions are personal, unbiased, professional, and limited only by the assumptions and qualifications stated herein. Compensation is not contingent upon an action or an event resulting from the analyses, opinions, or conclusions included in this report nor is it contingent upon the use of this report.


The investigation has been performed in accordance with all applicable legal requirements and in accordance with accepted practices prevailing in the environmental assessment and environmental consulting industries. The personnel who performed the investigation (or are under the direct supervision of personnel) whom are properly licensed and certified in accordance with the requirements of all federal, state, and local laws, rules, and regulations.

We have no present or prospective interest in the subject property or the parties involved.

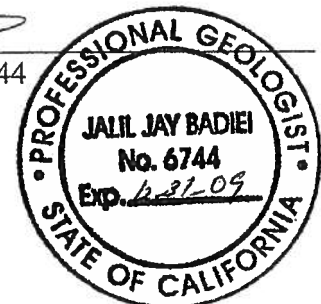
If necessary, expert testimony and other legal appearances will be provided at our current Standard Schedule of Rates.

  
Eric Kieselbach, President

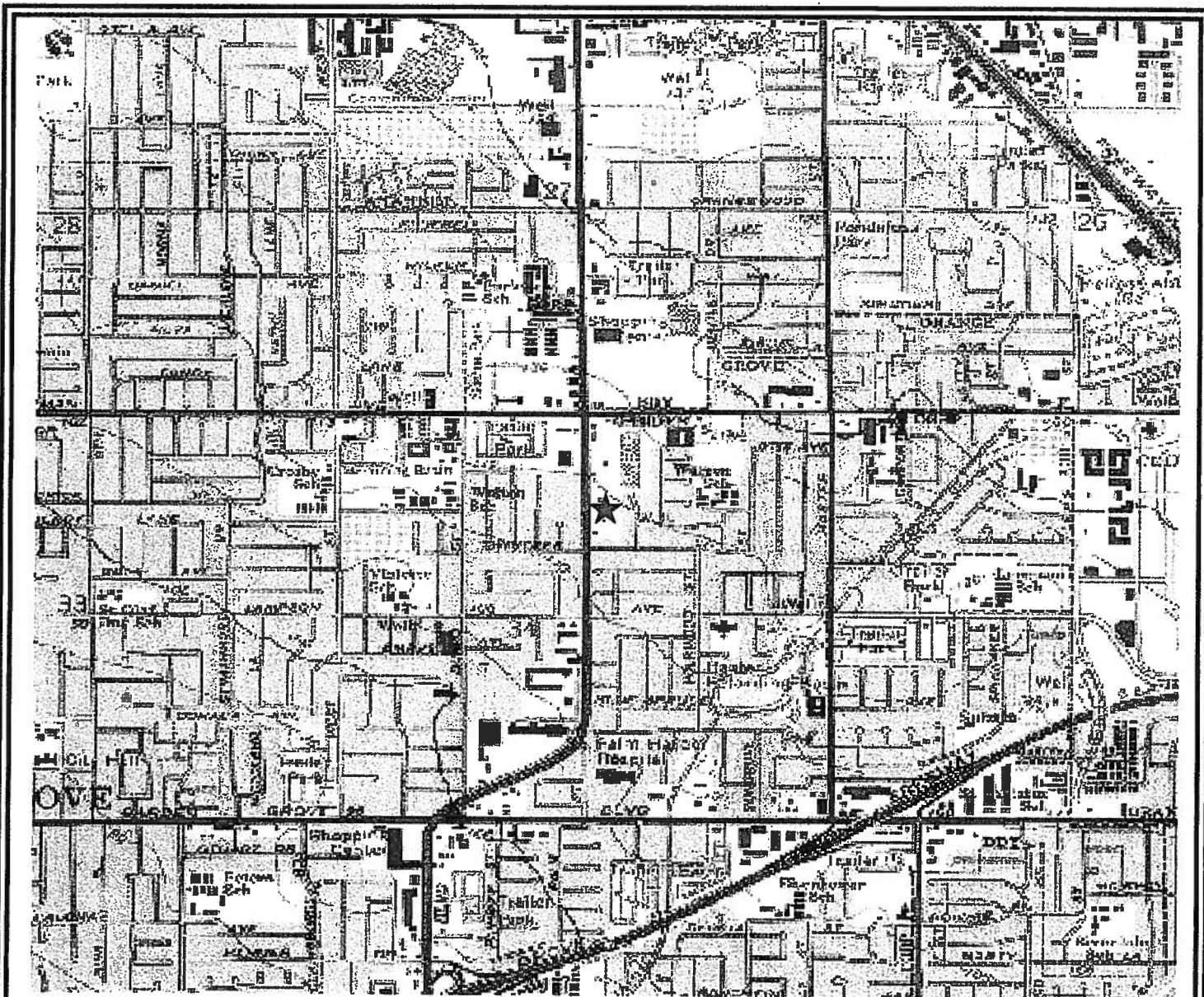
  
Nadine Kieselbach, Copy Editor

  
Eric Charles Exton, Operations Manager

  
Jay Badiei, PG #6744



## FIGURES



**SITE LOCATION MAP**

U.S. Geological Survey. Anaheim Quadrangle  
 7.5 Minute Series, Approximate Scale: 1: 24000



**PHASE ONE INC.**

**12222 HARBOR BOULEVARD  
 GARDEN GROVE, CALIFORNIA**

**FIGURE: 1  
 JOB: 6904  
 DATE: 3/5/2009**

HOTEL

HARBOR BOULEVARD



**KEY**  
- - - = SUBJECT SITE  
HA## = BORING LOCATION

SCALE 1" = 50'



**PHASE ONE INC.**  
ENVIRONMENTAL ASSESSMENT SPECIALISTS

12222 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA

**SITE PLAN**

FIGURE:	2
JOB:	6904
DATE:	2/20/09

DRAWN: NK    APPROVED: EE    DATE: 2/20/2009

# APPENDICES



**APPENDIX A**

**SAMPLING PROTOCOL**

**SAMPLING PROTOCOL  
1222 HARBOR BOULEVARD  
GARDEN GROVE, CALIFORNIA**

**INTRODUCTION**

This protocol outlines the field procedures utilized for the collection of soil samples as part of *PHASE ONE INC.*'s project number 6804.

**PRE-FIELD CONDITIONS AND ACTIVITIES**

The following activities or procedures were observed as part of the sampling project:

1. Sampling intervals were approved by *PHASE ONE INC.* prior to field operations. An environmental professional observed the work, and collected samples at approved intervals.

**FIELD PROCEDURES: SUBSURFACE SOIL SAMPLING – HAND AUGER**

The following procedures were observed during soil sampling operations:

1. Soil samples were collected with a solid-barrel sampler. The sampler uses two three-inch long, by two-inch outer diameter size sample tubes.
2. The sampler was driven six inches at each sampling interval. The lower soil tube was chosen for analysis. The ends were covered with Teflon, and plastic end caps.
3. After the soil sample was obtained, the sampler was disassembled; scrubbed in a water bath with Liquinox<sup>®</sup>; rinsed in two separate water baths, the last of which contained double-distilled water; and re-assembled with a new sample tube.

**SAMPLE COLLECTION AND LABORATORY PROTOCOL**

After soil sample collection, protocol required that the following guidelines and sample tracking be followed to maintain sample integrity:

1. After retrieval, each soil sample container was sealed, labeled, and chilled. Clean ice chests were used to keep the soil samples at approximately four degrees Celsius until they were delivered to the state-certified analytical chemical laboratory.
2. The samples were delivered directly to the laboratory.
3. Sample control was maintained by a Chain-Of-Custody (COC) record, which accompanies the samples. The form documented the time, date, and person responsible during each step in the transportation process.

## SAMPLE CODING—SOIL SAMPLING

The coded sample numbering system does not reveal the client to the laboratory or other interested parties:

1. A non-water soluble marking pen is used to mark the labels, which are then applied to the sample tubes.
2. **Project Number:** The project number allows *PHASE ONE INC.* to access file and client information. Use of the project number maintains the client's confidentiality to subcontractors, while maintaining *PHASE ONE INC.*'s ability to identify necessary data:

Example: *PHASE ONE INC.* Project Number: 6904  
Client Name: City of Garden Grove

The soil sample tubes have the project number written on the label as follows:

**6904**

3. **Sample Number:** *PHASE ONE INC.* numbers its soil samples in the following manner:

**T-XX-YY**

Where:	T	Indicates type of sample symbol (see below)
	X	Indicates boring number
	Y	Indicates depth of sample in feet below ground surface (BGS)

Types of sample symbols (T) include:

<u>SYMBOL</u>		<u>TYPE OF SAMPLE</u>
HA or B	=	Hand auger soil boring

For example, if a subsurface soil sample (T=HA) was collected from the first soil boring (X=1) at the three-foot sampling depth (Y=3), the soil sample would be logged as follows:

**HA1-3**

In review, the number indicates a soil sample from soil boring number one, from a depth of three feet BGS.

4. **Sample Date:** Due to holding time limits for most analyses, it is important to include the date the sample was collected.

Sample Date: February 20, 2009  
Sample Labeled: 02/20/09

5. The complete labeling of the soil sample tube includes:

**Job Number** with appropriate number (i.e. 6904)

**Sample Number** as described in point three.

**Sample Date** as labeled on the tube.

The sample identification information, as required by *PHASE ONE INC.* for the three-foot soil sample collected from boring SB-1 would be as follows:

**6904**

**HA1-3**

**02/20/09**

**APPENDIX B**

**SOIL BORING LOGS**

(Not Included, On File at *PHASE ONE INC.*)

**APPENDIX C**

**ANALYTICAL LABORATORY REPORT**

### CHAIN OF CUSTODY

Client Name		Address		Project Site		Sample Collection		Matrix Type		Sample Preserve		No., type & size of container		Analyses Requested		Turn Around Time Requested												
Client No./ Name	Report Attention	Phone #	Fax: #	Project Site	Date	Time	Type	Type	Type	Preserve	Size	No.	Type	EPA8260B (VOCs & Oxygenates)	EPA821B (BTEX & MTBE)	EPA8015M / 8015B (Gasoline)	EPA8015M / 8015B (Diesel)	EPA8081A (Organochlorine Pesticides)	EPA418.1 (TRPH)	EPA9040/9045 (PH)	EPA7000s (Metals)	CAM 17 Metals	Remarks	Chilled	Sample Seals	2-3 days	8 12, 24 Hours	Normal
6704	HA1-1	2100	2:00	WALNUT AVE SREA, TRUSTN CA	2/20	2:00	WLS	WLS	IC	15T	1	5T	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11	HA2-1	2:30	↓	6704	↓	↓	↓	↓	↓	↓	↓	↓	↓	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
11	HA3-1	3:40	↓	6704	↓	↓	↓	↓	↓	↓	↓	↓	↓	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Requisitioned By: [Signature] Company: ABC Labs  
Requisitioned By: [Signature] Company: ABC Labs  
Received By: [Signature] Date: 2/23 Time: 9:25  
Received By: [Signature] Date: 2/23 Time: 9:25

Note: Samples are discarded 30 days after results are reported unless other arrangements are made.

Matrix Code: DW=Drinking Water, GW=Ground Water, WW=Waste Water, SD=Solid Waste  
SL=Sludge, SS=Soil/Sediment, AR=Air, PP=Pure Product  
Preservative Code: IC=Ice, HC=HCl, HN=HNO3  
Sample Container Types: SH=NH4OH, T=Tedlar Air Bag, ST=Steel Tube, B=Brass Iubo, P=Plastic Bottle, V=VOA Vial, G=Glass Container

***ABC Environmental Laboratories, Inc.***

Mr. Eric E.  
Phase One, Inc.  
2680 Walnut Ave., Suite B  
Tustin, CA 92780

2/26/2009

Project: 6904  
Project Site: Garden Glove  
Sample Date: 2/20/2009  
Lab Job No.: P9B040

Dear Mr. Eric E.:

Enclosed please find the analytical report for the samples received by ABC Environmental Laboratories on 2/23/09 and analyzed by the following EPA methods:

EPA 8260B (VOCs & Oxygenates)  
EPA 8081A (Chlorinated Pesticide)  
EPA 7000s (CAM 17 Metals)  
EPA 8015M (Carbon Chain)

All analyses have met the QA/QC criteria of this laboratory.

The sample(s) arrived in good conditions (i.e., chilled, intact) and with a chain of custody record attached.

ABC Environmental Laboratories is certified by the CA DHS (Certificate No.2584). Thank you for giving us the opportunity to serve you.

Please feel free to call me at (909) 923-8628 if our laboratory can be of further service to you.

Respectfully,

ABC Environmental Laboratories, Inc.

Ken Zheng, M.S.  
Laboratory Director



Enclosures

This cover letter is an integral part of this analytical report.



# ABC Environmental Laboratories, Inc.

Client: Phase One, Inc.  
 Project: 6904  
 Project Site: Garden Glove  
 Matrix: Soil  
 Batch No.: 0223-VOCS

Lab Job No.: P9B040  
 Date Sampled: 2/20/2009  
 Date Received: 2/23/2009  
 Date Analyzed: 2/23/2009  
 Date Reported: 2/26/2009

## EPA 8260B (VOCs & Oxy.) by GC/MS, Page 1 of 2

Reporting Unit: mg/kg (PPM)

Date Analyzed		02/23/09	02/23/09	02/23/09	
Dilution Factor		1	1	1	
Lab Sample I.D.		P9B040-1	P9B040-2	P9B040-3	
Client Sample I.D.		6904 HA1-1	6904 HA2-1	6904 HA3-1	
Compound	RL				
Dichlorodifluoromethane	0.005	ND	ND	ND	
Chloromethane	0.005	ND	ND	ND	
Vinyl Chloride	0.005	ND	ND	ND	
Bromomethane	0.005	ND	ND	ND	
Chloroethane	0.005	ND	ND	ND	
Trichlorofluoromethane	0.005	ND	ND	ND	
1,1-Dichloroethene	0.005	ND	ND	ND	
Methyl iodide	0.005	ND	ND	ND	
Methylene chloride	0.005	ND	ND	ND	
Trans-1,2-Dichloroethene	0.005	ND	ND	ND	
1,1-Dichloroethane	0.005	ND	ND	ND	
2,2-Dichloropropane	0.005	ND	ND	ND	
Cis-1,2-Dichloroethene	0.005	ND	ND	ND	
Bromochloromethane	0.005	ND	ND	ND	
Chloroform	0.005	ND	ND	ND	
1,1,1-Trichloroethane	0.005	ND	ND	ND	
Vinyl acetate	0.010	ND	ND	ND	
Carbontetrachloride	0.005	ND	ND	ND	
1,1-Dichloropropene	0.005	ND	ND	ND	
1,2-Dichloroethane	0.005	ND	ND	ND	
Benzene	0.005	ND	ND	ND	
Trichloroethene	0.005	ND	ND	ND	
1,2-Dichloropropane	0.005	ND	ND	ND	
Methyl methacrylate	0.005	ND	ND	ND	
Dibromomethane	0.005	ND	ND	ND	
Bromodichloromethane	0.005	ND	ND	ND	
2-Chloroethyl Vinyl Ether	0.005	ND	ND	ND	
Cis-1,3-Dichloropropene	0.005	ND	ND	ND	
Toluene	0.002	ND	ND	ND	
Trans-1,3-Dichloropropene	0.005	ND	ND	ND	
Ethylmethacrylate	0.005	ND	ND	ND	
1,1,2-Trichloroethane	0.005	ND	ND	ND	
Dibromochloromethane	0.005	ND	ND	ND	
1,2-Dibromoethane (EDB)	0.005	ND	ND	ND	
Tetrachloroethene	0.005	ND	ND	ND	
1,3-Dichloropropane	0.005	ND	ND	ND	
Chlorobenzene	0.005	ND	ND	ND	

RL=Reporting Limit; ND=Not Detected (Below DFx RL)

1640 S. Grove Ave., Suite B  
 Ontario, CA 91761

Tel: (909)923-8628  
 (562)413-8343  
 Fax: (909)923-8628

## ABC Environmental Laboratories, Inc.

Client: Phase One, Inc.  
 Project: 6904  
 Project Site: Garden Glove  
 Matrix: Soil  
 Batch No.: 0223-VOCS

Lab Job No.: P9B040  
 Date Sampled: 2/20/2009  
 Date Received: 2/23/2009  
 Date Analyzed: 2/23/2009  
 Date Reported: 2/26/2009

### EPA 8260B (VOCs & Oxy.) by GC/MS, Page 2 of 2

Reporting Unit: mg/kg (PPM)

Date Analyzed		02/23/09	02/23/09	02/23/09	
Dilution Factor		1	1	1	
Lab Sample I.D.		P9B040-1	P9B040-2	P9B040-3	
Client Sample I.D.		6904 HA1-1	6904 HA2-1	6904 HA3-1	
Compound	RL				
1,1,1,2-Tetrachloroethane	0.005	ND	ND	ND	
Ethylbenzene	0.002	ND	ND	ND	
Total Xylene	0.002	ND	ND	ND	
Styrene	0.005	ND	ND	ND	
Bromoform	0.005	ND	ND	ND	
Isopropyl benzene	0.005	ND	ND	ND	
Bromobenzene	0.005	ND	ND	ND	
1,2,3-Trichloropropane	0.005	ND	ND	ND	
1,1,2,2-Tetrachloroethane	0.005	ND	ND	ND	
Trans-1,4-dichloro-2-butene	0.005	ND	ND	ND	
2-Chlorotoluene	0.005	ND	ND	ND	
n-Propyl benzene	0.005	ND	ND	ND	
4-Chlorotoluene	0.005	ND	ND	ND	
1,3,5-Trimethyl benzene	0.005	ND	ND	ND	
tert-Butylbenzene	0.005	ND	ND	ND	
p-Isopropyl toluene	0.005	ND	ND	ND	
1,2,4-Trimethyl benzene	0.005	ND	ND	ND	
sec-Butylbenzene	0.005	ND	ND	ND	
1,3-Dichlorobenzene	0.005	ND	ND	ND	
1,4-Dichlorobenzene	0.005	ND	ND	ND	
1,2-Dichlorobenzene	0.005	ND	ND	ND	
n-Butylbenzene	0.005	ND	ND	ND	
1,2-Dibromo-3-chloropropan	0.005	ND	ND	ND	
1,2,4-Trichlorobenzene	0.005	ND	ND	ND	
Hexachlorobutadiene	0.005	ND	ND	ND	
Naphthalene	0.005	ND	ND	ND	
1,2,3-Trichlorobenzene	0.005	ND	ND	ND	
Aceton	0.050	ND	ND	ND	
2-Butanone(MEK)	0.025	ND	ND	ND	
MTBE	0.002	ND	ND	ND	
4-Methyl-2-Pentanone (MIBK)	0.025	ND	ND	ND	
Ethyl-t-butyl Ether(ETBE)	0.002	ND	ND	ND	
Diisopropyl Ether (DIPE)	0.002	ND	ND	ND	
TAME	0.002	ND	ND	ND	
t-Butanol	0.010	ND	ND	ND	

RL=Reporting Limit; ND=Not Detected (Below DFx RL)

# ABC Environmental Laboratories, Inc.

## EPA 8260B (VOCs & Oxy.)

### Batch QA/QC Report

Client: Phase One, Inc.  
Project: 6904  
Matrix: Soil  
Batch No.: 0223-VOCS

Lab Job No.: P9B040  
Lab Sample ID: LCS  
Date Analyzed: 2/23/2009  
Date Reported: 2/26/2009

### MB/LCS/LCSD Report

Unit: mg/kg

Compound	Method Blank	Spike Conc.	LCS	LCSD	LCS %Rec.	LCSD %Rec.	%RPD	%RPD Accept Limit	%Rec. Accept Limit
1,1-Dichloroethene	ND	0.020	0.021	0.020	105	100	5	≤20	80-120
Benzene	ND	0.020	0.019	0.021	95	105	10	≤20	80-120
Trichloroethene	ND	0.020	0.020	0.018	100	90	11	≤20	80-120
Toluene	ND	0.020	0.018	0.019	90	95	5	≤20	80-120
Chlorobenzene	ND	0.020	0.022	0.021	110	105	5	≤20	80-120

ND: Not Detected (Below MDL).

# ***ABC Environmental Laboratories, Inc.***

Client:	Phase One, Inc.	Lab Job No.:	P9B040
Project:	6904	Date Sampled:	2/20/2009
Project Site:	Garden Glove	Date Received:	2/23/2009
Matrix:	Soil	Date Analyzed:	TPH-G 2/23/2009
Batch No.:	AB23-GS (TPH-G)	Date Analyzed:	TPH-D 2/24/2009
Batch No.:	BB24-DS (TPH-D)	Date Reported:	2/26/2009

## **EPA 8015M(Carbon Chain)**

Reporting Unit: mg/kg (PPM)

Client Sample ID	Lab ID	Gasoline	Diesel	Oil	
	Reporting Limit	1.0	10	50	
6904 HA1-1	P9B040-1	ND	ND	ND	
6904 HA2-1	P9B040-2	ND	ND	ND	
6904 HA3-1	P9B040-3	ND	ND	ND	

ND: Not Detected (Below Reporting Limit).

# ABC Environmental Laboratories, Inc.

## EPA 8015M (TPH-G) Batch QA/QC Report

Client: Phase One, Inc.  
Project: 6904  
Matrix: Soil  
Batch No.: AB23-GS (TPH-G)

Lab Job No.: P9B040  
Lab Sample ID: LCS  
Date Analyzed: 2/23/2009  
Date Reported: 2/26/2009

### MB/LCS/LCSD Report

Unit: mg/kg

Analyte	Method	Spike	LCS	LCSD	LCS	LCSD	%RPD	%RPD	%Rec
	Blank	Conc.			%Rec.	%rec.		Accept	Accept
									Limit
TPH-G	ND	1.00	1.12	0.98	112	98	13	≤20	80-120

ND: Not Detected (at the specified limit).

# ABC Environmental Laboratories, Inc.

## EPA 8015M (TPH-D) Batch QA/QC Report

Client: Phase One, Inc.  
Project: 6904  
Matrix: Soil  
Batch No.: BB24-DS (TPH-D)

Lab Job No.: P9B040  
Lab Sample ID: LCS  
Date Analyzed: 2/24/2009  
Date Reported: 2/26/2009

### MB/LCS/LCSD Report

Unit: mg/kg

Analyte	Method Blank	Spike Conc.	LCS	LCSD	LCS %Rec.	LCSD %rec.	%RPD	%RPD Accept	%Rec Accept Limit
TPH-D	ND	500	451	525	90	105	15	≤20	80-120

ND: Not Detected (at the specified limit).

## ABC Environmental Laboratories, Inc.

Client:	Phase One, Inc.	Lab Job No.:	P9B040
Project:	6904	Date Sampled:	2/20/2009
Project Site:	Garden Glove	Date Received:	2/23/2009
Matrix:	Soil	Date Extracted:	2/23/2009
Digestion Method:	3550B	Date Analyzed:	2/25/2009
Batch No.:	0225-PES-S	Date Reported:	2/26/2009

### EPA 8081A (Organochlorine Pesticides)

Reporting Unit: µg/kg (PPB)

Dilution Factor		1	1	1		
Lab Sample I.D.		P9B040-1	P9B040-2	P9B040-3		
Client Sample I.D.		6904 HA1-1	6904 HA2-1	6904 HA3-1		
Compound	RL					
α-BHC	5	ND	ND	ND		
γ-BHC	5	ND	ND	ND		
Heptachlor	5	ND	ND	ND		
Aldrin	5	ND	ND	ND		
β-BHC	5	ND	ND	ND		
δ-BHC	5	ND	ND	ND		
Heptachlor Epoxide	5	ND	ND	ND		
Endosulfan I	5	ND	ND	ND		
4,4'-DDE	5	ND	ND	ND		
Dieldrin	5	ND	ND	ND		
Endrin	5	ND	ND	ND		
Endosulfan II	5	ND	ND	ND		
4,4'-DDD	5	ND	ND	ND		
4,4'-DDT	5	ND	ND	ND		
Endrin Aldehyde	5	ND	ND	ND		
Endosulfan Sulfate	5	ND	ND	ND		
Methoxychlor	20	ND	ND	ND		
Endrin Ketone	10	ND	ND	ND		
Chlordane	25	ND	ND	ND		
Toxaphene	100	ND	ND	ND		

ND: Not Detected (Below DF x RL).

RL: Reporting Limit

1640 S. Grove Ave., Suite B  
Ontario, CA 91761

Tel: (909)923-8628  
(562)413-8343  
Fax: (909)923-8628

# ABC Environmental Laboratories, Inc.

## EPA Method 8081A Batch QA/QC Report

Client: Phase One, Inc. Lab Job No.: P9B040  
Project: 6904 Lab Sample ID: LCS  
Matrix: Soil Date Analyzed: 2/25/2009  
Batch No.: 0225-PES-S Date Reported: 2/26/2009

### MB/LCS/LCSD Report

Unit: ug/kg

Compound	Method Blank	Spike Conc.	LCS	LCSD	LCS %Rec.	LCSD %Rec.	%RPD	%RPD Accept Limit	%Rec. Accept Limit
$\gamma$ -BHC	ND	20	19.5	17.6	98	88	10	$\leq 30$	70-130
Heptachlor	ND	20	18.6	19.8	93	99	6	$\leq 30$	50-150
Aldrin	ND	20	17.1	18.2	86	91	6	$\leq 30$	50-140
Dieldrin	ND	40	32.5	34.5	81	86	6	$\leq 30$	70-130
Endrin	ND	40	33.6	31.6	84	79	6	$\leq 30$	70-150
4,4'-DDT	ND	40	30.2	33.5	76	84	10	$\leq 30$	20-160

ND: Not Detected (at the specified limit).



## *ABC Environmental Laboratories, Inc.*

Client: Phase One, Inc.  
 Project: 6904  
 Project Site: Garden Glove  
 Matrix: Soil  
 Digestion Method: 3050B  
 Batch No.: 0225-MTS

Lab Job No.: P9B040  
 Date Sampled: 2/20/2009  
 Date Received: 2/23/2009  
 Date Digested: 2/25/2009  
 Date Analyzed: 2/25/2009  
 Date Reported: 2/26/2009

### EPA 7000 Series for Cam Metals (TTLC)

Report Units: mg/kg (PPM)

Element	EPA Method	P9B040-1	P9B040-2	P9B040-3	Report Limit
		6904 HA1-1	6904 HA2-1	6904 HA3-1	
Antimony (Sb)	7040	ND	ND	ND	10
Arsenic (As)	7060	2.0	1.6	1.9	0.5
Barium (Ba)	7080	46.9	99.3	95.6	5.0
Beryllium (Be)	7090	ND	ND	ND	2.5
Cadmium (Cd)	7130	ND	4.1	ND	2.5
Chromium (Cr)	7190	7.4	18.3	16.0	2.5
Cobalt (Co)	7200	5.2	8.1	12.7	2.5
Copper (Cu)	7210	10.1	15.4	17.8	2.5
Lead (Pb)	7420	8.8	4.4	6.1	2.5
Mercury (Hg)	7471	ND	ND	ND	0.1
Molybdenum (Mo)	7480	ND	ND	ND	5.0
Nickel (Ni)	7520	8.3	26.1	19.7	2.5
Selenium (Se)	7740	ND	ND	ND	0.5
Silver (Ag)	7760	ND	ND	ND	2.5
Thallium (Tl)	7840	ND	ND	ND	2.5
Vanadium (V)	7910	13.3	24.6	28.6	10
Zinc (Zn)	7950	61.0	66.5	80.4	2.5

ND: Not Detected (at the specified limit).

# ABC Environmental Laboratories, Inc.

## EPA 7000s (TTLC) Batch QA/QC Report

Client: Phase One, Inc.  
Project: 6904  
Matrix: Soil  
Batch No.: 0225-MTS

Lab Job No.: P9B040  
Lab Sample ID: LCS  
Date Analyzed: 2/25/2009  
Date Reported: 2/26/2009

### MB/LCS/LCSD Report

Unit: mg/kg (PPM)

Element	EPA Method	Method Blank	Spike Conc.	LCS	LCSD	LCS %Rec.	LCSD %Rec.	%RPD	%RPD Accept Limit	%Rec. Accept Limit
Antimony (Sb)	7040	ND	12.5	13.8	12.6	110	101	9	≤20	80-120
Arsenic (As)	7060	ND	0.50	0.52	0.43	104	86	19	≤20	80-120
Barium (Ba)	7080	ND	5.0	5.35	4.84	107	97	10	≤20	80-120
Beryllium (Be)	7090	ND	2.5	2.30	2.43	92	97	5	≤20	80-120
Cadmium (Cd)	7130	ND	2.5	2.50	2.39	100	96	4	≤20	80-120
Chromium (Cr)	7190	ND	2.5	2.59	2.46	104	98	5	≤20	80-120
Cobalt (Co)	7200	ND	2.5	2.54	2.62	102	105	3	≤20	80-120
Copper (Cu)	7210	ND	2.5	2.57	2.43	103	97	6	≤20	80-120
Lead (Pb)	7420	ND	5.0	4.82	5.46	96	109	12	≤20	80-120
Mercury (Hg)	7471	ND	2.0	1.88	1.97	94	99	5	≤20	80-120
Molybdenum (Mo)	7480	ND	12.0	12.9	13.7	108	114	6	≤20	80-120
Nickel (Ni)	7520	ND	2.50	2.56	2.42	102	97	6	≤20	80-120
Selenium (Se)	7740	ND	0.50	0.57	0.50	114	100	13	≤20	80-120
Silver (Ag)	7760	ND	2.5	2.40	2.56	96	102	6	≤20	80-120
Thallium (Tl)	7840	ND	12.0	11.9	13.0	99	108	9	≤20	80-120
Vanadium (V)	7910	ND	12.0	12.7	11.8	106	98	7	≤20	80-120
Zinc (Zn)	7950	ND	2.50	2.49	2.42	100	97	3	≤20	80-120

ND: Not Detected (at the specified limit).

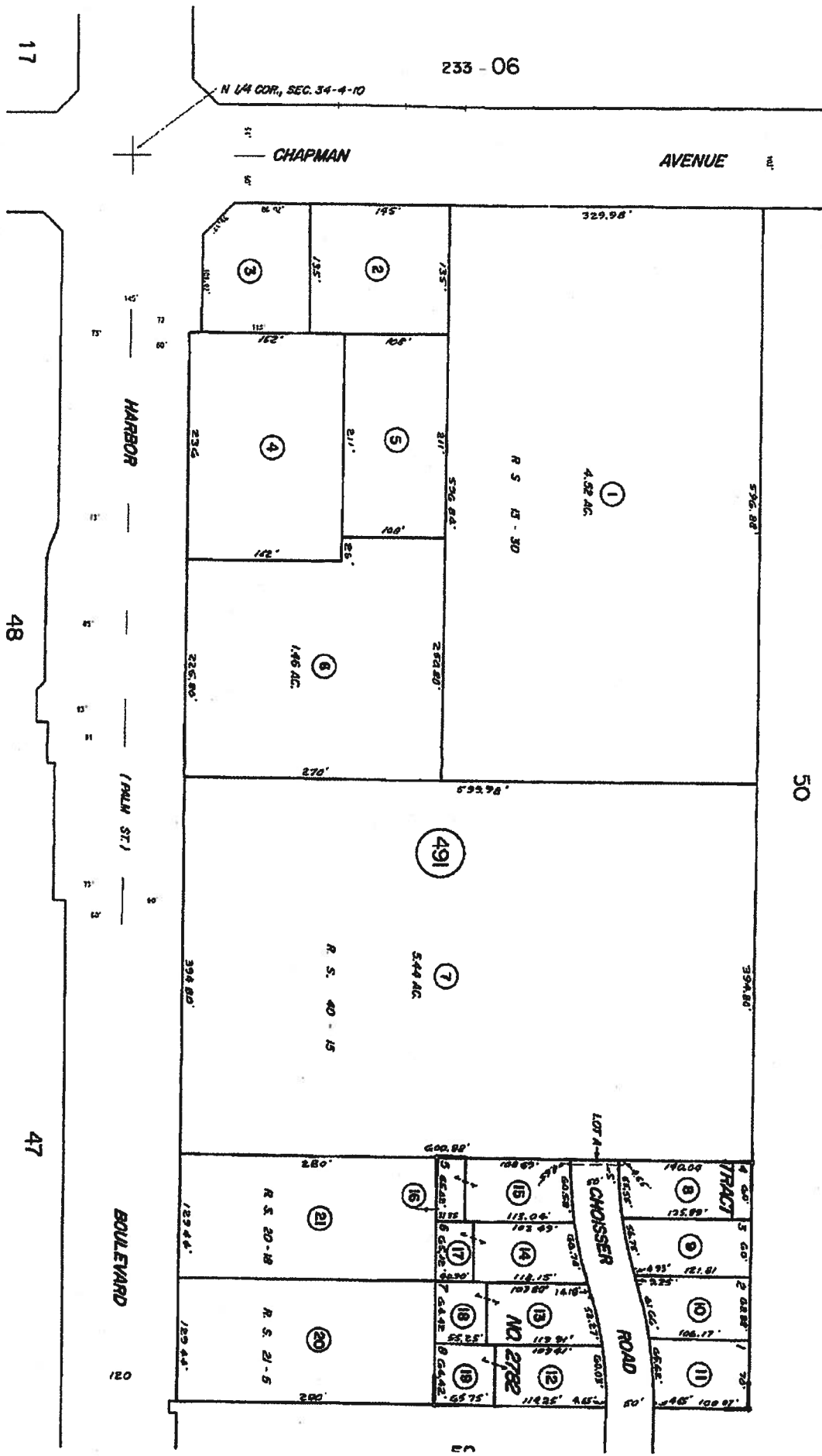
1640 S. Grove Ave., Suite B  
Ontario, CA 91761

Tel: (909)923-8628  
(562)413-8343  
Fax: (909)923-8628

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSessor DEPT. PURPOSES ONLY. THE ASSessor DEPT. IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ASSessor DEPT. IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ASSessor DEPT. IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

POR. W 1/2. NW 1/4. NE 1/4. SEC. 34. T 4 S. R 10 W

1" = 100'



MARCH 1980

TRACT NO. 2782 M.M. 89-24. 25

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

ASSESSOR'S MAP BOOK 231 PAGE 49 COUNTY OF ORANGE

---

**APPENDIX H**  
**REFERENCES**

## **APPENDIX H**

### **REFERENCES**

#### **AGENCIES**

See Appendix B for a comprehensive list of the state and local agencies consulted for this project.

#### **PUBLICATIONS**

Basic Guide for Environmental Inspection. EEA. 1991.

Environmental Evaluations for Real Estate Transactions. Government Institutes, Inc. 1989.

"Flatland Deposits" Geological Survey Professional Paper No. 943. 1991.

"Geologic Principles for Prudent Land Use." Geological Survey Professional Paper No. 946. 1990.

"Groundwater Geology of the Valley." California Earthquakes: California Division of Mines and Geology Bulletin. 1975.

Hazardous Materials, Substances and Wastes Compliance Guide. 1990-1991.

Oil and Gas Field and Wildcat Maps. California Department of Conservation, Division of Oil and Gas. Various dates.

"Planned Utilization of the Groundwater Basins of the Coastal Plain of Los Angeles." State of California, Department of Water Resources, Bulletin No. 104. 1961 and 1988.

Principles of Contaminant Hydrogeology. Palmer, Christopher M. 1992.

Protection of Public Water Supplies from Groundwater Contamination: A Publication of the Environmental Protection Agency.

"Radon: A Homeowner's Guide to Detection and Control." 1987 and 1989.

Report and General Soil Map. California Soil Conservation Service, United States Department of Agriculture. 1967 and 1969.

The Sourcebook for Aerial Photographs, California edition. 1992.

Underground Storage Tank Corrective Action Technologies: A Publication of the Environmental Protection Agency. 1987.

---

**APPENDIX I**

**RESUMES**

## **ERIC EXTON** **Operations Manager**

### **Education**

Numerous college courses focusing on science, computers, and business including: biology, micro-biology, environmental biology, chemistry, statistics, anatomy and physiology, programming in BASIC, Programming in C, programming in Pascal, advanced data structures, database programming, accounting and business law.

### **Licenses and Certifications**

- California State Registered Assessor, REA I #08334
- State of California, Department of Health Services, Lead Related Construction Certificate, Inspector/Assessor ID#17704
- Certification in Mold Inspection & Sampling
- Microsoft Certified Systems Engineer (MCSE) #44842
- Microsoft Certified Professional in Microsoft Windows, Windows NT, Networking, SQL Server Administration, and SQL Server Implementation

### **Special Qualifications**

Mr. Exton qualifies as an "Environmental Professional" in accordance with the US EPA's AAI ( All Appropriate Inquires) 40 C.F.R. § 312.22. Mr. Exton has extensive experience in managing and supervising technical and administrative staff as well as in managing remote offices. Mr. Exton has also managed large, multi-site projects that have encompassed sites in multiple states. He has been involved with Phase II projects, prepared site characterization plans, and has worked in unison with governmental agencies and clients to achieve closure for contaminated properties. He has overseen soil cleanups and the installation of ground monitoring wells. In addition, he is an expert in computer programming, networking, databases, and systems administration.

### **Summary of Experiences**

#### **1992 – Phase One, Inc., Tustin, California – Current**

Mr. Exton has written, researched, or performed the fieldwork for thousands of Phase I Environmental Site Assessments for various types of properties including manufacturing facilities, automotive repair facilities, and agricultural properties. In addition, he is the company's expert in the Federal Communications Commission's (FCC) responsibilities under the National Environmental Policy Act (NEPA). He has consulted on hundreds of NEPA compliance projects for various telecommunications companies. He has also consulted on NEPA compliance for several Department of Housing and Urban Development's (HUD) redevelopment projects as well as CEQA projects. He has made determinations and received concurrence from the State Historical Preservation Officer (SHPO) of many states for hundreds of Section 106 compliance projects. Mr. Exton has also managed special projects including Native American consultation, endangered species mitigation, consultation with the US Fish and Wildlife Service, wetlands surveys, flood plain hydrology studies, and archaeological testing. His archaeological projects have included the discovery of human remains. Mr. Exton has also written the majority of custom software utilized by Phase One, Inc; this software has increased the company's productivity and has improved the quality of reports compiled.

#### **1 year – Valmer, Inc., Palo Alto, California**

Mr. Exton managed and supported the computers and network for Valmer, Inc., a computer software company. He also managed the technical support of the company's contact management software, wrote several utilities to import data from other contact management and database programs, and merged data into popular word processing and fax programs.

---

**APPENDIX J**

**ENVIRONMENTAL ACRONYMS AND DEFINITIONS**



## APPENDIX J

### ENVIRONMENTAL ACRONYMS

AA.....	Administering Agency
ACM .....	Asbestos Containing Materials
AHERA.....	Asbestos Hazard Emergency Response Act, 1986
AHM .....	Acutely Hazardous Materials
AQMD .....	Air Quality Management District
CEG.....	Certified Engineering Geologist
CERCLA.....	Comprehensive Environmental Response, Comprehensive Liability Act of 1980 (Federal Superfund), 42 USC 9601 et seq.
CERCLIS .....	Comprehensive Environmental Response, Compensation, and Liability Information System
CFR.....	Code of Federal Regulations
EIR .....	Environmental Impact Report
EIS.....	Environmental Impact Statement
EPA.....	Environmental Protection Agency (Federal)
EPA #.....	Generator # for RCRA manifesting
HMBP .....	Hazardous Materials Business Plans, H&S Code 25504
HWIS.....	Hazardous Waste Information System
LUFT.....	Leaking Underground Fuel Tank
LUST.....	Leaking Underground Storage Tank
MSDS.....	Material Safety Data Sheet
NEPA .....	National Environmental Policy Act
NIOSH .....	National Institute for Occupational Safety & Health
NPDES.....	National Pollution Discharge Elimination System (CWA)
NPL .....	National Priority List (Federal Superfund)
OEA .....	Office of Environmental Affairs
OSHA.....	Occupational Safety and Health Administration (Federal)
PCB.....	Polychlorinated biphenyl
POTW .....	Publicly-Owned Treatment Works
ppb.....	part per billion
ppm .....	part per million
PRP .....	Potentially Responsible Party (in Superfund site)
RAP .....	Remedial Action Plan
RCRA.....	Resource Conservation and Recovery Act (Federal) 42 USC 6901, 40 CFR
R&D.....	Research and Development
REA.....	Registered Environmental Assessor
RG.....	Registered Geologist
RI/FS .....	Remedial Investigation/Feasibility Study
ROD .....	Record of Decision (CERCLA)

RP.....Responsible Party (CERCLA) 42 UCF 9607(a)  
 RQ.....Reportable Quantity  
 .....(under DOT CERCLA and SARA Title III)  
 RWQCB.....Regional Water Quality Control Board  
 SARA.....Superfund amendments and Reauthorization Act of 1986  
 .....SARA Title III Emergency Preparedness and Community  
 .....Right-to-Know section  
 SB.....Senate Bill  
 SIC .....Standard Industrial Classification  
 .....(company description)  
 SOP .....Standard Operating Procedures  
 SWA.....Solid Waste Act (a/k/a RCRA)  
 SWMU.....Solid Waste Management Unit  
 TPCA .....Toxic Pits Cleanup Act H&S Code 25208 et seq.  
 TSCA .....Toxic Substance Control Act (Federal)  
 .....15 USC 2601 et seq.  
 TSD .....Treatment, Storage, and Disposal Facilities (permitted by RCRA) H&S Code  
 .....25123.3  
 TSDF.....Treatment, Storage, Disposal Facility (hazardous waste)  
 UBC .....Uniform Building Code  
 UFC.....Uniform Fire Code  
 UST .....Underground Storage Tank  
 UM.....Uniform Manifest  
 UST .....Underground Storage Tanks  
 VOC .....Volatile Organic Compound H&S 25123.6  
 WDR .....Waste Discharge Requirements  
 WWTP .....Wastewater Treatment Plant

## SELECTED DEFINITIONS

**ASPIS** - This database lists potentially hazardous waste sites identified by the Historical Abandoned site Survey Program.

**CERCLIS** - The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) is commonly referred to as "Superfund". The United States Environmental Protection Agency maintains a database referred to as "CERCLIS", which is used by the EPA to track activities conducted under its Superfund Program.

Sites which come to EPA's attention that may have a potential for releasing hazardous substances into the environment are added to the CERCLIS inventory. EPA learns of these sites in various ways. Examples include notification by the owner, citizen complaints, state and local government identification, and as a result of other EPA investigations.

**NPL** - The United States Environmental Protection Agency (EPA) maintains a National Priorities List (NPL) under the Comprehensive Environmental Response and Liability Act of 1980 (CERCLA), 42 U.S.C. Section 9601 (1985). Sites which have previously been designated on the CERCLIS List are evaluated by the EPA and ranked according to potential risk to human health and the environment. Those CERCLIS sites which present the greatest risk are added to the NPL, which qualifies them to receive remedial funding Through CERCLA.

**RCRA** - The following list has been compiled from a search of the RCRA data base list for generators (gen), transporters (trans), and treatment storage disposal facilities (TSDF) of hazardous materials. All generators of waste material are required by the Department of Health Services to have hazardous material removed from the site every sixty days. The list is generally representative of the type of businesses in the region surrounding the subject property.

**REPORT SIGNATURE SHEET AND CERTIFICATION**

**The undersigned hereby certifies that:**

The following people have prepared, written, and/or reviewed the Phase I Environmental Assessment Report. All the below parties have, in good faith, conducted their respective project responsibilities using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields.

All parties have acted in good faith and have no known relationship with the subject site, owners, buyers, or any other entity associated with the subject site. All respective project responsibilities have been conducted independently, and with no conflict of interest.

The statements of fact contained in this report are true and correct based on materials reviewed.

The reported analyses, opinions, and conclusions are personal, unbiased, professional, and limited only by the assumptions and qualifications stated herein. Compensation is not contingent upon an action or an event resulting from the analyses, opinions, or conclusions included in this report. Nor is it contingent upon the use of this report.

The investigation has been performed in accordance with all applicable legal requirements and in accordance with accepted practices prevailing in the environmental assessment and asbestos consulting industries. The personnel who performed the investigation are properly licensed and certified in accordance with the requirements of all federal, state, and local laws, rules, and regulations.

We have no present or prospective interest in the subject property or the parties involved.

If necessary, expert testimony and other legal appearances will be provided for a reasonable fee to be arranged.



Eric Kieselbach  
President, Technical Reviewer



Nadine Kieselbach  
Report Writer



Eric Exton  
Operations Manager



**Subject:** Fwd: Redev. Plan Scan  
**From:** Grace Lee <gracel@ci.garden-grove.ca.us>  
**Date:** Mon, 16 May 2016 10:45:31 -0700 (PDT)  
**To:** Matt Reid <matt.reid@landanddesign.com>  
**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Hi Matt,  
I believe Greg said I'd send this to you. Sorry it took so long.

Grace E. Lee  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

---

**From:** "Reprographics" <reprographics@ci.garden-grove.ca.us>  
**To:** "Grace Lee" <gracel@ci.garden-grove.ca.us>  
**Sent:** Wednesday, May 11, 2016 9:34:13 AM  
**Subject:** Redev. Plan Scan

Hi Grace,  
Redev. Plan Scan

*IT Department / Reprographics*  
*717-741-5032 - 714-741-5033*  
*Fax: 714 -741-5205*  
*Reprographics@ci.garden-grove.ca.us*

20160511092435412.pdf	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
-----------------------	---

Mon 16 May 2016  
10:45:31 - 0700

*Garden Grove Redevelopment Agency*

**REDEVELOPMENT PLAN AMENDMENT**

**FINAL PROGRAM  
ENVIRONMENTAL IMPACT REPORT**

*Prepared for:*

Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, California 92842  
(714) 741-5312

*Prepared by:*

Laguna Pacific Environmental, Inc.  
100 Pacifica, Suite 250  
Irvine, California 92618-3818  
(949) 788-4900

State Clearinghouse No. 2001091038

June 2002

# TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
<b>1.0 INTRODUCTION.....</b>	<b>1</b>
1.1 OVERVIEW .....	1
1.2 DEFINITIONS.....	2
1.3 BRIEF PROJECT DESCRIPTION .....	3
1.4 STATUTORY AUTHORITY .....	4
1.5 ISSUES TO BE ADDRESSED .....	5
1.6 ORGANIZATIONS AFFILIATED WITH THE PROJECT.....	6
1.7 IMPACTS FOUND NOT TO BE SIGNIFICANT.....	6
<b>2.0 EXECUTIVE SUMMARY .....</b>	<b>9</b>
2.1 PROJECT ENVIRONMENTAL SUMMARY .....	9
2.2 PROJECT ALTERNATIVES.....	26
2.3 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED .....	27
2.4 SCOPING MEETING .....	28
<b>3.0 PROJECT DESCRIPTION .....</b>	<b>29</b>
3.1 PROJECT LOCATION AND BOUNDARIES.....	29
3.2 ENVIRONMENTAL SETTING .....	29
3.3 PLAN AMENDMENT COMPONENTS .....	36
3.4 THE INTENDED USE OF THIS PROGRAM EIR.....	39
3.5 PROJECT OBJECTIVE .....	40
<b>4.0 ENVIRONMENTAL SETTING, PROJECT IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION.....</b>	<b>42</b>
4.1 LAND USE.....	42
4.1.1 Environmental Setting .....	42
4.1.2 Project Impacts.....	50
4.1.3 Mitigation Measures .....	55
4.1.4 Significance After Mitigation .....	56
4.2. GEOLOGY/SOILS .....	57
4.2.1 Environmental Setting .....	57
4.2.2 Project Impacts.....	65
4.2.3 Mitigation Measures .....	69
4.2.4 Significance After Mitigation .....	69
4.3 HYDROLOGY/DRAINAGE AND WATER QUALITY.....	70
4.3.1 Environmental Setting .....	70
4.3.2 Project Impacts.....	72
4.3.3 Mitigation Measures .....	76
4.3.4 Significance After Mitigation .....	76
4.4 TRAFFIC AND CIRCULATION .....	77
4.4.1 Environmental Setting .....	77

4.4.2	Project Impact .....	83
4.4.3	Mitigation Measures .....	86
4.4.4	Significance After Mitigation .....	87
4.5	AESTHETICS.....	88
4.5.1	Environmental Setting .....	88
4.5.2	Project Impacts.....	89
4.5.3	Mitigation Measures .....	91
4.5.4	Significance After Mitigation .....	91
4.6	NOISE.....	92
4.6.1	Environmental Setting .....	92
4.6.2	Project Impact .....	93
4.6.3	Mitigation Measures .....	95
4.6.4	Significance After Mitigation .....	96
4.7	AIR QUALITY .....	96
4.7.1	Environmental Setting .....	96
4.7.2	Project Impacts.....	99
4.7.3	Mitigation Measures .....	101
4.7.4	Significance After Mitigation .....	102
4.8	PUBLIC SERVICES .....	104
4.8.1	Water Service.....	104
4.8.1.1	Environmental Setting .....	104
4.8.1.2	Project Impacts.....	105
4.8.1.3	Mitigation Measures .....	106
4.8.1.4	Significance After Mitigation .....	107
4.8.2	Police Protection .....	107
4.8.2.1	Environmental Setting .....	107
4.8.2.2	Project Impacts.....	107
4.8.2.3	Mitigation Measures .....	108
4.8.2.4	Significance After Mitigation .....	109
4.8.3	Fire Protection.....	109
4.8.3.1	Environmental Setting .....	109
4.8.3.2	Project Impacts.....	109
4.8.3.3	Mitigation Measures .....	111
4.8.3.4	Significance After Mitigation .....	111
4.8.4	School Facilities.....	111
4.8.4.1	Environmental Setting .....	111
4.8.4.2	Project Impacts.....	112
4.8.4.3	Mitigation Measures .....	113
4.8.4.4	Significance After Mitigation .....	114
4.8.5	Wastewater Service.....	114
4.8.5.1	Environmental Setting .....	114
4.8.5.2	Project Impacts.....	115
4.8.5.3	Mitigation Measures .....	117
4.8.5.4	Significance After Mitigation .....	117
4.9	HAZARDS AND HAZARDOUS MATERIALS .....	118
4.9.1	Environmental Setting .....	118



4.9.2	Project Impacts.....	121
4.9.3	Mitigation Measures .....	123
4.9.4	Significance After Mitigation .....	124
4.10	<b>POPULATION, HOUSING, AND EMPLOYMENT .....</b>	<b>125</b>
4.10.1	Environmental Setting .....	125
4.10.2	Project Impacts.....	134
4.10.3	Mitigation Measures .....	137
4.10.4	Significance After Mitigation .....	138
4.11	<b>RECREATION .....</b>	<b>139</b>
4.11.1	Environmental Setting .....	139
4.11.2	Project Impacts.....	141
4.11.3	Mitigation Measures .....	143
4.11.4	Significance After Mitigation .....	143
4.12	<b>BIOLOGY RESOURCES .....</b>	<b>144</b>
4.12.1	Environmental Setting .....	144
4.12.2	Project Impacts.....	144
4.12.3	Mitigation Measures .....	145
4.12.4	Significance After Mitigation .....	145
4.13	<b>CULTURAL RESOURCES .....</b>	<b>146</b>
4.13.1	Environmental Setting .....	146
4.13.2	Project Impacts.....	147
4.13.3	Mitigation Measures .....	148
4.13.4	Significance After Mitigation .....	149
<b>5.0</b>	<b>CUMULATIVE IMPACTS .....</b>	<b>151</b>
<b>6.0</b>	<b>GROWTH-INDUCING IMPACTS .....</b>	<b>155</b>
<b>7.0</b>	<b>PROJECT ALTERNATIVES .....</b>	<b>157</b>
7.1	NO PROJECT .....	157
7.2	ALTERNATIVE FINANCING.....	158
7.3	CHANGE THE PROJECT AREA .....	158
<b>8.0</b>	<b>ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WILL BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED.....</b>	<b>161</b>
<b>9.0</b>	<b>EFFECTS FOUND NOT TO BE SIGNIFICANT .....</b>	<b>163</b>
<b>10.0</b>	<b>ORGANIZATIONS AND PERSONS CONSULTED .....</b>	<b>165</b>

<b>11.0</b>	<b>RESPONSE TO COMMENTS.....</b>	<b>169</b>
11.1	INTRODUCTION TO THE RESPONSES TO COMMENTS.....	169
11.2	INDEX OF WRITTEN COMMENTS RECEIVED ON THE DRAFT PROGRAM EIR.....	169
11.3	RESPONSES TO COMMENTS.....	169
<b>12.0</b>	<b>MITIGATION MONITORING AND REPORTING PROGRAM.....</b>	<b>198</b>
12.1	Introduction.....	198
12.2	Project Overview.....	198
12.3	Monitoring and Reporting Procedures.....	198
	Land Use/Planning.....	200
	Geology/Soils.....	201
	Hydrology/Drainage and Water Quality.....	201
	Traffic and Circulation.....	202
	Aesthetics.....	203
	Noise.....	203
	Air Quality.....	203
	Police Protection.....	209
	Fire Protection.....	210
	School Facilities.....	210
	Wastewater Service.....	211
	Hazards and Hazardous Materials.....	212
	Population, Housing and Employment.....	212
	Recreation.....	213
	Cultural Resources.....	213
<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	OVERVIEW.....	1
1.2	DEFINITIONS.....	1
1.3	BRIEF PROJECT DESCRIPTION.....	3
1.4	STATUTORY AUTHORITY.....	4
1.5	ISSUES TO BE ADDRESSED.....	5
1.6	ORGANIZATIONS AFFILIATED WITH THE PROJECT.....	5
1.7	IMPACTS FOUND NOT TO BE SIGNIFICANT.....	5
<b>2.0</b>	<b>EXECUTIVE SUMMARY.....</b>	<b>7</b>
2.1	PROJECT ENVIRONMENTAL SUMMARY.....	7
2.2	PROJECT ALTERNATIVES.....	24
2.3	AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED.....	25
2.4	SCOPING MEETING.....	26
<b>3.0</b>	<b>PROJECT DESCRIPTION.....</b>	<b>27</b>

3.1	<u>PROJECT LOCATION AND BOUNDARIES</u>	27
3.2	<u>ENVIRONMENTAL SETTING</u>	27
3.3	<u>PLAN AMENDMENT COMPONENTS</u>	33
3.4	<u>THE INTENDED USE OF THIS PROGRAM EIR</u>	36
3.5	<u>PROJECT OBJECTIVE</u>	37
<b>4.0</b>	<b><u>ENVIRONMENTAL SETTING, PROJECT IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION</u></b>	<b>39</b>
4.1	<u>LAND USE</u>	39
4.1.1	<u>Environmental Setting</u>	39
4.1.2	<u>Project Impacts</u>	46
4.1.3	<u>Mitigation Measures</u>	51
4.1.4	<u>Significance After Mitigation</u>	52
4.2	<u>GEOLOGY/SOILS</u>	53
4.2.1	<u>Environmental Setting</u>	53
4.2.2	<u>Project Impacts</u>	60
4.2.3	<u>Mitigation Measures</u>	64
4.2.4	<u>Significance After Mitigation</u>	64
4.3	<u>HYDROLOGY/DRAINAGE AND WATER QUALITY</u>	65
4.3.1	<u>Environmental Setting</u>	65
4.3.2	<u>Project Impacts</u>	67
4.3.3	<u>Mitigation Measures</u>	71
4.3.4	<u>Significance After Mitigation</u>	71
4.4	<u>TRAFFIC AND CIRCULATION</u>	72
4.4.1	<u>Environmental Setting</u>	72
4.4.2	<u>Project Impact</u>	78
4.4.3	<u>Mitigation Measures</u>	81
4.4.4	<u>Significance After Mitigation</u>	82
4.5	<u>AESTHETICS</u>	83
4.5.1	<u>Environmental Setting</u>	83
4.5.2	<u>Project Impacts</u>	84
4.5.3	<u>Mitigation Measures</u>	86
4.5.4	<u>Significance After Mitigation</u>	86
4.6	<u>NOISE</u>	87
4.6.1	<u>Environmental Setting</u>	87
4.6.2	<u>Project Impact</u>	88
4.6.3	<u>Mitigation Measures</u>	90
4.6.4	<u>Significance After Mitigation</u>	91
4.7	<u>AIR QUALITY</u>	91
4.7.1	<u>Environmental Setting</u>	91
4.7.2	<u>Project Impacts</u>	94
4.7.3	<u>Mitigation Measures</u>	96
4.7.4	<u>Significance After Mitigation</u>	97
4.8	<u>PUBLIC SERVICES</u>	99
4.8.1	<u>Water Service</u>	99
4.8.1.1	<u>Environmental Setting</u>	99
4.8.1.2	<u>Project Impacts</u>	100
4.8.1.3	<u>Mitigation Measures</u>	101
4.8.1.4	<u>Significance After Mitigation</u>	102
4.8.2	<u>Police Protection</u>	102
4.8.2.1	<u>Environmental Setting</u>	102
4.8.2.2	<u>Project Impacts</u>	102
4.8.2.3	<u>Mitigation Measures</u>	103
4.8.2.4	<u>Significance After Mitigation</u>	104
4.8.3	<u>Fire Protection</u>	104

4.8.3.1	Environmental Setting	104
4.8.3.2	Project Impacts	104
4.8.3.3	Mitigation Measures	106
4.8.3.4	Significance After Mitigation	106
4.8.4	School Facilities	106
4.8.4.1	Environmental Setting	106
4.8.4.2	Project Impacts	107
4.8.4.3	Mitigation Measures	108
4.8.4.4	Significance After Mitigation	109
4.8.5	Wastewater Service	109
4.8.5.1	Environmental Setting	109
4.8.5.2	Project Impacts	110
4.8.5.3	Mitigation Measures	112
4.8.5.4	Significance After Mitigation	112
4.9	HAZARDS AND HAZARDOUS MATERIALS	113
4.9.1	Environmental Setting	113
4.9.2	Project Impacts	116
4.9.3	Mitigation Measures	118
4.9.4	Significance After Mitigation	119
4.10	POPULATION, HOUSING, AND EMPLOYMENT	120
4.10.1	Environmental Setting	120
4.10.2	Project Impacts	129
4.10.3	Mitigation Measures	132
4.10.4	Significance After Mitigation	133
4.11	RECREATION	134
4.11.1	Environmental Setting	134
4.11.2	Project Impacts	136
4.11.3	Mitigation Measures	138
4.11.4	Significance After Mitigation	138
4.12	BIOLOGY RESOURCES	139
4.12.1	Environmental Setting	139
4.12.2	Project Impacts	139
4.12.3	Mitigation Measures	140
4.12.4	Significance After Mitigation	140
4.13	CULTURAL RESOURCES	141
4.13.1	Environmental Setting	141
4.13.2	Project Impacts	142
4.13.3	Mitigation Measures	143
4.13.4	Significance After Mitigation	144
5.0	CUMULATIVE IMPACTS	145
6.0	GROWTH INDUCING IMPACTS	148
7.0	PROJECT ALTERNATIVES	150
7.1	NO PROJECT	150
7.2	ALTERNATIVE FINANCING	151
7.3	CHANGE THE PROJECT AREA	151
8.0	ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WILL BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED	154
9.0	EFFECTS FOUND NOT TO BE SIGNIFICANT	156
10.0	ORGANIZATIONS AND PERSONS CONSULTED	157

## LIST OF APPENDICIES

### Appendix

- A - Initial Study/Notice of Preparation
- B - Notice of Preparation Responses
- C - Airport Land Use Commission of Orange County Letter
- D - City Of Garden Grove Agency For Community Development Relocation Guidelines
- E - City Of Anaheim Cumulative Projects
- F - Notice of Availability
- G - Comments Received to the Redevelopment Plan Amendment Draft Program Environmental Impact Report

## LIST OF FIGURES

<u>Figure</u>		<u>Page</u>
1.	Regional Location Map.....	3128
2.	Project Area Map .....	3229
3.	Aerial Photo .....	3330
4.	Aerial Photo .....	3431
5.	U.S.G.S. Topography Map .....	3532
6.	Planning Areas .....	4844
7.	Selected Active and Potentially Active Faults in Southern California.....	5754
8.	Fault Splays of the Pelican Hill Fault Zone.....	5855
9.	Liquefaction Susceptibility Map.....	6358
10.	Dynamic Settlement Map .....	6459
11.	Truck Routes.....	8176
12.	Master Plan of Bikeway Facilities.....	8277
13.	Master Plan of Drainage .....	197

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

## 1.0 INTRODUCTION

### 1.1 OVERVIEW

This Final Program Environmental Impact Report (FPEIR) has been prepared for the Garden Grove Agency for Community Development (“Agency”) to evaluate the potential environmental impacts that could occur with the adoption and implementation of the proposed Amendment to the Redevelopment Plan for the Garden Grove Community Project Area referred to herein as the “Amendment” or “Garden Grove Redevelopment Plan Amendment”. Capitalized terms used in this EIR are defined in Section 1.2 below. The Final Program EIR has been prepared in compliance with the California Environmental Quality Act, including Sections 15088, 15089, and 15132. The Agency has prepared responses to comments received to the Draft Program EIR, which was available for a 45-day public review from April 9, 2002 to May 23, 2002.

To assist the reviewer in identifying changes to the Draft Program EIR, additions are *underlined*, and deletions are indicated by *strikeout*. Some changes to the text of the EIR were made during the public review period and are not related directly to the comments received, but all such changes are in the nature of clarification and/or amplification, and do not represent significant new information which would require recirculation of the EIR document. Additionally, two sections have been incorporated into the Draft Program EIR to create the Final Program EIR. The two added sections include: Section 11.0 Response to Comments; and Section 12.0 Mitigation Monitoring and Reporting Program. Two appendices have also been included that relate to these two added sections.

Development within the Project Area (Existing and Added) will occur in accordance with the City of Garden Grove General Plan Update adopted by the City of Garden Grove on October 24, 1995. A Final Environmental Impact Report that identified the potential environmental effects associated with build-out of the city consistent with the General Plan Update was certified by the City of Garden Grove on October 24, 1995. In addition, the City also certified a Final EIR for the Riverwalk Entertainment Retail Complex on September 8, 1998 that addressed potential environmental effects of the development of the proposed Riverwalk Entertainment/Retail Complex project. Environmental impacts and mitigation measures included in the Final Riverwalk Entertainment/Retail Complex project are applicable to potential impacts associated with potential future development under the proposed Amendment. The City of Garden Grove General Plan Update, General Plan Update EIR, and the Riverwalk Entertainment/Retail Complex EIR are incorporated by reference into this Program EIR. In addition, this Program EIR incorporates by reference the Draft Preliminary Report dated March 2002 for information regarding the Plan. As the Agency moves forward with development in the Project Area as proposed to be amended by the Amendment, these documents will be referenced as necessary to identify potential environmental effects and applicable mitigation measures in compliance with CEQA.

As specific individual projects are defined and more detailed information about each project becomes available in the future and throughout the life of the Plan, additional environmental documentation may be required by the Agency or the City of Garden Grove as required by the California Environmental Quality Act (CEQA).

## 1.2 DEFINITIONS

The following bold and capitalized terms shall have the following meanings unless the context in which they are used clearly requires otherwise:

**“Added Territory”** means the new area proposed to be made a part of the Amended Project Area. The Added Territory contains 195 acres.

**“Agency”** means the Garden Grove Agency for Community Development.

**“Agency Board”** means the Board of Directors of the Agency. The members of the Agency Board are also members of the City Council.

**“Amended Project”** means the Garden Grove Community Project after it has been amended by the Amendment.

**“Amended Project Area”** means the territory contained within both the Original Project Area and the Added Territory.

**“Amended Redevelopment Plan”** means the Original Redevelopment Plan as it has been amended by the Amendment.

**“Amendment”** means the process of amending the Original Redevelopment Plan.

**“City”** means the City of Garden Grove and consists of approximately 17.93 square miles (11,475 acres).

**“City Council”** means the City Council of the City. The members of the City Council are also members of the Agency Board.

**“County”** means the County of Orange, California.

**“Deterioration or physical deterioration”** means the cumulative and deleterious effects of wear and tear on a structure. Such deterioration may be the result of use or excessive use of a structure over time, or of the effects of the elements on a structure, which use or effects have not been rectified through a program of ongoing and adequate maintenance. Deterioration includes both conditions of “dilapidation” and “deterioration” as set forth in CCRL Section 33031(a)(1).

**“Draft EIR”** means the Draft Environmental Impact Report prepared for the Amendment.

**“General Plan”** means the general plan of the City, adopted October 24, 1995, as it may be amended from time to time.

**“LMI Fund”** means the Low and Moderate Income Fund of the Agency established pursuant to CCRL Section 33334.3 as it presently exists and as it may be increased or decreased by future Agency actions.



**“Obsolete”** means no longer useful or functioning (see also definitions of functional and external obsolescence).

**“Original Project”** means the Garden Grove Community Project as it has been amended from time to time.

**“Original Project Area”** means the territory contained within the Original Project as well as all territory added to it by amendments to the Original Redevelopment Plan.

**“Original Redevelopment Plan”** means the Redevelopment Plan for the Original Project as it has been amended prior to the adoption of the Amended Redevelopment Plan.

**“Planning Commission”** means the Planning Commission of the City.

**“State”** means the State of California.

**“Substandard Building”** or **“Substandard”** means any deleterious condition in, on, or around a building or a portion thereof, including but not necessarily limited to, conditions as defined in Chapter 10, Substandard Buildings, of the Uniform Housing Code.

**“Tax Increment”** means the funds allocated to the Agency from either the Original Project Area or the Added Territory or both of them pursuant to Section 33670 of the CCRL.

**“Zoning Ordinance”** means the zoning ordinance of the City in effect at the time of the adoption of the Amended Redevelopment Plan and as it may be amended from time to time. The Zoning Ordinance is codified as Title 9 of the City's Municipal Code.

### 1.3 BRIEF PROJECT DESCRIPTION

The Agency proposes to encourage both public and private rehabilitation and development in the Garden Grove Community Project Area to reduce and eliminate blight. The Project Area includes the territory of the existing Garden Grove Community Project Area as initially adopted by the City Council of Garden Grove by Ordinance No.1388 in 1974. The Original Project has been amended twelve times. The proposed Amendment includes the Existing Project Area, and also includes the territory being added to the Garden Grove Community Project Area by the Amendment, which territory is referred to as the Added Territory. The Amendment will add approximately 195 acres to the Garden Grove Community Project Area through the addition of nine sub-areas, comprising the Added Territory, which are referred to as sub-areas “B”, “E”, “F”, “G”, “H”, “I”, “J”, “K”, and “L”<sup>1</sup>. The Amendment includes the addition of the Added Territory to the Garden Grove Community Project Area and the restatement of the Redevelopment Plan for the Garden Grove Community Project in its entirety.

---

<sup>1</sup> Sub-areas “A”, “C”, and “D” were deleted.

The Amendment will allow the Agency to collect tax increment from the Added Territory for a period of 45 years from the effective date of Amendment adoption. The Amendment will provide the Agency the authority to use eminent domain when necessary to acquire property in the Added Territory for the benefit of the community during the first twelve years after the adoption of the Amendment, until the year 2014. The Amendment will also extend the time for the Agency to acquire property by eminent domain in the Existing Project Area for an additional twelve years ~~from the date commencing from~~ on July 2004, the end of the existing 12-year term under the existing Plan. The Amendment will also eliminate the existing time limits to incur indebtedness provided in the Existing Plan, pursuant to authority provided under SB211, which became effective on January 1, 2002. A more detailed description of the Amendment and related actions are discussed in the Project Description section of this Program EIR.

#### 1.4 STATUTORY AUTHORITY

Health and Safety Code Section 33352 requires “Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing all of the following.” The one requirement of Section 33352, relating to the environmental document, is subsection (k) that states, “The report required by Section 21151 of the Public Resources Code.” California Public Resources Code 21151(a) states, “All local agencies shall prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on any project that they intend to carry out or approve which may have a significant effect on the environment. When a report is required by Section 65402 of the Government Code, the environmental impact report may be submitted as a part of that report.”

In addition, Section 15180 of the CEQA Guidelines states “(a) All public and private activities or undertakings pursuant to or in furtherance of a redevelopment plan constitute a single project, which shall be deemed approved at the time of adoption of the redevelopment plan by the legislative body. The EIR in connection with the redevelopment plan shall be submitted in accordance with Section 33352 of the Health and Safety Code; (b) An EIR on a redevelopment plan shall be treated as a program EIR with no subsequent EIR’s required for individual components of the redevelopment plan unless a subsequent EIR or a supplement to an EIR will be required by Section 15162 or 15163.”

This Final Program EIR has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq. and as allowed by the CEQA Guidelines, Administrative California Code of Regulations Title 14, Chapter 3, Section 15000 et seq. Based on Section 15168(a), a Program EIR may be prepared on a series of actions that can be characterized as one large project and are related either: geographically; as logical parts in the chain of contemplated actions; in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. -Therefore, a Draft Program EIR was prepared for the proposed Amendment as authorized by Health and Safety Code Section 33352 and CEQA Guidelines Section 15180.

This Final Program EIR responds to comments received on the Draft PEIR during its mandated 45-day public review period and provides additional technical information. The additional information

included in this Final Program EIR augments the information and/or technical analysis contained in the Draft Program EIR. The Draft Program EIR examined the direct, indirect, and cumulative environmental impacts associated with the Amendment.

The State CEQA Guidelines codified in the California Code of Regulations (CCR) require the Agency to consider all public and agency comments received on the Draft PEIR in its decision making process. In accordance with Section 15088(a) of the State CEQA Guidelines:

The Lead Agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

In accordance with Section 15132 of the State CEQA Guidelines, the Final EIR shall consist of:

- a. The Draft EIR or a revision of the draft.
- b. Comments and recommendations received on the Draft EIR either verbatim or in summary.
- c. A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- e. Any other information added by the lead agency.

The Garden Grove Agency for Community Development is the Lead Agency for the preparation of the Final Program EIR. This Final Program EIR has been subjected to the Agency's own review and analysis and reflects the independent judgment of the Agency. An Initial Study was prepared for the proposed Amendment. After preparation, the Initial Study and Notice of Preparation (NOP) were mailed to various Responsible, Taxing, and Trustee Agencies, County of Orange County Clerk, State Clearinghouse, and interested persons for a 30-day review that ended October 9, 2001. The Initial Study was mailed September 10, 2001. Copies of the Initial Study and Notice of Preparation are included as Appendix A of this Program EIR. A list of organizations and persons who received copies of the Initial Study and Notice of Preparation is included as Section 10.0 of this Program EIR. Letters received by the public agencies who responded to the Notice of Preparation are included in Appendix B of this document.

## **1.5 ISSUES TO BE ADDRESSED**

The environmental issues addressed in this Final Program EIR have been determined based on the completion of the Initial Study and correspondence with public agencies, organizations, and individuals through the Notice of Preparation, ~~and~~ Initial Study, and Draft Program EIR review and comment process. The issues addressed in this Final Program EIR include the evaluation of potential environmental impacts on: Aesthetics; Air Quality; Cultural Resources; Geology/Soils; Hydrology/Water Quality; Transportation/Traffic; Public Services/Utilities/Service Systems; Land Use; Hazards and Hazardous Materials; Population and Housing; Recreation; and Noise. In addition, this Final Program EIR addresses all other sections as required by CEQA.

## 1.6 ORGANIZATIONS AFFILIATED WITH THE PROJECT

The organizations listed below are affiliated with the project in the capacities indicated.

Lead Agency/Applicant: Garden Grove Agency for Community Development  
Ms. Susan Emery, Redevelopment Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842  
(714) 741-5148

Responsible Agency: City of Garden Grove  
Mr. Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842  
(714) 741-5312

Redevelopment Consultant: Mr. Jon Huffman  
Urban Futures Incorporated  
3111 North Tustin, Suite 230  
Orange, CA 92865-1753  
(714) 283-9334

Environmental Consultant: Mr. Phil Martin  
Laguna Pacific Environmental, Inc.  
100 Pacifica, Suite 250  
Irvine, CA 92618  
(949) 788-4900

## 1.7 IMPACTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the CEQA Guidelines requires the EIR to ~~must~~ identify those impacts found not to be significant in the Initial Study process as well as the EIR process, accompanied by a brief explanation of why these impacts were found insignificant. Reference is made to the Initial Study in Appendix A and to appropriate topical areas of this Program EIR for information on those impacts found not to be significant.

Based on completion of ~~the an~~ Initial Study and Notice of Preparation the Amendment was found not to have the potential to impact the following environmental factors disciplines were identified as not having the potential to be impacted with adoption and implementation of the proposed Garden Grove Redevelopment Plan Amendment: energy; and mineral resources. A copy of the completed Initial Study and associated explanations as to why these environmental factors disciplines would not be impacted by the adoption and implementation of the Amendment is included as Appendix A of

this document. These environmental factors disciplines are not otherwise addressed in this Draft Program EIR.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

## **2.0 EXECUTIVE SUMMARY**

### **2.1 PROJECT ENVIRONMENTAL SUMMARY**

The purpose of the project summary is to provide the reader with a summary of the potential environmental project impacts and suggested mitigation measures, if any, that may be associated with adoption and implementation of the proposed Amendment. Since this is only a summary, it is suggested the reader refer to the text of this document for a complete discussion of potential project impacts, issues, and proposed mitigation measures. The summary of the potential project impacts and recommended mitigation measures as discussed in the Program EIR is presented below.

#### **Project Summary**

### **1.0 LAND USE/ PLANNING**

#### **Project Impacts**

The Amendment conforms to the General Plan and does not represent a change from land uses designated in the General Plan. The Amendment incorporates the General Plan by reference and will not result in any development, change of land use, or change of zoning designations upon its adoption. The adoption and implementation of the Amendment will not directly have any significant land use impacts in either the Existing or Added Territory based on the land use threshold criteria. The City or Agency, as appropriate, will evaluate potential impacts as specific projects pursuant to the Amendment are proposed and carried out and project details are known and will ensure conformity with the General Plan.

The Amendment will provide the Agency the authority to acquire and assemble property by negotiation and the use of eminent domain, if necessary to assist in implementation of public programs and projects, including public/private development projects. Assistance by the Agency can include demolishing existing blighted buildings, constructing new buildings, upgrading buildings to meet current building, fire, and uniform codes, etc. The adoption and implementation of the Amendment will have positive land use impacts through the Agency's ability to assist the private sector to upgrade and improve both the economic and physical viability of the Existing and Added Territory. There will not be any significant land use impacts with the adoption and implementation of the Amendment because all development in the Project Area must be consistent with the General Plan and City policies regarding design, architecture, landscaping, etc. The development anticipated to occur in the Project Area due to the adoption and implementation of the Amendment will be beneficial to the community from a land use standpoint.

The adoption and implementation of the Amendment could encourage and result in the development of mixed-use in sub-area I, which presently consists of single-family detached homes. The development of mixed use in sub-area I will permit a mix of residential, office, commercial and industrial uses which potentially result in land use incompatibilities, including an increased possibility for exposure of residents and other sensitive receptors to noise, increased traffic, hazardous substances or other undesirable effects. This is considered

a potentially significant impact, but reduced to a less than significant level with mitigation. The required relocation of any individuals or families due to the development of Agency sponsored projects will be in conformance with the Agency's Relocation Assistance Guidelines and California Relocation Assistance Law.

### **Mitigation Measures**

The following measures are recommended to reduce potential mixed-use land use incompatibilities to less than significant.

1. Residential uses should only be developed in locations where residents will not be exposed to substantial hazards, nuisances, and other land use incompatibilities. The City shall use the environment review process to ensure the compatibility of uses within Mixed Use areas, through the environmental review process, mitigation, if necessary, shall be required.
2. In its decision to approve or deny an application for a development application permit or conditional use permit, the City shall consider the proposed use's potential to cause land use conflicts or compatibilities with nearby sensitive uses. Uses can be considered to have the potential to cause land use conflicts if their operation would result in the generation of excessive noise, odors, hazards, light and glare, late-night activities, high traffic levels, or other undesirable effects or activities. Sensitive uses include residential, schools, childcare, hospitals and medical facilities, congregate care, convalescent homes, libraries and similar facilities.
3. If it is determined that a proposed use has the potential to cause land use conflicts or incompatibilities, measures shall be taken to reduce or eliminate any potential nuisances or hazards in order to protect sensitive uses. Possible design measures include increased setbacks, perimeter barriers and buffers, adequate landscaping for screening, and cut-off exterior lighting fixtures. Other possible measures include limited hours of operation, limitation of activities, which present a potential nuisance or hazard, and limitations on the type and quantity of materials used or stored at the site. Proposed site plans and building plans should be examined to determine if the physical arrangement of facilities could be altered to reduce or eliminate potential problems. Items to be examined should include setbacks, landscaping, signs, site access and parking, exterior lighting, perimeter walls and fences, location of loading areas, building orientation, and location of equipment and storage. In some cases, minimum distance requirements may need to be established between incompatible uses.

### **Significance After Mitigation**

No significant land use impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.



## **2.0 GEOLOGY/SOILS**

### **Project Impacts**

The adoption and implementation of the Amendment could have significant soil erosion impacts associated with the construction of public or private projects in the Project Area. The effects of potential wind and water erosion during construction include the generation of dust due to wind and soil erosion and siltation due to rain. Depending upon the project, length of construction and the measures that are incorporated into the project, soil erosion impacts could be significant. Development in the Project Area could also be impacted by liquefaction and lateral spreading. Specific geotechnical impacts, including liquefaction and lateral spreading, that may be associated with the construction of future public and private development will be evaluated in detail at the time development plans are submitted to the City or Agency, as appropriate, for approval. The City has programs to implement the geologic and seismic policies of the General Plan and protect property and residents from geologic hazards. Two policies applicable to new or redevelopment in the Project Area include: 1) promote seismic safety in new and existing buildings and structures; 2) where mandated or practical, require site specific dynamic settlement studies for significant development projects proposed within the high dynamic settlement susceptibility zone. Require mitigation of the hazard of dynamic settlement to the satisfaction of the responsible agencies. Implementation of the existing City programs relative to the geologic and seismic constraints associated with development in the Project Area will reduce potential impacts to a level of insignificance.

### **Mitigation Measures**

The following mitigation measures are recommended to reduce potential soil erosion, liquefaction, and lateral spreading impacts associated with the construction of projects in the Project Area.

1. The City or Agency, as appropriate, shall require all projects to provide soil erosion measures to reduce and minimize wind and water erosion. The City or Agency, as appropriate, shall require the incorporation of all applicable soil and water erosion measures into both private and public projects to reduce potential wind and water erosion impacts. The incorporation of soil erosion control measures will minimize wind and water erosion impacts.
2. A soils and geotechnical report shall be approved by the City for all public and private projects prior to the issuance of grading or building permits, whichever is issued first. The soils and geotechnical report will identify the types of soil on the site and determine if the soil can safely support the proposed development.

### **Significance After Mitigation**

No significant geology/soils impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

### **3.0 HYDROLOGY/DRAINAGE AND WATER QUALITY**

#### **Project Impacts**

The adoption and implementation of the Amendment is anticipated to encourage new development in the Project Area that could impact water quality due to erosion and/or siltation during and after project construction. Redevelopment could also significantly impact the ability of existing City and County (Orange County Flood Control District and County of Orange) storm drain facilities to handle increased surface water flows. If upgrades and improvements to existing facilities are required within Orange County Flood Control District or County right-of-way, the appropriate encroachment permits will have to be obtained from OCFCD and/or the County. Any drainage improvements that are required to be constructed in Caltrans right-of-way must comply with Caltrans' Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ). Construction in the Caltrans right-of-way would also require an encroachment permit. The adoption of the Amendment will allow the Agency, as appropriate, to construct needed storm drain and storage improvements that will have positive impacts by improving the ability of existing storm drain facilities to better serve the Project Area. The Amendment will also encourage new private development in the Project Area that will generate increased amounts of surface water due to a decrease of permeable surfaces. Surface water quality impacts could occur during and after construction of public and private development projects. The National Clean Water Act requires a National Pollutant Discharge Elimination System (NPDES) permit for storm water runoff from construction sites of five acres or more. For all applicable projects, a NPDES permit for discharge of runoff to surface waters will be required from the State Water Resources Control Board through the Regional Water Quality Control Board (RWQCB). The discharge of water can be associated with, but not limited to, dewatering during construction, dredging activities or storm water runoff from construction sites and/or facilities that use hazardous materials. All development plans will be reviewed by the City or Agency, as appropriate, for potential surface water runoff and other hydrology and water quality impacts and require the construction of improvements or other measures necessary to protect people and property from flooding.

#### **Mitigation Measures**

The following mitigation measures are recommended to reduce hydrology, drainage and water quality impacts associated with new development to a level of insignificance:

1. All development projects as determined by the City's Public Works Department shall prepare a preliminary hydrology study to determine whether or not the existing storm drain system serving the project has capacity to handle the runoff from the proposed development project on the subject site.
2. All projects shall comply with all applicable State NPDES requirements including the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies the Best Management Practices (BMP's) that must be incorporated into the project to reduce or eliminate urban pollutants from entering local surface waters.

3. Construction in Caltrans, County, or Orange County Flood Control District right-of-way shall be required to obtain an encroachment permit prior to the start of construction.

### **Significance After Mitigation**

No significant hydrology, drainage or water quality impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## **4.0 TRAFFIC AND CIRCULATION**

### **Project Impacts**

The adoption and implementation of the Amendment could indirectly have significant traffic or circulation impacts. The construction of public and private development projects in the Project Area could result in potential traffic or circulation impacts due to increased traffic. The City or Agency, as appropriate, will evaluate all public and private projects at the time development plans are submitted for approval. If potential traffic impacts are identified, measures will be required to mitigate the impacts. Since future development in the Project Area must be consistent with the General Plan, traffic impacts due to new or redevelopment in the Project Area would not be any greater than the impacts identified in the General Plan Update Final EIR. The General Plan includes a list of traffic improvements that when completed would reduce traffic impacts to acceptable levels, except two intersections. The intersections that would not have levels of service at acceptable levels are Harbor Boulevard/Trask Avenue and Fairview Street at SR-22. These two intersections would continue to have unacceptable service levels after mitigation. The Amendment allows the Agency to construct needed traffic improvements as monies from the Project Area become available. If the Agency is able to assist the City in the construction of needed street and circulation improvements, the Amendment will have positive impacts to the local traffic and circulation system by improving traffic flow and reducing congestion.

### **Mitigation Measures**

Upon evaluation of specific redevelopment projects by the Agency or City, as appropriate, if potential significant impacts are determined to exist as described above, the following mitigation measures shall be implemented where appropriate:

1. The City or Agency, as appropriate, shall review all projects for potential traffic and circulation impacts, including safety and congestion, when submitted for approval. A traffic analysis shall be prepared to evaluate the potential traffic and circulation impacts when the City or Agency, as appropriate, determines a project could have significant traffic or circulation impacts.

2. The City or Agency, as appropriate, shall require all projects to change, modify or incorporate measures accordingly to reduce identified significant traffic and circulation impacts to a level of less than significant.

### **Significance After Mitigation**

There will be no significant traffic and circulation impacts with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## **5.0 AESTHETICS**

### **Project Impacts**

Based on the threshold criteria the adoption and implementation of the Amendment will not result in significant aesthetic impacts. The construction of new projects and redevelopment of existing property must be in compliance with all applicable community design features, including architecture and site features, landscaping, streetscape, signage, and all other city required design features to reduce and minimize aesthetic impacts. Site development plans for public or private improvement projects that could be anticipated to be constructed under the Amendment have not been proposed nor prepared. Therefore, it is speculative to evaluate in detail the potential aesthetic impacts that may be associated with future projects. All projects will be reviewed by the Garden Grove Community Development Department or the Agency, as appropriate, and all applicable measures will be incorporated as appropriate to minimize and reduce potential aesthetic impacts associated with constructing streetscape and other improvement projects.

The adoption and implementation of the Amendment will encourage development and is anticipated to have positive aesthetic impacts by removing existing blighted and deteriorated buildings and replacing them with new buildings. The Amendment will encourage improvements in the Project Area that may not otherwise be completed by the private sector acting alone. Some of the projects that will improve the aesthetics of the Project Area include streetscape improvements, street furniture, intersection improvements, undergrounding overhead electrical and communication lines, gateway monuments, signage, etc.

### **Mitigation Measures**

The following mitigation measure is recommended to reduce potential aesthetic impacts that may be identified with future public and private projects developed in the Project Area.

1. As part of the review process for new projects, the City shall continue to evaluate projects for conformance with the policies, guidelines, and regulations contained in the Open Space/Conservation Element, Land Use Element, Community Design Element, and Zoning Ordinance.

### **Significance After Mitigation**

No significant aesthetic impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measure.

## **6.0 NOISE**

### **Project Impacts**

Based on the threshold criteria the adoption and implementation of the Amendment will allow the Agency to fund and assist the construction of private and public projects in the Project Area. Specific development plans are not available at this time for any of the public or private projects. Therefore, a detailed noise analysis cannot be conducted for any project at this time to determine whether or not future projects could have either short-term or long-term construction and/or operational noise impacts, respectively. Development in the Project Area consistent with the General Plan could have adverse noise impacts for those sensitive receptors that do not presently have adequate noise attenuation. The City or Agency, as appropriate, will review all projects for potential noise impacts when plans are submitted for approval. The City or Agency, as appropriate, will determine whether or not a project will potentially have any specific noise impacts, either short-term and/or long-term, and recommend changes to the project to reduce potential significant noise impacts for compliance with the City of Garden Grove Noise Ordinance.

### **Mitigation Measures**

Upon evaluation of specific redevelopment projects by the City or the Agency, as appropriate, if potential significant noise impacts are anticipated the following measure shall be implemented where appropriate:

1. The City or Agency, as appropriate, shall review all projects for potential noise impacts to determine if a project could have noise impacts that do not comply with the City's Noise Ordinance. If significant noise impacts are identified, proper measures as suggested by the City or Agency, as appropriate, to reduce noise levels in compliance with the City's Noise Ordinance shall be incorporated into the project.

### **Significance After Mitigation**

There will be significant traffic noise impacts indirectly associated with future development in the Project Area upon adoption and implementation of the Amendment even with incorporation of the recommended mitigation measure.

## **7.0 AIR QUALITY**

### **Project Impacts**

The adoption and implementation of the Amendment will allow the Agency to fund the construction of both public and private projects in the Project Area. Construction and operation of future projects that may be developed or redeveloped will have both short and long-term air emission impacts. The City or Agency, as appropriate, will evaluate all projects for potential air quality impacts when plans are submitted for approval. Measures to reduce air emissions will be incorporated when required to reduce significant air quality impacts for compliance with air emission thresholds enforced by South Coast Air Quality Management District (SCAQMD). The Amendment could indirectly cause or contribute to air quality violations that will conflict with SCAQMD air quality strategies due to the funding of development in the Project Area. Although all development must be consistent with the General Plan, the development of additional projects could have unavoidable adverse air quality impacts because the SCAQMD is non-attainment for ozone. The air basin is non-attainment for ozone because it does not meet state and federal threshold requirements for allowable ozone emissions. The Amendment could indirectly have significant adverse air quality impacts by funding the construction of public and private projects that exceed air emission thresholds in a basin that is non-attainment for ozone.

### **Mitigation Measures**

The following mitigation measures are recommended to reduce air emissions generated by development and redevelopment in the Project Area. While the following measures will serve to reduce air emissions typically associated with development activities, the measures are not all-inclusive. As new air emission reduction measures are identified in the future, the City or Agency, as appropriate, shall incorporate those air emission reduction measures into projects to further reduce air emissions. The following mitigation measures are recommended to reduce air emissions associated with projects that are anticipated to be developed in the Project Area:

1. Adherence to SCAQMD Rule 403, Fugitive Dust, as revised, which includes dust minimization measures such as daily watering of soils, application of non-toxic soils stabilizers, replacement of ground cover in disturbed areas as soon as possible, suspension of excavating and grading operations when wind speeds (or instantaneous gusts) exceed 25 miles per hour, and maintenance of a minimum two feet of freeboard on all trucks hauling dirt, sand, soil or other loose material.
2. Sweeping of local streets near the construction area.
3. Rinsing of wheels on construction vehicles prior to leaving construction area.
4. Paving of all construction access roads at least 100 feet onto the site from the main road.

5. Use of electricity from power poles rather than temporary diesel or gasoline powered generators.
6. Use of methanol, natural gas, propane, or butane powered on site mobile equipment rather than diesel or gasoline-powered equipment.
7. Encourage that all developments within the City with 100 employees or more develop a rideshare program as required under SCAQMD Regulation XV;
8. Encourage trip reduction plans to achieve 1.5 average vehicle ridership for businesses with less than 100 employees or multi-tenant worksites;
9. Encourage the use of low-emission fleet vehicles;
10. Encourage the use of satellite offices rather than regular worksites to reduce vehicle miles traveled;
11. Encourage on-site employee services such as cafeterias, banks, etc.;
12. Construct additional bus turnouts, passenger benches, or shelters as appropriate;
13. Require the construction of on-site bicycle facilities for all new non-residential developments; and
14. Require on-site truck loading zones for all new commercial and industrial developments.
15. Use of solar or low-emission water heaters in all new developments;
16. Use of energy efficient low-sodium parking lot lights in all new parking areas;
17. Use of lighting controls and energy-efficient lighting in all new developments; and
18. Require the increase of wall and attic insulation beyond Title 24 requirements in all new developments.
19. The City shall coordinate with SCAG to update and refine future population and housing projections to ensure consistency in air quality planning.
20. All projects shall be reviewed by the City or Agency, as appropriate, for potential air quality impacts.
21. The City or Agency, as appropriate, shall incorporate all applicable air emission reduction measures to reduce air emissions to comply with air emission thresholds adopted by the SCAQMD. In addition, the City or Agency, as appropriate, shall incorporate new short and long-term air emission reduction measures in the future as applicable to further reduce project air emissions.

### **Significance After Mitigation**

There will be unavoidable adverse air quality impacts indirectly associated with adoption and implementation of the Amendment even with incorporation of the recommended mitigation measures.

## **8.0 PUBLIC SERVICES**

- **Water Service**

### **Project Impacts**

Based on the threshold criteria, the adoption and implementation of the Amendment will not have any significant impact on the City's water supply or reduce the capacity of existing or planned water supply and distribution facilities. The City or Agency, as appropriate, will review all projects for potential water supply impacts at the time development plans are submitted for approval. At that time the City or Agency, as appropriate, will require the construction of new distribution facilities or upgrades to existing facilities to make sure the project has an adequate supply of water.

### **Mitigation Measures**

Since there have not been any significant water supply impacts identified with adoption and implementation of the Amendment, no mitigation measures are recommended.

### **Significance After Mitigation**

No significant water supply impacts are anticipated with adoption and implementation of the Amendment, therefore, no mitigation measures are recommended.

- **Police Service**

### **Project Impacts**

The Amendment could have an impact on police protection services. The Amendment will encourage development in the Project Area, which could generate additional calls for police protection services due to traffic violations, traffic accidents, break-ins, etc. However, the adoption and implementation of the Plan could have positive impacts on police services due to the construction of street improvements, which could reduce police response times. Reducing police response times would have a positive impact on police protection in the City. The construction of new buildings and the redevelopment of older buildings to include newer security hardware, security cameras, on-site security personnel, etc. would help to reduce service calls. In addition, the Police Department reviews all projects for potential police service impacts when submitted for approval and require measures as conditions of approval to improve the safety and security of the project. The incorporation of measures, which could include personnel, facilities, equipment, or security products to improve safety



and reduce police calls as conditioned by the Police Department, will reduce impacts to the Department. The need for additional police personnel and equipment will be assessed through the City's Capital Improvement Program and annual budget reviews. The Growth Management Element of the City of Garden Grove General Plan contains implementing actions, which address the provisions of public services, including law enforcement, as the City grows. These actions guide the expansion of police services, including personnel, equipment, and facilities, to meet demands of new development and an increased population. The City's development review process ensures the application of all relevant regulations, standards, and requirements for the provision of adequate services as development occurs. As part of the discretionary review process for new developments, evaluation of project-specific impacts on public services will be undertaken, including the preparation of environmental documents when needed.

### **Mitigation Measures**

There could be police protection impacts associated with development throughout the City, including the Project Area. The following mitigation measure is recommended to reduce potential police protection impacts of the Amendment to less than significant.

1. The need for additional police services such as personnel and facilities shall be monitored and mitigated during the discretionary review process for future development projects.

### **Significance After Mitigation**

No significant police protection impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measure.

- **Fire Protection**

### **Project Impacts**

The Amendment would have significant impacts to fire protection services due indirectly to new development within the Project Area. New development and redevelopment of existing uses would increase the need for fire protection services including personnel, equipment, and facilities. The Amendment would have positive impacts on the Fire Department if the Agency is able to construct needed water supply facilities in the Project Area necessary to provide the Fire Department improved fire flow in local areas where upgraded fire flow is necessary. Although the City has an adequate water supply available to serve new development, some areas need water infrastructure upgrades for required fire flow. The adoption and implementation of the Plan could have positive impacts on fire protection services with the construction of needed street improvements, which could reduce Fire Department response time to emergencies. The Fire Department has established requirements for site and building design that improve fire safety as well as the Fire Department's ability to provide emergency services. The City has standard conditions, which include provisions to facilitate fire protection services within the City. All

development must be in compliance with fire and building codes and compliance with the codes will reduce future calls for fire protection services.

There are no aspects of the Plan that would interfere with emergency response or access plans. The construction by the Agency of needed public infrastructure would have positive impacts if the improvements allow faster and safer evacuation of people and emergency vehicles and reduce response times.

### **Mitigation Measures**

There could be fire protection impacts associated with development throughout the City, including the Project Area. The following mitigation measures are recommended to reduce potential fire protection impacts of the Amendment to less than significant.

1. Ongoing coordination with the Fire Department during review of development proposals shall be required to ensure that adequate fire protection, facilities, staffing and equipment are available to meet anticipated needs.
2. The City shall continue to require developers, at the time of issuance of building permits, to participate in the City-wide ~~fire protection~~ developer impact fee program, including fire protection.

### **Significance After Mitigation**

No significant fire protection impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

- **School Facilities**

### **Project Impacts**

The City is served by the Garden Grove Unified School District, Anaheim Union High School District, Huntington Beach Union High School District, Orange Unified School District, Westminster School District, and Anaheim City School District. The adoption and implementation of the Amendment would have an impact on the public schools K-12 that presently serve the Project Area if additional students are generated to overcrowded schools.

Since most or all of the schools that presently serve the Project Area are overcrowded, the generation of additional students would impact those schools. School districts collect developer fees and receive tax increment revenue from pass-through agreements that are currently in effect and per Section 33607.5 will receive additional tax increment payment from the Added Territory that are used to provide additional classrooms as needed.

### **Mitigation Measures**

There could be school impacts with development in the Project Area. The following mitigation measures are recommended to reduce potential school impacts to less than

significant.

1. The City shall continue to include the appropriate school districts in the State mandated review of tentative tract maps to help ensure that adequate school facilities and services are planned and provided.
2. The City shall continue to require developers to contribute their fair share of State mandated school impact fees.
3. The City shall continue to work with the school districts and developers to facilitate the development of school facilities to accommodate growth and ensure that the districts can meet future needs; to this end, facilitate the re-opening of schools (which have been closed and used for other purposes) as necessary to accommodate increases in student populations.
4. The Agency shall continue to make pass-through payments pursuant to the existing tax sharing agreements and shall make all additional statutory payments required by Section 33607.5 due to the Amendment.

#### **Significance After Mitigation**

There will be no significant school impacts with adoption and implementation of the Amendment, and incorporation of the recommended mitigation measures.

- **Wastewater Service**

#### **Project Impacts**

The adoption and implementation of the Amendment would not have any significant wastewater collection or treatment plant capacity impacts. Development of the City under the current general plan would not impact the regional wastewater collection facilities that serve the City based on the wastewater analysis that is provided in the City of Garden Grove 1995 General Plan Update EIR. Per the General Plan EIR, the existing City and District wastewater collection systems have capacity to serve build-out of the General Plan. However, there are local wastewater collection facilities that need to be upgraded or replaced to serve new development. New development could impact the local wastewater collection system, which could require upgrades to the local system. Some industrial uses could also generate wastewater that could impact the OCSD treatment plant in terms of the quality of the wastewater. Although specific wastewater discharge thresholds must be met, wastewater from some types of commercial or industrial uses could exceed those standards. Overall the existing Garden Grove Sanitary District (GGSD) system and the Orange County Sanitation District (OCSD) regional collection and wastewater treatment plant have adequate capacity to serve new development in the Project Area. The Amendment will have positive impacts on the wastewater collection facilities serving the Project Area if the Agency is able to construct needed local wastewater collection facilities to serve new development. Should new private development need upgraded wastewater collection facilities, the developer would be required to construct the needed local wastewater collection facilities and as a

result, new development would not impact City wastewater collection facilities. The City or Agency, as appropriate, will require all new development to provide adequate wastewater collection facilities as part of the project.

### **Mitigation Measures**

Although the Amendment is not anticipated to have any significant wastewater impacts, the following measures are recommended to minimize wastewater generation in the Project Area and ensure as much as possible that wastewater discharge meets all applicable regulations.

1. The City shall require that all applicable state and local water conservation measures be incorporated into all projects to reduce wastewater flows as much as feasible.
2. The City shall require the incorporation of all applicable and feasible measures into commercial and industrial projects to reduce the strength of wastewater equal to required standards, or less when feasible.

### **Significance After Mitigation**

There will be no significant wastewater facilities impacts with adoption and implementation of the Amendment with incorporation of the recommended mitigation measures.

## **9.0 HAZARDS AND HAZARDOUS MATERIALS**

### **Project Impacts**

The Amendment could indirectly have a potential public health or safety hazard due to the introduction of new businesses in the Project Area that could result in an increased risk of upset associated with the use, generation, and transport of hazardous substances. The accidental release of hazardous substances used, stored, or transported in the Project Area could result in contamination of soil, groundwater, or surface water. The use or transportation of hazardous substances that may be used in association with commercial or industrial uses increases the potential for accidental release of hazardous substances could pose a hazard to people and planned populations in the affected area. The adoption and implementation of the Amendment will encourage the development of private projects in the Project Area, which could expose humans to significant health hazards. The redevelopment of properties where hazardous materials are either presently in use, or have been in use on the site in the past, could expose construction workers and employees to hazardous materials. In particular, the development of sub-area B in the Central Industrial District where most businesses that store or use hazardous materials are located could have hazardous materials and pose health impacts. At this time it is unknown if any of the sub-areas in the Added Territory contain hazardous materials. The future development of any sites that use hazardous materials will have to comply with all applicable local, county, state and federal laws regarding remediation of hazardous materials prior to development. The adoption and implementation of the Amendment will not change the requirements to remediate contaminated properties prior to development. Assistance by the Agency to construct public

or private projects will not change or alter any local, county, State, or federal requirements to remove hazardous materials in compliance with all applicable laws and regulations. If necessary, the Agency can use the Polanco Act and require property owners to remediate contaminated sites and/or carry out remediation itself. The use and storage of hazardous substances is regulated by Cal-EPA, DTSC, State Water Resources Control Board, Santa Ana Regional Water Quality Control Board, the Orange County Fire Department (Hazardous Materials Program) and the Orange County Health Care Agency (Hazardous Materials Section). The California Highway Patrol and the California Department of Transportation (Caltrans) enforce hazardous substance transportation regulations. The Garden Grove Fire Department provides emergency response to accidental release of hazardous substances.

### **Mitigation Measures**

The following measure is recommended to mitigate potential hazardous material impacts of redevelopment pursuant to the Amendment in the Project Area:

1. The Agency shall use the Polanco Act, when necessary to facilitate the clean-up and remediation of a contaminated site when no alternative cleanup options are available.

### **Significance After Mitigation**

There will be no significant hazardous waste impacts with adoption and implementation of the Amendment and implementation of the suggested mitigation measure.

## **10.0 POPULATION AND HOUSING**

### **Project Impacts**

The adoption and implementation of the Amendment will allow the Agency to provide financial assistance to upgrade, improve, and provide residential housing within the Project Area. Since all development must be in compliance with the General Plan, the Amendment will not result in the construction of more residential units than currently allowed by the General Plan Land Use Element. The buildout of the City based on the General Plan is expected to exceed the Southern California Association of Governments (SCAG) housing, employment and population projections. The use of housing set-aside monies from the tax increment from the Project Area will allow the Agency to construct new housing or upgrade existing housing stock for low and moderate income households available at an affordable housing cost. The use of the housing set-aside monies to provide additional low and moderate-income units will have positive impacts on low and moderate-income families in the City. Based on the threshold criteria the adoption of the Amendment would have a significant impact on population, employment, and housing because the Amendment could increase the construction of housing. The construction of additional residences and increase in the number of new jobs due to commercial and industrial growth in the Project Area could increase the City's population and employment numbers beyond the amounts planned for by SCAG resulting in significant adverse impacts.

### **Mitigation Measures**

There would be significant population, housing, and employment impacts indirectly with adoption and implementation of the Amendment. The following mitigation measures are recommended to reduce these impacts.

1. The City shall coordinate with SCAG to update and refine future population, housing and employment projections.
2. The City shall evaluate projects for potential incorporation of an affordable housing component and consider compliance and implementation of affordable housing goals, programs, and objectives set-forth in the City's Housing Element, Agency's Implementation Plan and Replacement Housing Plan.

### **Significance After Mitigation**

Development in the Project Area consistent with the General Plan will result in adverse population, housing, and employment impacts even with incorporation of the recommended mitigation measures.

## **11.0 RECREATION**

### **Project Impacts**

Based on the threshold criteria the adoption and implementation of the Amendment could indirectly result in significant park and recreational impacts. The City's target for the ratio of park acres to population is five acres per 1,000 in population. The City's current population is 165,196; thus the current ratio of park acres to population is 1.03 acres/1,000 in population, below the City's goal. There are no activities associated with the Amendment that will reduce or eliminate existing park or recreational facilities in the Project Area that would further reduce the existing park ratio. New residential development in the Project Area will be required to pay all applicable in lieu Park Facilities Impact Fees that will be used to enhance park and recreational services. Payment of the fee will allow the City to use the monies towards enhancing existing park facilities. The adoption and implementation of the Amendment will allow the Agency the authority to participate in the construction of park and recreational facilities if monies become available. Although the Amendment could allow the Agency to assist the City and enhance park and recreational facilities, the City still does not meet its target ratio of park space per 1,000 people.

### **Mitigation Measures**

There would be significant park and recreational impacts indirectly with the adoption and implementation of the Amendment. The following mitigation measures are recommended to reduce the impacts.

1. The need for additional park and recreational facilities shall be monitored as growth occurs and the need for additional parkland shall be mitigated during the discretionary review process for future development projects. Mitigation may be in the form of land dedicated for public park purposes or the payment of in-lieu fees. The need for the provision of private recreational facilities to serve the needs of individual development projects shall also be examined.
2. The City shall coordinate with the Manager, EMA/Harbors, Beaches, and Parks/Program Planning, in efforts to provide additional parks and recreation opportunities.

#### **Significance After Mitigation**

There would be unavoidable adverse park and recreational impacts with implementation of the recommended mitigation measures because the City would still exceed its desired park ratio.

### **12. BIOLOGICAL RESOURCES**

#### **Project Impacts**

The Amendment would not have any significant biological impacts because there are no known sensitive biological resources in the Project Area.

#### **Mitigation Measures**

Since no significant biological impacts have been identified with the adoption and implementation of the Amendment, no mitigation measures are recommended.

#### **Significance After Mitigation**

No significant biological impacts are anticipated with adoption and implementation of the Amendment.

### **13.0 CULTURAL RESOURCES**

#### **Project Impacts**

The adoption and implementation of the Amendment will encourage development of private and public projects, some of which could impact sensitive archaeological resources. Sensitive archaeological resources are known to exist in the City. Archaeological resources may exist throughout the Project Area. The construction of public and private projects could significantly impact archaeological resources, if they are present.

## **Mitigation Measures**

The following measures are recommended to mitigate potential impacts to archaeological resources in the Project Area for those projects only that are suspected by the City or Agency, as appropriate, to have archaeological resources present:

1. Implementation as required by the City or Agency, as appropriate, of the following measures associated with grading and construction of a site suspected of containing archaeological resources:

**Phase 1:** Phase 1 shall consist of a qualified archaeologist doing a literature and records search, surface study, subsurface testing if necessary, the recordation of any sites, and a recommendation regarding the need for further work.

**Phase 2:** If it is determined during Phase 1 that further work is necessary, it shall consist of the following:

- A. A qualified archaeological monitor shall be present at a pre-grading conference with the developer, grading contractor, and the environmental review coordinator. The purpose of this meeting will be to consult and coordinate the role of the archaeologist in the grading of the site.
- B. An archaeologist or designate shall be present during those relative phases of grading as determined at the pre-grading conference. The monitor shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains. The developer shall authorize the deposit of any resources found on the project site in an institution staffed by qualified archaeologist as may be determined by the Planning Director. The contractor shall be aware of the random nature of archaeological resource occurrences and the possibility of a discovery of such scientific and/or educational importance that might warrant a long-term salvage operation or preservation. The Planning Director shall resolve any conflicts regarding the role of the archaeologist and/or recovery times.

## **Significance After Mitigation**

No significant impacts to cultural resources are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## **2.2 PROJECT ALTERNATIVES**

The Project Alternatives presented in Section 7.0 of this document were provided as required by Section 15126.6 of the CEQA Guidelines. Alternatives to the project are provided to reduce potential significant environmental effects that may be associated with adoption and implementation of the proposed Amendment as well as feasible project alternatives. The project alternatives



discussed in this Program EIR include the "No Project." as required by CEQA, Alternative Financing and Changing the Project Area.

Project alternatives are required to reduce potential environmental impacts associated with a proposed project. The Program EIR identified several potentially significant impacts with adoption and implementation of the Amendment. However, mitigation measures are recommended accordingly to reduce the impacts to levels of insignificance in almost all instances. The environmental discipline that was identified to have potential environmental impacts is air quality.

The project alternatives discuss changes to the Amendment that could reduce potential environmental impacts. However, none of the project alternatives eliminate indirect unavoidable adverse air quality impacts because air quality impacts can presently occur with development in the City consistent with the land uses allowed by the General Plan. Therefore, none of the project alternatives are preferred to the proposed project.

### **2.3 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED**

CEQA requires the EIR Summary to identify areas of controversy known to the lead agency, including issues raised by public agencies, issues to be resolved including the choice among alternatives, and how to mitigate potential significant effects. A copy of the Notice of Preparation/Initial Study was mailed to all responsible, trustee and taxing agencies as required by CEQA to solicit their environmental concerns with the project. The responses received by the responsible, trustee and taxing agencies to the Notice of Preparation/Initial Study discussing their issues or concerns with adoption of the Amendment are presented in Appendix B. Responses were received from the following public agencies during the 30-day Notice of Preparation/Initial Study review period:

1. Tim Neely, Environmental Planning Services Division, County of Orange
2. Robert Joseph, Advanced Planning Branch, Caltrans
3. Karen Sully, Planning Manager, City of Orange
4. Haissam Salloum, Southern California Cleanup Operations Branch, Department of Toxic Substances Control
5. David Woelfell, California Regional Water Quality Control Board
6. David Ludwin, Director of Engineering, Orange County Sanitation District
7. Christine Dolan, Orange County Transportation Authority
8. James Ruth, City Manager, City of Anaheim
9. Robert Warth, The Gas Company
10. Neal Gruber, Property Tax Unit, County of Orange
11. Rob Wood, Associate Governmental Program Analyst, Native American Heritage Commission
12. Scott Morgan, Project Analyst, State Clearinghouse, Governor's Office of Planning and Research

In addition, the Airport Land Use Commission for Orange County also submitted a letter requesting to be included in the distribution of the CEQA document to be prepared for the Amendment project. A copy of the Notice of Preparation was mailed to the Commission on October 25, 2001 in response

to their letter. A copy of the airport Land Use Commission for Orange County letter is provided in Appendix C.

This Program EIR presents as much information as possible regarding the issues cited sited by the public agencies listed above. Information such as the specific location of future development sites, whether or not the Agency will need to acquire specific property, type of uses anticipated to occur on future development sites, etc. is not known at this time. Therefore, it is speculative to determine land use density, number of residential units, height of buildings, etc. that may be developed on property acquired by the Agency or otherwise redeveloped within the Project Area pursuant to the Amendment. Detailed project information will be available for further analysis at the time specific projects are submitted to the City or Agency, as appropriate, for approval. The City or Agency, as required, will determine whether or not subsequent environmental evaluation as required by CEQA will be undertaken at the time each project is submitted for approval.

Although the Agency cannot reasonably determine the specific projects to be undertaken as part of the Amended Project, all projects under the Amended Project shall be consistent with the General Plan, and therefore, the Agency has assumed buildout under the General Plan for purposes of contemplating density levels, etc. as necessary to determine whether potential environmental impacts of the adoption and implementation of the Amendment will be significant.

## **2.4 SCOPING MEETING**

A public scoping meeting was held at the City of Garden Grove on October 15, 2001. The purpose of the public scoping meeting was to allow the public the opportunity to identify any potential environmental impacts they felt would be associated with the project. Copies of the Initial Study and Notice of Preparation were available at the scoping meeting for reference.

There were several questions asked regarding the potential environmental impacts of the Amendment, including traffic and circulation. It was explained at the scoping meeting that the Amendment EIR would generally address traffic and circulation impacts of adopting and implementing the Amendment along with other potential environmental effects.

While attendance was significantly greater, the people at the scoping meeting who actually signed in and spoke include:

1. Ralf Nilsen
2. Richard Melendez
3. Rose Marie Ellis
4. Miguel Garcia
5. Mike Hughes

### **3.0 PROJECT DESCRIPTION**

#### **3.1 PROJECT LOCATION AND BOUNDARIES**

The project is located in the City of Garden Grove as shown in **Figure 1, *Regional Location Map***. More specifically, the Amendment includes nine separate new sub-areas in the Added Territory as well as the Existing Project Area as shown in **Figure 2, *Project Area Map***. The Added Territory includes areas located throughout the city and range in size from approximately 5 to 51 acres.

The Existing Project Area totals approximately 1,918 acres. The Added Territory totals approximately 195 acres resulting in a total Project Area of approximately 2,113 acres. **Figure 3 and Figure 4, *Aerial Photo***, identifies the Added Territories and shows the existing land uses. A U.S.G.S. topography map showing the elevations throughout the Project Area is presented in **Figure 5, *U.S.G.S. Topography Map***. The existing elevations in the Project Area range from a low of 50 feet above sea level in the western area of the city near sub-area “B” to approximately 110 feet above sea level near the east side of the city near sub-area “K”.

#### **3.2 ENVIRONMENTAL SETTING**

The City of Garden Grove is located in the northwest part of Orange County approximately 30 miles southeast of the City of Los Angeles. The City of Garden Grove is bordered by the Cities of Anaheim, Stanton and Cypress on the north, Los Alamitos to the northwest, Seal Beach to the southwest, Westminster, Fountain Valley, and Santa Ana to the south and Orange to the east. The City of Garden Grove comprises approximately 18.2 square miles, or approximately 11,584 acres of relatively flat land. The average elevation in the city is 85 feet above sea level. Based on information from the State of California, the City of Garden Grove had a population of approximately 165,196 people as of January 1, 2000.<sup>2</sup>

The City of Garden Grove adopted an updated General Plan in October, 1995. Throughout this Program EIR reference will be made to the General Plan. For purposes of clarification, the reference is to the adopted City of Garden Grove General Plan.

For the most part, the Added Territory has been disturbed and developed in the past. There are a few parcels in the Added Territory that are vacant, but for the most part the areas to be added are developed.

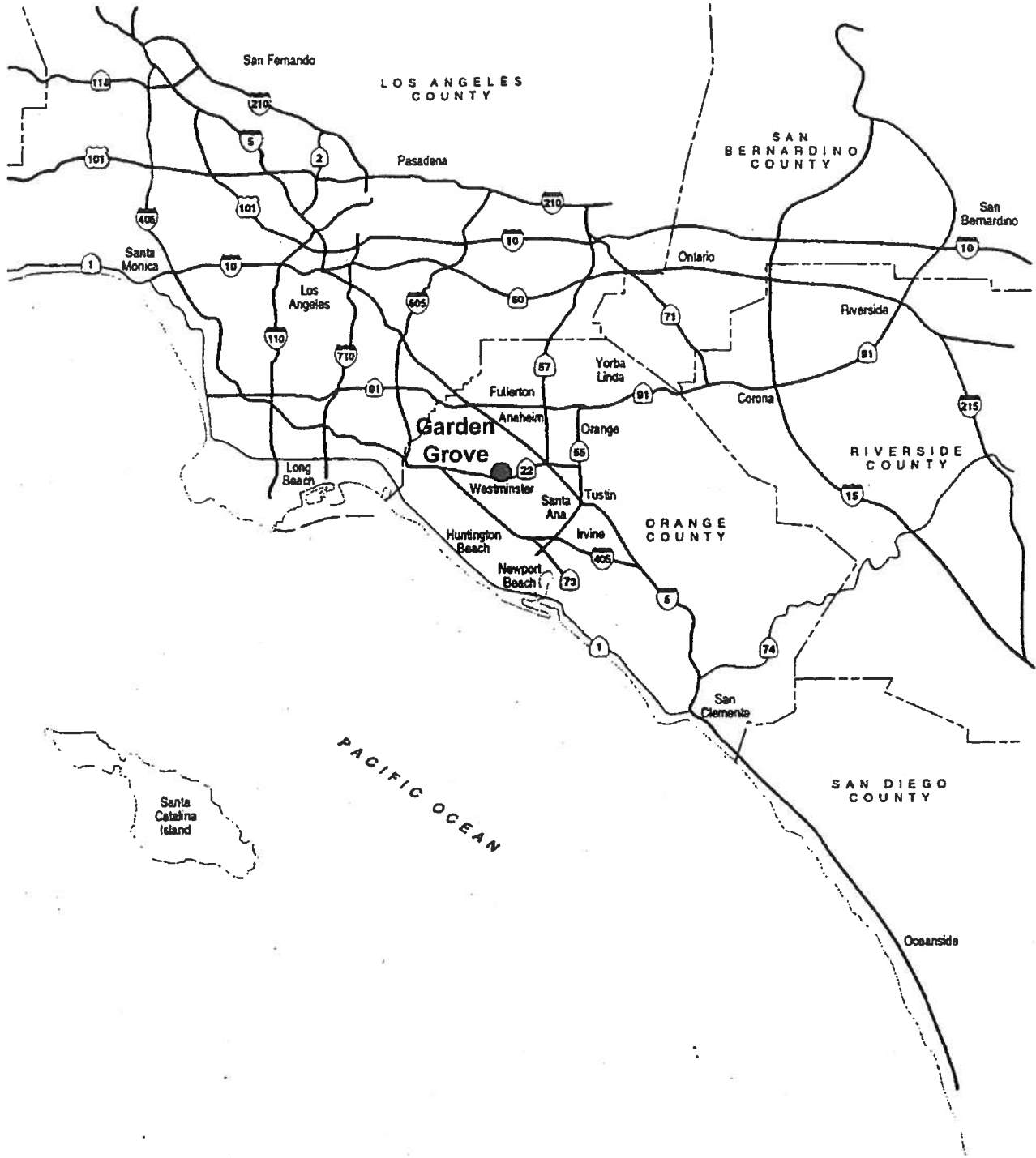
The Existing Project Area has existing businesses and residential uses including automotive repair shops, single-family detached and attached units, office space, retail use, vacant land, schools, manufacturing, etc. The Added Territory consists of vacant land, light industrial, office, mixed retail and residential use.

---

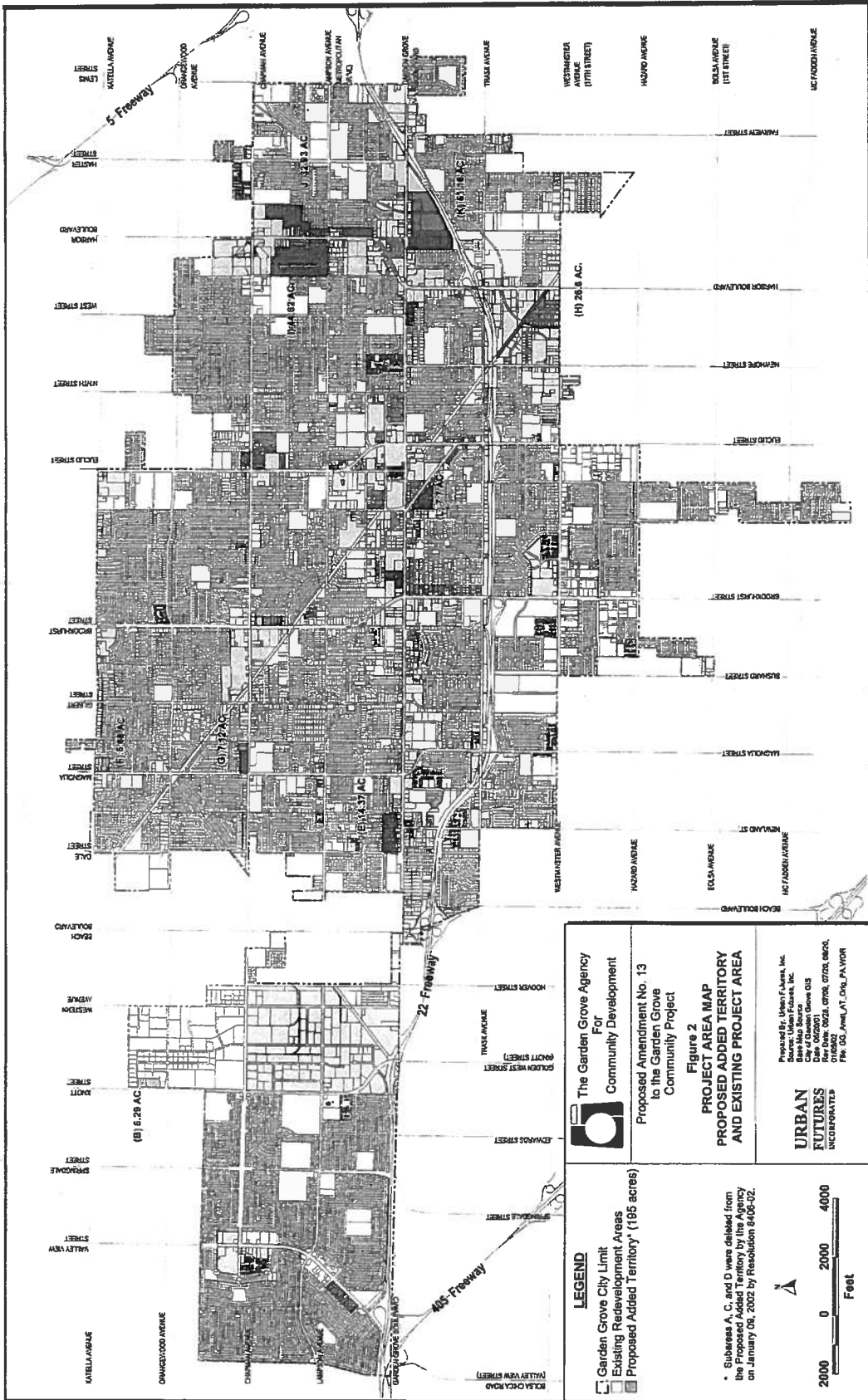
<sup>2</sup> Census 2000.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

# GARDEN GROVE



**Regional Location Map**  
**Figure 1**



The Garden Grove Agency  
 For  
 Community Development  
 Proposed Amendment No. 13  
 to the Garden Grove  
 Community Project

Prepared by: Urban Futures, Inc.  
 2000 West Main Street, Suite 100  
 City of Garden Grove, CA  
 95625  
 Phone: 714.942.1100  
 Fax: 714.942.1101

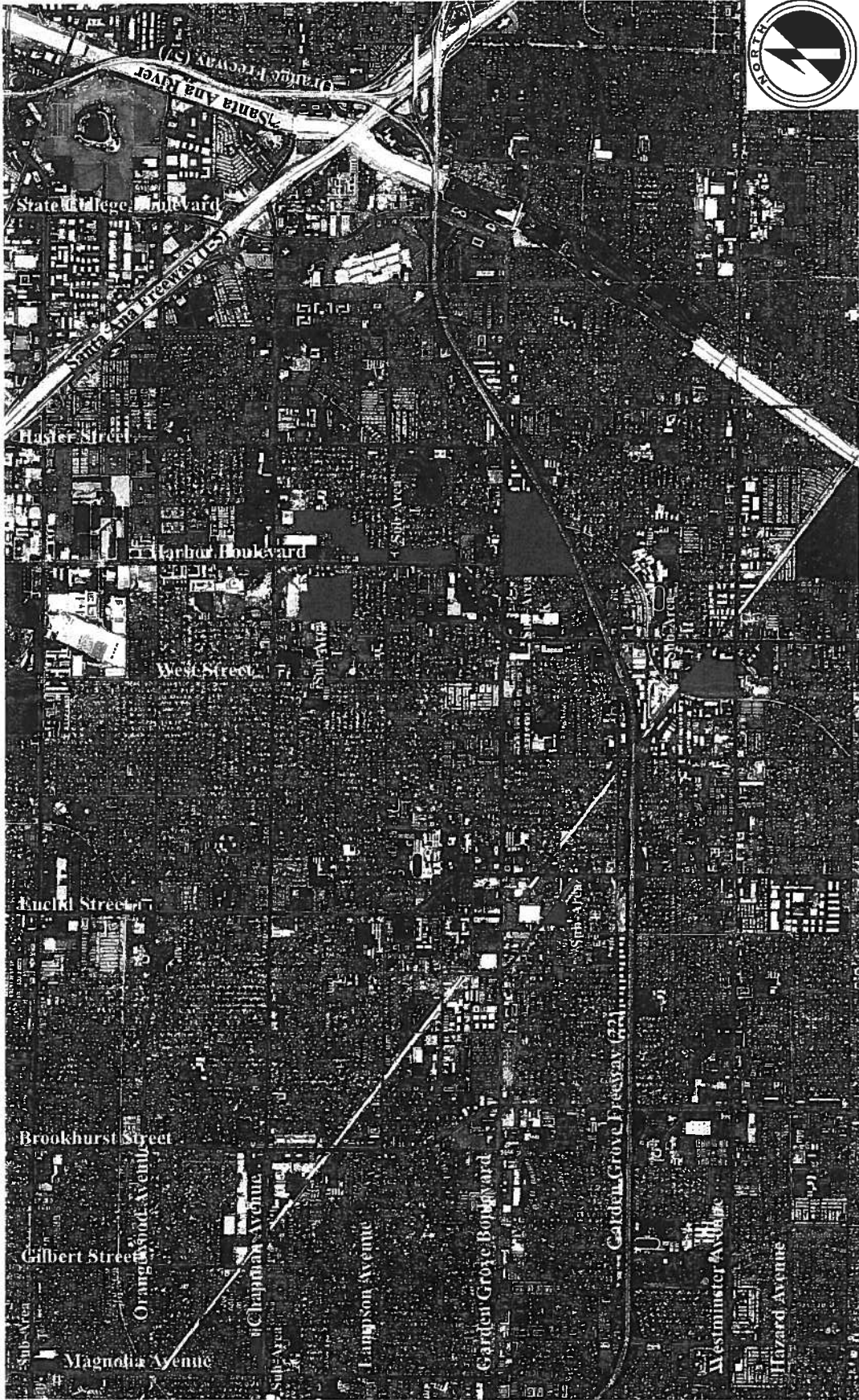
2000 0 2000 4000  
 Feet



Aerial Photo  
Figure 3

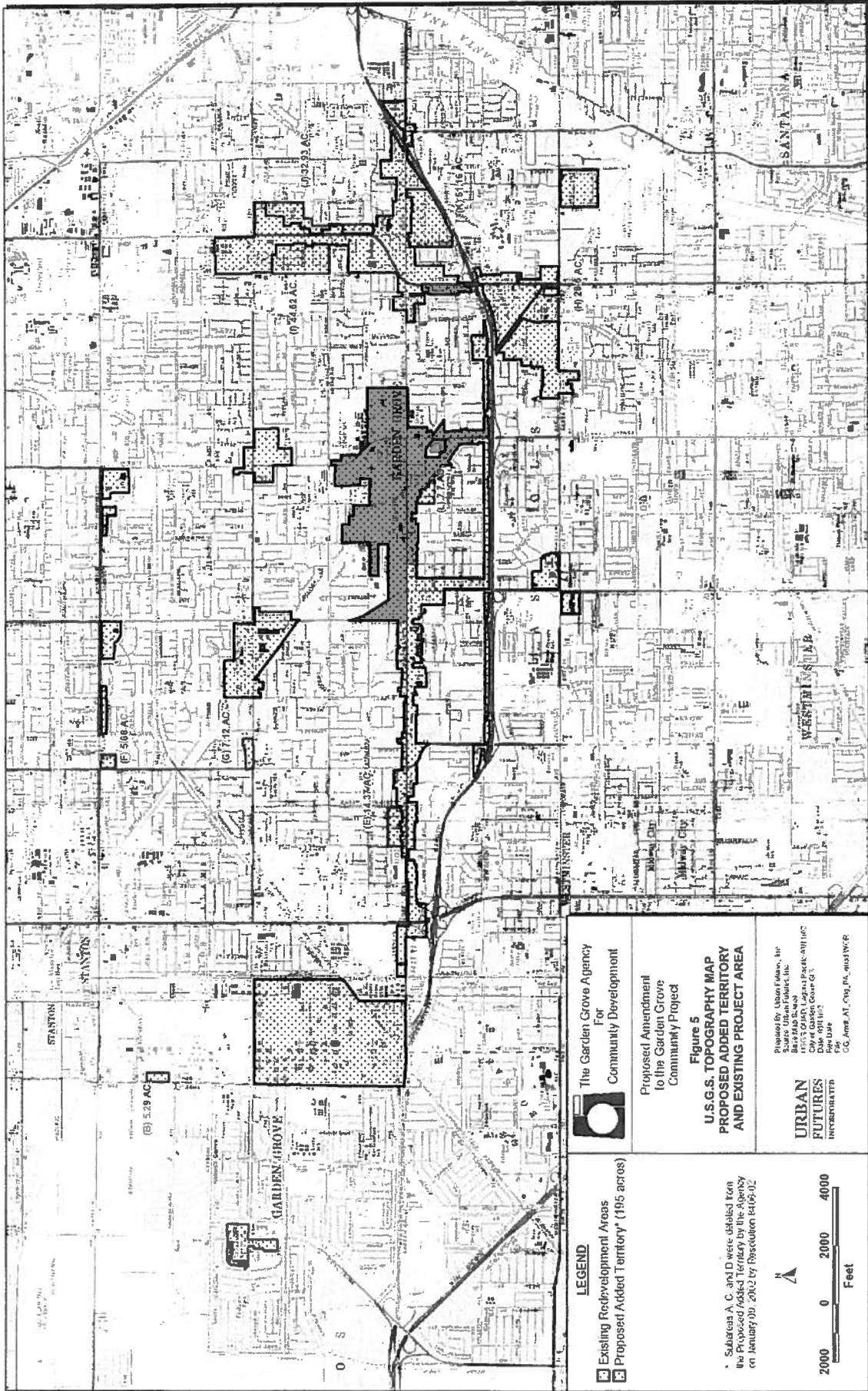






Aerial Photo  
Figure 4





**LEGEND**

Existing Redevelopment Areas

Proposed Added Territory (195 acres)

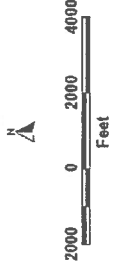
The Garden Grove Agency  
For  
Community Development

Proposed Amendment  
to the Garden Grove  
Community Project

**Figure 5**  
**U.S.G.S. TOPOGRAPHY MAP**  
**PROPOSED ADDED TERRITORY**  
**AND EXISTING PROJECT AREA**

Prepared by Urban Futures, Inc.  
3000 Wilshire Blvd, Suite 1000  
Los Angeles, CA 90010  
Tel: 213.475.1111  
Fax: 213.475.1112  
www.urbanfutures.com

**URBAN**  
**FUTURES**  
INTEGRATED



2000 0 2000 4000  
Feet

\* Subareas A, C, and D were deleted from the Proposed Added Territory by the Agency on January 09, 2002 by Resolution 04-09-02

The Added Territory was selected by the Agency and City based on blighted conditions that exist in the nine sub-areas proposed to be added. The Amendment will restate and amend the Redevelopment Plan in its entirety in addition to adding the Added Territory. The Amendment provides for the authority of the Agency to assemble property, outline debt limitations financing criteria, and provide a list of improvement projects the Agency may fund throughout the life of the Amendment. More detailed information on the various aspects of the project is discussed below. The Agency will adopt the Amendment and implement redevelopment projects and programs over the life of the Amendment.

### 3.3 PLAN AMENDMENT COMPONENTS

**Life of the Amendment** – With respect to the Added Territory, the Amendment will be effective for 30 years from the date of adoption.

**Implementation Program** – The Amendment Plan describes the proposed redevelopment activities indicating how the Agency intends to carry out the Plan, including legal powers the Agency may exercise in the Added Territory. The legal powers include: power to acquire property including by eminent domain, if necessary, to manage and operate property until resold, to relocate and provide replacement housing for displaced occupants, to demolish, remove buildings and improvements, to rehabilitate and preserve buildings\structures and to install, construct, expand, add, subsidize public improvements/facilities.

**Added Territory.** The Amendment will also extend the Agency’s authority of eminent domain in the Existing Project Area for an additional twelve years from July 2004 to July 2016

**Time to Establish Debt** – Pursuant to provisions promulgated under SB211, effective on January 1, 2002, the adopting ordinance for the Amendment will eliminate the time limits set-forth in the Existing Plan for the Agency to establish indebtedness for the Existing Project Area. The Amendment will establish a 20-year time limit for establishing indebtedness for the Added Territory.

**Time to Collect Tax Increment and Repay Debt** – The Amendment will allow the Agency to repay indebtedness and to collect tax increment from the Added Territory for up to 45 years from the date of adoption of the Amendment. These limits for the Existing Project Area will not be changed by the Amendment.

**Public Improvement Projects** – Provided below is a list of improvement projects and programs in the proposed Amendment that could, at the Agency's discretion, be funded should adequate revenue become available. While the Agency is not required to fund the listed projects and programs, the Agency could fund all or a portion of the projects or programs as revenue becomes available throughout the life of the Plan. The list identifies projects and programs that appear, at the time of adoption of the Amendment, the potential for achieving the goals and objectives of the Amendment, but do not represent commitments by the Agency. As redevelopment needs and opportunities evolve over the life of the Amendment, the Agency may determine not to undertake certain projects and programs listed and/or undertake other projects and programs consistent with the Amendment that are not listed as permitted by law. The list of projects and programs is listed as only possible projects that may or may not ultimately be undertaken by the Agency pursuant to the Amendment.

This Program EIR analyzes impacts likely to be caused by proposed improvements based on information about such projects as is available at this time. The proposed projects and programs for the Project Area include:

### **Public Facility Improvements**

The City has identified the following public improvements as part of the Plan that can be constructed by the Agency as monies become available.

### **Community Facility Improvements**

- Construction of public parking structures including, without limitation, facilities near or adjacent to transportation corridors or public buildings and/or facilities ancillary to commercial, recreational, or tourist attraction projects
- Construct new and rehabilitate existing public buildings, facilities, community centers, and auditoriums
- Expand park and open space facilities and other improvements to parks and open space areas
- Construct, reconstruct, or rehabilitate monuments, community gateway improvements, and public art
- Public Safety and Fire Protection Facilities including without limitation police sub-station(s), fire protection station(s), paramedic/ambulance facilities, and hazardous materials response
- Ancillary Corporate Yard or improvement/rehabilitation of existing corporate yard facilities
- Construct or participate in development of a convention center
- Rehabilitate the amphitheater or construct new cultural or performing arts facilities

### **Traffic and Circulation Improvements**

- Intersection widening and reconfiguration, including without limitation street improvements and signalization ancillary thereto
- Right-of-way acquisition
- Lane additions, including without limitation turnouts and deceleration lanes and related improvement
- Traffic signal additions, upgrades, and other modifications, including without limitation street and directional signage and improvements

- Freeway and highway ingress, egress, and on/off ramp modifications, improvements, signage, landscape improvements

**Street Widening and Related Public Improvements including without limitation:**

- Euclid Street
- Harbor Boulevard
- Garden Grove Boulevard
- Bus turn out bays on all streets serving Agency projects or of benefit to the Project Area

**Underground Utilities including without limitation electrical, communication lines, and other above-ground utilities along:**

- Trask Avenue
- Knott Avenue
- Chapman Avenue
- Newhope Street
- Katella Avenue
- Other streets in the city

**Improve Water Systems including without limitation:**

- Garden Grove Boulevard
- Euclid Street
- Knott Avenue
- Magnolia Avenue
- Brookhurst Street
- Valley View Street
- Chapman Avenue
- Trask Avenue
- Other streets in the city
- Construct new reservoirs or improve existing reservoirs

**Implement the Master Plan for the Garden Grove Sanitary District**

- Sewer lines
- Storm Drains
- Water Lines

**Street Improvements to all streets in the Project Area or streets accessing and/or of benefit to the Project Area, including without limitation:**

- Street reconstruction
- Street lighting

- Landscaping
- Street furniture
- Underground Overhead Utilities including without limitation electrical and communication lines as identified in the City Master Plan:

#### **Facilitate Transportation Systems**

- Construct a rail system or other public transportation facilities and improvements along, below, or above the OCTD right-of-way
- Construct a transportation system serving destination uses along the Harbor Corridor
- Remediate Contaminated Properties including without limitation former landfill site(s), industrial or commercial properties contaminated with hazardous substances to prepare such site(s) for redevelopment.

#### **Business Development Programs**

- Small business loans, grants and rebates for start up or business development
- Loans and incentives to businesses for attraction and retention
- Demolition of vacant or deteriorated structures

#### **Housing Programs**

- Single-family residential rehabilitation loans, grants and/or rebates
- Low interest loans for first-time homebuyers
- Low interest loans to multifamily unit owners in target neighborhoods to correct building deficiencies
- New construction of affordable housing
- Other programs designed to preserve, improve, and create new housing stock.

### **3.4 THE INTENDED USE OF THIS PROGRAM EIR**

The intended use of this Program EIR is fourfold:

1. The proposed Amendment meets the definition of a "Project" according to the CEQA Guidelines 15180 and Public Resources Code 21090. After further environmental review it was determined that adoption and implementation of the Amendment could have significant effects on the environment and a Program EIR would be prepared. This Program EIR meets the CEQA Guidelines requirements for the preparation of a Program EIR for this project as stated in Section 15180.
2. This Program EIR meets the requirement of the Health and Safety Code 33352 (k) whereby the Program EIR for the Amendment is included as part of the report to the legislative body and describes the existing environmental conditions in the Project Area, assesses the potential environmental impacts that may be associated with the adoption and

implementation of the proposed Amendment and recommends mitigation measures to mitigate potential significant impacts when required by CEQA.

3. The Program EIR will be referenced in the future should the Agency utilize eminent domain to acquire property within the Project Area or fund the construction of improvement projects. -While the Program EIR need only be as specific as the Amendment itself, the adequacy of the coverage of the Program EIR as to future public and private development activities and acquisition of property by eminent domain will determine the extent to which those future development activities may require further environmental assessment. According to CEQA Guidelines 15180(a), no subsequent EIRs are required for individual components of a redevelopment plan unless a subsequent EIR or supplement to an EIR is required by 15162 or 15163 of the CEQA Guidelines. Additional environmental review will be conducted by the Agency in compliance with CEQA in conjunction with all future Agency sponsored/assisted development projects and/or acquisitions of property for development utilizing eminent domain. While information regarding specific projects cannot be known at this time, the Agency has, to the extent feasible without being speculative, analyzed the potential impacts of the construction of public improvements which are reasonably foreseeable in the Amended Project Area, so as to provide a baseline impact analysis of such projects which can be reviewed in the future as new information not available presently becomes available.
4. The Program EIR will be referenced by the City or Agency, as appropriate, for project approvals and/or issuance of permits as otherwise required when applicable. When required to comply with CEQA, the City or Agency, as appropriate, will also prepare additional environmental documentation in conjunction with the approval of Agency sponsored /assisted projects pursuant to the Amendment.

### **3.5 PROJECT OBJECTIVE**

The objective of the Garden Grove Redevelopment Plan Amendment is to remove blight and increase the economic viability of the Project Area. The proposed Amendment will allow the Agency to work with the City of Garden Grove to accomplish this objective by: 1) constructing some or all of the improvement projects listed in the Amendment to benefit the Project Area and the City; and 2) providing a variety of funding sources for use by the Agency to allow the option to fund projects that can reduce or eliminate blight, provide additional low and moderate income housing and improve the economic viability of the Project Area.

The major goals of the Garden Grove Community Plan Amendment are to: eliminate physical blight; create new employment opportunities; improve recreational facilities; plan and encourage uniform and consistent land use patterns; encourage private commercial/residential rehabilitation; and encourage development and capital investment. The tools of the Amendment, including the use of tax increment revenue to assist the private sector and fund proposed improvement projects, can be used by the Agency to meet the goals of the Amendment.

Specifically, the Amendment is intended to achieve the following goals:

- Implement goals, policies, and strategies identified in the Plan and General Plan
- Eliminate physical and economic blight and environmental deficiencies in the Project Area, Provide for general programs of redevelopment assistance to eliminate blight and strengthen the commercial and industrial base of the Added Area.
- Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.
- Re-plan, redesign, and redevelop properties that are stagnant or improperly utilized.
- Increase, improve, and preserve the community's supply of housing affordable to very low, low, and moderate income households.
- Enhance commercial and recreational functions in the Project Area.
- Strengthen the economic base of the Project Area Added Territory and the community with the installation of needed on- and off-site improvements to stimulate new commercial/ industrial expansion, employment, and economic growth.
- Implement performance criteria to assure quality site design standards to provide unity and integrity to the entire Project Area development.
- Thereby create lasting improvements to the community's tax base and employment base and bring stability and growth.

## **4.0 ENVIRONMENTAL SETTING, PROJECT IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION**

### **Introduction**

In an effort to provide as much environmental analysis as possible regarding the adoption and implementation of the Amendment, the proposed improvement projects for the Existing Project Area and Added Territory are evaluated and discussed herein. To the extent required by CEQA Guidelines Sections 15162 and 15163, these redevelopment projects will be further evaluated under CEQA on an individual basis as they are undertaken, individually when appropriate. ~~Otherwise, the projects will be evaluated and discussed collectively in general terms within each Project Area~~

### **4.1 LAND USE**

#### **4.1.1 Environmental Setting**

##### **Added Territory**

The Added Territory is comprised of existing light industrial, mixed-commercial, and residential use. The City of Garden Grove General Plan Land Use Map guides development within the City. The existing land use designations for the Added Territory include Low Density Residential (LDR), Low Medium Density Residential (LMR), Medium Density Residential (MDR), Light Commercial (LC), Office Professional (OP), Mixed Use (MU), Industrial (I), and Open Space (OS). The types of uses allowed by each of the land use designations are discussed below.

Low Density Residential: This land use designation includes all single-family residential areas and is implemented by two zones, R-1 and R-1S. The R-1, Single-family Residential, zone may range from 1-8 dwelling units per acre. Actual densities are to be indicated on the zoning map as R-1.2, two dwelling units per acre, R-1.3, three dwelling units per acre, up to R-1.8, eight dwelling units per acre. The R-1S, Limited Single-family, zone will allow densities of 8.1 to 11 dwelling units per acre. It is intended for single-family detached dwellings in small lot subdivisions. Reduced front, rear and side yard setbacks will be allowed.

Low Medium Density Residential: This land use designation includes multiple family units as well as other types of housing. It will be implemented by the R-2S and R-2M zones. The R-2S, Restricted Multiple-Family, zone will allow densities of 11.1 to 15 dwelling units per acre. Small lot subdivisions with duplex units, attached by a central party wall, with reduced side yard setbacks, would be permitted. This zone will also allow for detached units.

The R-2M, Limited Multiple-Family, zone will allow densities of 11.1 to 21 dwelling units per acre. It would permit any type of residential structure, including single-family, condominiums, townhomes, and apartments.

Medium Density Residential: This designation includes any residential use and is implemented by the R-3 zone. The R-3, Multiple Family Residential, zone will allow densities of 21.1 to 32 dwelling units per acre. This zone allows any residential use and would probably be the highest density at



which new construction would be approved. R-3 is also used as a designation for existing residential development with densities higher than 32 units per acre.

Light Commercial: Light commercial uses include retail sales and services for neighborhoods and the larger community. The light commercial land use is implemented by the O-C, C-1, and C-2 zones. The O-C, Office Commercial, zone will be similar to the Office Professional zone, but would be designed with additional retail support. The Office Commercial land uses will be highway-oriented and provide service and retail support for office complexes. The O-C zone will also support the Office Professional land use designation. The floor-area-ratio (FAR) for the O-C zone is 0.4-1, or 0.4.

Office Professional: The Office Professional land use is implemented with two zoning classifications, O-P and O-C. The O-P, Office Professional, zone allows professional office uses only. In larger office developments some light retail and service uses will be allowed in support of the offices. Land zoned O-P is located in the Added Territory.

Mixed Use: Residential units may be a part of a mixed-use development, which also contains offices, commercial uses, and/or industrial. Each mixed-use project will be given individual site review, and the permitted intensity of use a density of any dwelling units included in the site plan will be reviewed, and adjusted as necessary for approval at the review.

Industrial: The industrial land uses is regulated by two zoning classifications, M-1 and M-P. The FAR for both M-1 and M-P is 1.0. Both M-1 and M-P zoned property are located in the Added Territory.

Open Space: The Open Space land use designation is implemented by the OS zoning category. The Open Space land use designation includes all parks, school campuses, public and quasi-public buildings, the Southern California Edison easement, the Orange County Flood Control District's channels, and the Orange County Transit Authority's right-of-way. The total acreage of open space in the General Plan is 1,058.

Specific Plan: In addition to the General Plan, there are two specific plan areas in the Added Territory. A portion of sub-area K is designated as the Harbor Corridor Specific Plan (HCSP). The HCSP is governed by detailed land use regulations, including zoning classifications unique to the HCSP area. Sub-area L is designated as Community Center Specific Plan (CCSP). The land use regulations, including zoning classifications unique to the CCSP guide future development in this sub-area.

### **Existing Project Area**

The Existing Project Area is comprised of a mixture of land uses including Low Density Residential (LDR), Low Medium Density Residential (LMR), Medium Density Residential (MDR), Medium High Density Residential (MHR), Community Residential (CR), Light Commercial (LC), Heavy Commercial (HC), Recreational Commercial (RC), Office Professional (OP), Mixed Use (MU), Industrial (I), and Open Space (OS). The types of uses allowed by each of the land use designations are discussed below.

Low Density Residential: This land use designation includes all single-family residential areas and is implemented by two zones, R-1 and R-1S. The R-1, Single-family Residential, zone may range from 1-8 dwelling units per acre. Actual densities are to be indicated on the zoning map as R-1.2, two dwelling units per acre, R-1.3, three dwelling units per acre, up to R-1.8, eight dwelling units per acre. The R-1S, Limited Single-family, zone will allow densities of 8.1 to 11 dwelling units per acre. It is intended for single-family detached dwellings in small lot subdivisions. Reduced front, rear and side yard setbacks will be allowed.

Low Medium Density Residential: This designation can include multiple-family units as well as other types of housing. It will be implemented by the R-2S and R-2M zones. The R-2S, Restricted Multiple Family, zone will allow densities of 11.1 to 15 dwelling units per acre. Small lot subdivisions with duplex units, attached by a central party wall, with reduced side yard setbacks, would be permitted. This zone will also allow for detached units. The R-2M, Limited Multiple Family Residential, zone will allow densities of 11.1 to 21 dwelling units per acre. It would permit any type of residential structure, including single-family, condominiums, townhomes and apartments.

Medium Density Residential: This designation includes any residential use and is implemented by the R-3 zone. The R-3, Multiple Family Residential, zone will allow densities of 21.1 to 32 dwelling units per acre. This zone allows any residential use and would probably be the highest density at which new construction would be approved. R-3 is also used as a designation for existing residential development with densities higher than 32 units per acre.

Medium High Density Residential: The Medium High Density Residential is implemented by the R-4 zoning classification. Although there are no areas designated Medium High Density Residential on the adopted Land Use Plan, it is anticipated that the MHR designation will ultimately accommodate changes in land uses in Specific Plan areas.

Community Residential: This designation will be applied to housing designated for particular residential clientele and is implemented by the C-R zone. The C-R, Community Residential, zone will be the highest density permitted in the City, from 42.1 to 60 dwelling units per acre. It will be used exclusively for seniors' housing, convalescent homes, congregate housing, and institutional quarters.

Mixed Use: Residential units may be a part of a mixed-use development, which also contains offices, commercial uses, and/or industrial. Each mixed-use project will be given individual site review, and the permitted intensity of use and density of any dwelling units included in the site plan will be reviewed, and adjusted as necessary for approval at the review.

Light Commercial: Light commercial uses include retail sales and services for neighborhoods and the larger community. The light commercial land use is implemented by the O-C, C-1, and C-2 zones. The O-C, Office Commercial, zone will be similar to the Office Professional zone, but would be designed with additional retail support. The Office Commercial land uses will be highway-oriented and provide service and retail support for office complexes. The O-C zone will also support the Office Professional land use designation. The floor-area-ratio (FAR) for the O-C zone is 0.4-1, or 0.4.

The C-1, Neighborhood Commercial, zone is intended to provide business at the neighborhood level in small scale convenience shopping facilities. The FAR for C-1 is 0.5.

The C-2, Community Commercial, zone is intended to provide a broad range of commercial retail and service needs for the residents of the City and surrounding communities. Entertainment and automotive uses would be excluded from C-2; however, adult entertainment would remain a C-2 use. The allowed FAR for the C-2 land use is 0.55.

Recreation Commercial: The Recreation Commercial land use is implemented by two zones, T-C and R-C. The T-C, Tourist Commercial, zone allows limited entertainment and hotel uses. No adult entertainment would be allowed in T-C zones. The FAR for the T-C zone will be 0.55.

The R-C, Recreation Commercial, zone will be for primary recreation area, allowing bowling alleys, skating rinks, family recreation facilities, miniature golf, hotels, movie theatres, restaurants, etc. No adult entertainment would be allowed. The FAR in the R-C zone is 0.55.

Heavy Commercial: The Heavy Commercial land uses are regulated by two zoning classifications, C-3 and C-4. The C-3, General Commercial, zone would allow a wide range of commercial uses, including automotive repair, sales and services. Adult entertainment would be prohibited in C-3. The FAR in the C-3 zone is 0.56.

The C-4, Heavy Commercial, zone will be provided to accommodate intensive commercial uses, some of which may be incompatible with residential neighborhoods. Wholesaling, automotive body work, and contractors' storage yards are examples of heavy commercial uses. The FAR in the C-4 zone is 0.56.

Office Professional: The Office Professional land use is implemented with two zoning classifications, O-P and O-C. The O-P, Office Professional, zone allows professional office uses only. In larger office developments some light retail and service uses will be allowed in support of the offices.

The O-C, Office Professional, zone will be the same zone that appears with the LC, Light Commercial, use. The O-C zone will be intended as highway-oriented, service and retail support for office professional areas.

Industrial: The industrial land uses is regulated by two zoning classifications, M-1 and M-P. The FAR for both M-1 and M-P is 1.0.

Open Space: The Open Space land use designation is implemented by the OS zoning category. The Open Space land use designation includes all parks, school campuses, public and quasi-public buildings, the Southern California Edison easement, the Orange County Flood Control District's channels, and the Orange County Transit Authority's right-of-way. The total acreage of open space in the General Plan is 1,058.

## Planning Areas

The City is divided into nine Planning Areas as shown in **Figure 6, Planning Areas**. In each of the Areas, the particular planning issues important to the Area are described. Six of the nine Planning Areas are included in the Added Territory. The six Planning Areas are: Central Industrial Area; Central Garden Grove; North Garden Grove; Community Center; Southeast Garden Grove; and Northeast/Harbor. A description of the six Planning Areas is presented below.

Central Industrial: The Central Industrial Planning Area is bounded by Knott Street to the west, the City's incorporation boundaries to the north and east and Garden Grove Boulevard and the Garden Grove Freeway to the south. The Southern Pacific Railroad line is located along much of the eastern boundary of the Planning Area. The City of Stanton is on the north and east, and the City of Westminster is to the south.<sup>3</sup>

The Central Industrial Area is the prime location within the City of Garden Grove. A major part of the Area has been developed for light industry with generous landscaping, attractive signage, and building facades, unobtrusive parking areas and well lighted and well maintained streets. The Central Industrial Area is a significant revenue resource for Garden Grove, and a pleasant, compatible neighborhood to the City's residential neighborhoods. Issues in the Central Industrial Area concern small pockets of development which do not conform to the overall pattern: older industrial facilities built without the aesthetic amenities of more recent development, and non-industrial land uses located peripheral to the dominant industrial land use.<sup>4</sup> Sub-area B is located in this planning area.

Central Garden Grove: The Central Garden Grove Planning Area is bounded by the City's boundaries to the west, Chapman Avenue to the north, the OCTA right-of-way, and Brookhurst Street to the east, and the Garden Grove Freeway to the south.<sup>5</sup>

Land area in the Central Garden Grove, as in the rest of the City, is mainly devoted to single-family residential use. In Central Garden Grove, however, there are larger concentrations of higher density apartment buildings than are found to the north and west. Garden Grove Boulevard, the City's signature commercial thoroughfare, forms the spine of the Planning Area. Issues in the Area, center on the successful transition of Garden Grove Boulevard from its past importance as a primary route to Los Angeles, to its future potential as a business, service, and retail corridor serving the City and the region. The impacts of this transition can affect land uses adjacent to the corridor in a larger portion of the Planning Area.<sup>6</sup> Sub-area E is located in this planning area.

North Garden Grove: The North Garden Grove Planning Area is bounded by the City's incorporation boundaries to the west and to the north, and by Ninth Street to the east. Most of the

---

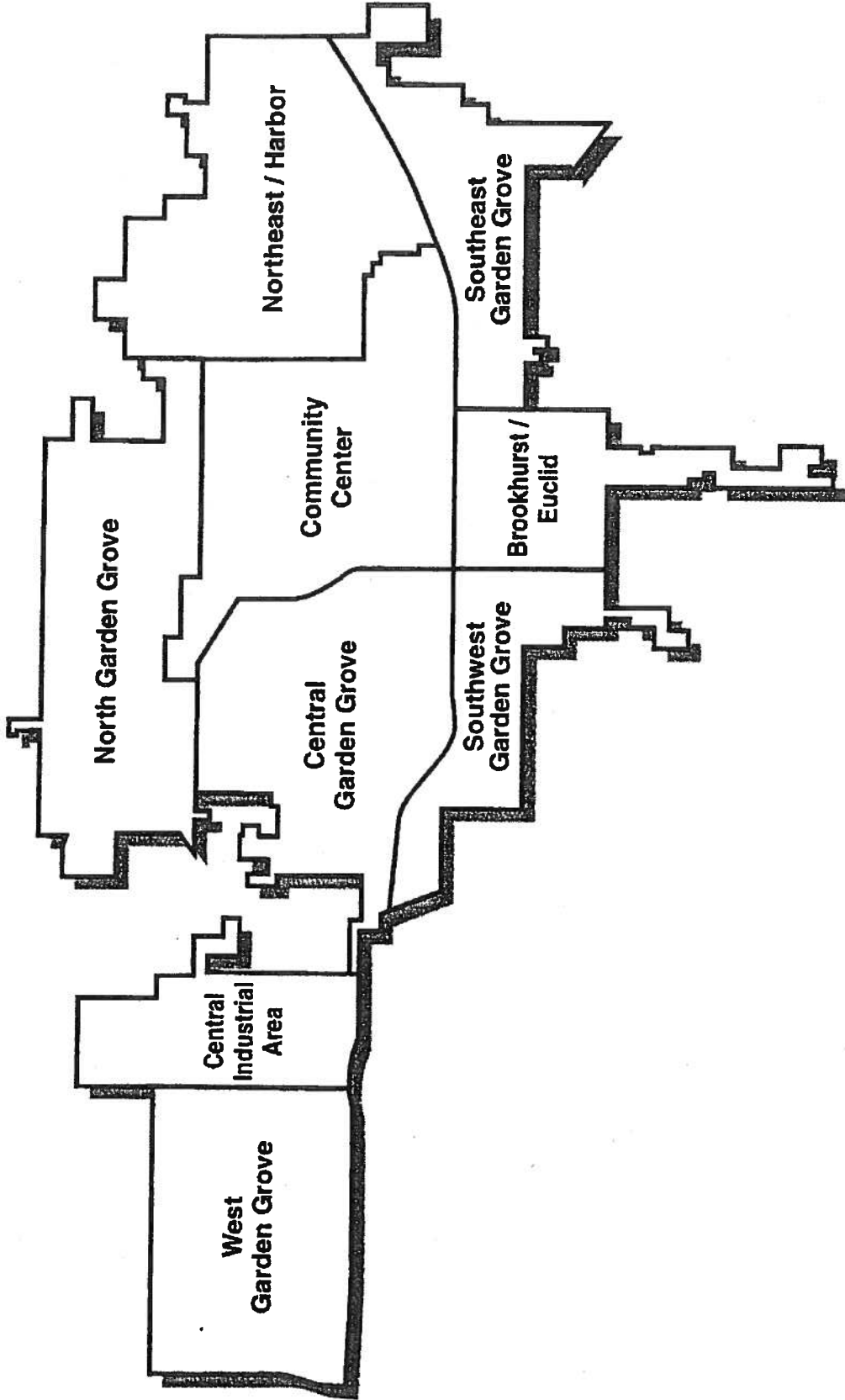
<sup>3</sup> Ibid. page 52

<sup>4</sup> Ibid, page 52.

<sup>5</sup> Ibid, page 61.

<sup>6</sup> Ibid.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***



southern boundary of this Area lies along Chapman Avenue, except for that section in the vicinity of Gilbert and Brookhurst Streets.<sup>7</sup>

The land use in the North Garden Grove Planning Area is predominantly single-family detached housing; the Area contains some of the oldest residential neighborhoods in the City. Among the lower density single-family neighborhoods, there is four multi-family, or apartment areas. Issues in North Garden Grove recognize the diversity of neighborhoods, which vary in character from those that are prestigious, affluent, and well maintained to those less favored sections, both residential and commercial, which show a need for increased property maintenance. Corrective measures required in these areas range from minor to reconstructive. A second set of issues concerns circulation: North Garden Grove is overlain with five heavily traveled arterial highways, including Katella Avenue, designated for re-engineering as a "Smart Street."<sup>8</sup> Sub-areas F and G are located in this planning area.

Community Center: The Community Center is bounded by the Garden Grove Freeway to the south, Brookhurst Street and OCTA right-of-way to the west, the Brookhurst/Chapman Specific Plan area and Chapman Avenue to the north, and Ninth Street, north of Garden Grove Boulevard, to the east while south of Garden Grove Boulevard the Planning Area extends almost to Harbor Boulevard.<sup>9</sup>

The Community Center Planning Area can be seen as the heart of Garden Grove, containing many of the City's most appealing, as well as some of its most problematic areas. The Civic Center, with City Hall, police headquarters and fire station, library, community meeting center and a popular park provides a distinctive and well-used hub for City services.

Historically, the Community Center, or Downtown was the most densely occupied area of the City, and provided economic stimuli to its outlying areas. As other office, commercial and industrial nodes have developed in other areas of the City, the economic viability of the Community Center has been threatened.<sup>10</sup> Sub-area L is located in this planning area.

Southeast Garden Grove: The Southeast Garden Grove Planning Area is bounded by Euclid Street to the west, the Garden Grove Freeway to the north, and the City's incorporation boundaries to the east and to the south.<sup>11</sup>

The largest portion of land in the Southeast Garden Grove Planning Area is devoted to single-family housing, but the Planning Area also includes the second largest industrial development in Garden Grove, strip commercial on Westminster Avenue, Harbor, and Garden Grove Boulevards, and several large apartment areas including Buena Clinton, probably the most populous of Garden Grove's residential communities. Issues of neighborhood stability and of the economic viability of

---

<sup>7</sup> Ibid, page 56.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid, page 68, 69.

<sup>10</sup> Ibid, page 69.

<sup>11</sup> Ibid, page 92.

some of the industrial area and many of the strip commercial areas are important in Southeast Garden Grove.<sup>12</sup> Sub-area H is located in this planning area.

Northeast/Harbor: The Northeast/Harbor Planning Area is defined by the City's incorporation boundaries to the north and to the east, the Garden Grove Freeway forms the southern boundary, and the eastern boundary extends along Ninth Street (north of Garden Grove Boulevard) and immediately west of Harbor Boulevard (south of Garden Grove Boulevard).

Just as Garden Grove Boulevard provides visual identity for the City for east-west travelers, so Harbor Boulevard is the most distinctive of Garden Grove's streets for north-south travel. This is particularly true for visitors to Disneyland and the Anaheim Convention Center. It will become even more evident with the planned expansions of these Anaheim attractions, and the relocation of access to Disneyland. Crystal Cathedral, the Garden Grove Hospital and the Hyatt Alicante Hotel reinforce the City's identity along the Harbor Corridor. A major issue in the Northeast/Harbor Area is the redevelopment of the Harbor Corridor as an attraction for tourists and visitors while protecting adjoining residential areas from the impacts of that development.<sup>13</sup> Sub-areas I, J, and K are located in this planning area.

#### **4.1.2 Project Impacts**

The threshold criteria for determining whether or not adoption and implementation of the Amendment will have a significant impact on land use are determined by two factors: 1) the policy content of the Amendment, and 2) the impacts resulting from land use locations and intensities/densities. The adoption and implementation of the Amendment will have potentially significant impacts if it:

1. Conflicts with adopted environmental plans and goals of the General Plan;
2. Disrupts or divides the physical arrangement of an established community.

#### **Consistency with the City of Garden Grove General Plan**

As proposed at this time the Amendment is consistent with the General Plan because it implements the General Plan. The City of Garden Grove Planning Commission will take formal action on whether or not the Amendment is consistent with the General Plan at its June 6, 2002 public meeting.

The adoption and implementation of the Amendment will not change the existing land use designations of the properties within the Project Area. The Amendment incorporates by reference the General Plan as it now exists or may be amended in the future and does not propose any land use or zone changes with adoption of the Amendment. The land use designations of properties in the Project Area will remain as presently designated by the General Plan, or as amended by the City in the future from time to time.

---

<sup>12</sup> Ibid, page 94.

<sup>13</sup> Ibid, page 77.



In addition to complying with all applicable land use and zoning designations, all future projects will have to comply with and be consistent with the various elements of the General Plan as well as all-applicable goals and policies of each element of the General Plan. Building types, number, size, height, and design will need to comply with the General Plan. All public and private projects, when submitted to the City or Agency, as appropriate, for approval will be reviewed for compliance and consistency with the various elements and policies of the General Plan.

#### **Added Territory/Existing Project Area**

The Amendment, if adopted, is anticipated to encourage development of projects within the Added Territory much sooner than if the Amendment is not adopted. The ability of the Agency to: 1) provide financial incentives, 2) acquire and assemble property; 3) provide funding for public infrastructure improvements; 4) use redevelopment funds to rehabilitate and upgrade existing buildings; 5) provide additional low and moderate income housing, etc. is the impetus needed for private and/or public projects to proceed and move forward to reduce blight and improve the physical and economic viability of the Added Territory. As has occurred in the past and is presently occurring, neither the private nor public sectors acting alone are able to upgrade and improve the economic viability and reduce blight in the Added Territory.

The adoption and implementation of the Amendment is anticipated to have positive land use impacts by encouraging the Agency and the private community to work together to reduce blight; upgrade buildings to meet current building and fire codes; construct needed public infrastructure; and improve the physical and economic viability of the Added Territory. Eliminating blighted property in the Added Territory due to redevelopment will have positive land use impacts to the community as a whole. Adoption of the Amendment could facilitate funding and construction of needed infrastructure improvements the City presently is not able to complete due to lack of funds.

The rehabilitation of existing blighted buildings, construction of new buildings, and elimination of existing buildings that are not in conformance with current building and fire codes, as updated periodically, will have positive land use impacts for the City. Some existing buildings need to be upgraded to comply with current building codes and other buildings require structural and earthquake upgrades. Other buildings need cosmetic improvements such as painting, landscaping, maintenance, minor repairs, etc. The adoption and implementation of the Amendment will allow the Agency to assist property owners as monies become available to improve the Added Territory both physically and economically.

The Amendment will authorize the Agency to acquire blighted properties and/or incompatible land uses and assembles property for development. The Agency can demolish blighted buildings and construct new buildings in their place. This type of activity by the Agency can significantly improve the economic viability of the Added Territory as well as improve land use compatibility. The rehabilitation of existing buildings or demolition of blighted buildings and construction of new buildings could significantly improve the compatibility of land uses within the Added Territory between existing and future land uses.

The development of projects through the efforts and assistance of the Agency could lead indirectly to secondary environmental impacts. Although much of the Added Territory is urbanized and

developed, there are vacant and/or underutilized parcels that if developed will reduce open space and increase the demand for public services and utilities. The potential for land use impacts between new uses with existing uses due to redevelopment will depend upon the type of new development, design, and compatibility of the project with adjacent land uses. Potential land use compatibility impacts will be evaluated at the time specific development plans are submitted to the City or Agency, as appropriate, for approval. However, if assuming properties are redeveloped in compliance with and consistent with the General Plan, as they must be, no significant land use impacts are anticipated.

Although the properties within the Project Area will have to be developed consistent with the General Plan, there could be land use impacts associated with the construction of future projects with existing surrounding land uses. The City or Agency, as appropriate, will evaluate potential land use impacts of each project when submitted for approval and implement measures as required by CEQA to mitigate significant land use impacts. It is speculative at this time to discuss and evaluate in detail potential land use impacts with the development of future private projects because detailed site development plans are not presently available.

The adoption and implementation of the Amendment could encourage private development in the Added Territory sooner than anticipated. The Amendment allows the Agency to assist the private sector to eliminate blight in the Added Territory. The authority to use eminent domain to acquire property during the first twelve years will allow the Agency to further assist in the redevelopment of the Added Territory by assembling property for development and eliminate non-compatible land uses. The Agency can work with the private sector to provide assistance towards redevelopment that could occur much sooner than without assistance and participation by the Agency. From a land use standpoint, the Amendment will have positive land use impacts by encouraging development of existing parcels of land that are non-conforming with the General Plan to compliance with the General Plan. Assistance by the Agency to upgrading existing buildings that do not meet current building codes to comply with the building and fire codes, meet current architectural and design guidelines and standards, etc. will have positive land use impacts and will be consistent with the General Plan.

Sub-area I, located adjacent to and west of Harbor Boulevard and north of Lampson Avenue, is presently developed with single-family detached homes. The General Plan designates this area as Mixed Use. The Mixed Use land use designation allows residential development, but it also allows any combination of uses from any of the zones, similar to the present PUD land use designation.<sup>14</sup> The Mixed Use land use designation for sub-area I could allow residential, commercial, retail, professional office, and industrial uses.

The development of mixed use in sub-area I would change the character of the sub-area from single-family detached residential homes to a mixture of uses including residential office, commercial and industrial uses. A change in land use from residential to mixed use could have land use impacts to adjacent surrounding residential land uses, depending upon the uses proposed. A mixed-use project for sub-area I would have to be approved by the City before any development could occur. As part

---

<sup>14</sup> 1995 City of Garden Grove General Plan, page 28.

of the approval process of any mixed-use project for sub-area I in the future, the City would have to comply with CEQA and prepare the appropriate environmental document (Negative Declaration or Environmental Impact Report) to fully evaluate the potential environmental impacts of the project prior to project approval. The community at large would have an opportunity during the CEQA process to evaluate and comment on a mixed-use project proposal for sub-area I prior to any approvals.

The 1995 Garden Grove General Plan Update EIR states that development of mixed-use designated land along Harbor and Garden Grove Boulevards, which includes sub-area I, is “considered a potentially significant impact, but reduced to a less than significant level with mitigation.”<sup>15</sup> The uses permitted in these areas may result in residential development and supporting uses, such as child-care and community facilities, being located in close proximity to commercial, office and/or industrial development. Residential uses and many of the supporting uses are considered sensitive to the potential nuisances and hazards associated with certain non-residential uses. These adverse effects could include exposure to noise, odors, toxic substances, risk of upset (fire or explosion), or other adverse conditions associated with some types of commercial uses, which are permitted in these areas. Other nuisances are associated with around-the-clock traffic operations, including commuter destination traffic and both daytime and nighttime deliveries by trucks. The potential proximity of sensitive uses to non-residential uses presents the possibility for these uses to be adversely affected by other businesses.<sup>16</sup>

Since the proximity of residential and non-residential uses permitted in the Mixed Use areas presents the potential for land use conflicts, the development regulations for the corresponding zones in the City’s Zoning Ordinance need to contain adequate provisions to reducing conflicts or avoid incompatible situations. This is partially accomplished through discretionary review (by way of a conditional use permit) for both the sensitive uses and heavy commercial uses. However, neither the General Plan nor the Zoning Ordinance contain criteria for evaluating the appropriateness of proposed uses in circumstances where land use incompatibilities could potentially occur in a Mixed Use area, therefore, until criteria has been developed and adopted, land use incompatibilities may occur.<sup>17</sup>

The adoption and implementation of the Amendment could encourage and result in mixed-use development in sub-area I as allowed by the General Plan. The Amendment therefore, could indirectly result in potentially significant land use impacts with area residents based on information in the 1995 General Plan EIR. However, the 1995 General Plan EIR provided mitigation measures to reduce potentially significant mixed-use incompatibilities to less than significant. The mitigation measures listed in the 1995 General Plan Update EIR to reduce potential mixed-use incompatibilities to less than a significant level is brought forward from the 1995 General Plan Update EIR and listed in this section.

---

<sup>15</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, page 5.1-37

<sup>16</sup> Ibid, page 5.1-38

<sup>17</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, page 5.1-38

The land use impact analysis presented above for the Added Territory is generally applicable for the Existing Project Area. Although development in the Existing Project Area must be consistent with the General Plan, the construction of private and improvement projects could change the existing land use density on the property and impact surrounding land uses. The City or Agency, as appropriate, will review all development proposals when they are submitted for approval. The City or Agency, as appropriate, will make adjustments to the projects and incorporate applicable mitigation measures set forth herein accordingly to reduce or eliminate potential significant land use impacts as required by CEQA. Since detailed development plans are unavoidable for the improvement projects listed for the Existing Project Area or any other projects pursuant to the Amendment, ~~it is speculative at this time to identify and discuss potential land use impacts from such specific projects.~~ The specific land use impacts of each project will be evaluated at the time plans are submitted to the City or Agency, as appropriate, for approval.

The adoption and implementation of the Amendment is anticipated to encourage new development in the Existing Project Area. The ability of the Agency to assist both the public and private sectors to eliminate blight and improve the economic viability of the Existing Project Area may change the existing land use of property to that designated by the General Plan. The Amendment will extend the authority of the Agency to use eminent domain to acquire property for an additional twelve years from the date of adoption. The ability to continue to use eminent domain to acquire and assemble property when necessary will extend the ability of the Agency to eliminate incompatible land uses. The development of the Existing Project Area consistent with the General Plan will have positive land use impacts to the City.

Development of the Existing Project Area and Added Territory could require the relocation of existing residents. The City of Garden Grove and Garden Grove Agency for Community Development have Relocation Assistance Guidelines (Guidelines), which identify the relocation procedures that will be followed by the Agency should residents require relocation. The Guidelines conform to the California Relocation Assistance Law and provide general information on ways the Agency will assist those displaced by Agency projects. The Agency must comply with the law in terms of relocation assistance for displaced individuals and families. A copy of the Guidelines is provided as Appendix GD of this Program EIR. Compliance by the Agency with its Guidelines and the California Relocation Assistance Law would reduce relocation impacts to less than significant.

### **Planning Areas**

The Amendment will not change or alter the type of future development anticipated for the six Planning Areas that include the Added Territory. The current land use and zoning designations along with specific plans will remain in place, as they presently exist with adoption and implementation of the Amendment. The Planning Areas will remain as presently designated until such time the City formally approves a change in the future. However, at this time the Planning Areas will not be impacted or altered with the adoption and implementation of the Amendment.

### **Conclusion**

The Amendment conforms to the General Plan and does not represent a change from land uses designated in the General Plan. The Amendment incorporates the General Plan by reference and

will not result in any development, change of land use, or change of zoning designations upon its adoption. The adoption and implementation of the Amendment will not directly have any significant land use impacts in either the Existing or Added Territory based on the land use threshold criteria. The City or Agency, as appropriate, will evaluate potential impacts as specific projects pursuant to the Amendment are proposed and carried out and project details are known and will ensure conformity with the General Plan.

The Amendment will provide the Agency the authority to acquire and assemble property by negotiation and the use of eminent domain, if necessary to assist the private sector. Assistance by the Agency can include demolishing existing blighted buildings, constructing new buildings, upgrading buildings to meet current building, fire, and uniform codes, etc. The adoption and implementation of the Amendment will have positive land use impacts through the Agency's ability to assist the private sector to upgrade and improve both the economic and physical viability of the Existing and Added Territory. There will not be any significant land use impacts with the adoption and implementation of the Amendment because all development in the Project Area must be consistent with the General Plan and City policies regarding design, architecture, landscaping, etc. The development anticipated in the Project Area due to the adoption and implementation of the Amendment will be beneficial to the community from a land use standpoint.

The adoption and implementation of the Amendment could encourage and result in the development of mixed-use in sub-area I, which presently consists of single-family detached homes. The development of mixed use in sub-area I will permit a mix of residential, office, commercial and industrial uses which potentially result in land use incompatibilities, including an increased possibility for exposure of residents and other sensitive receptors to noise, heavy traffic, hazardous substances or other undesirable effects. This is considered a potentially significant impact, but reduced to a less than significant level with mitigation. The required relocation of any individuals or families due to the development of Agency sponsored projects will be in conformance with the Agency's Relocation Assistance Guidelines and California Relocation Assistance Law.

#### **4.1.3 Mitigation Measures**

The following measures are recommended to reduce potential mixed-use land use incompatibilities to less than significant.

1. Residential uses should only be developed in locations where residents will not be exposed to substantial hazards, nuisances, and other land use incompatibilities. The City shall use the environmental review process to ensure the compatibility of uses within Mixed Use areas, through the environmental review process, mitigation, if necessary, shall be required.<sup>18</sup>
2. In its decision to approve or deny an application for a development permit application or conditional use permit, the City shall consider the proposed use's potential to cause land use conflicts or compatibilities with nearby sensitive uses. Uses can be considered to have the potential to cause land use conflicts if their operation would result in the generation of

---

<sup>18</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, page 5.1-42.

excessive noise, odors, hazards, light and glare, late-night activities, high traffic levels, or other undesirable effects or activities. Sensitive uses include residential, schools, childcare, hospitals and medical facilities, congregate care, convalescent homes, libraries and similar facilities.

3. If it is determined that a proposed use has the potential to cause land use conflicts or incompatibilities, measures shall be taken to reduce or eliminate any potential nuisances or hazards to a level of insignificance in order to protect sensitive uses. Possible design measures include increased setbacks, perimeter barriers and buffers, adequate landscaping for screening, and cut-off exterior lighting fixtures. Other possible measures include limited hours of operation, limitation of activities, which present a potential nuisance or hazard, and limitations on the type and quantity of materials used or stored at the site. Proposed site plans and building plans should be examined to determine if the physical arrangement of facilities could be altered to reduce or eliminate potential problems. Items to be examined should include setbacks, landscaping, signs, site access and parking, exterior lighting, perimeter walls and fences, location of loading areas, building orientation, and location of equipment and storage. In some cases, minimum distance requirements may need to be established between incompatible uses.

#### **4.1.4 Significance After Mitigation**

No significant land use impacts are anticipated with adoption and implementation of the Amendment, therefore no mitigation measures are recommended.

## 4.2. GEOLOGY/SOILS

### 4.2.1 Environmental Setting

#### Topography

The topography throughout most of the Project Area is generally flat. The elevations throughout the Project Area range from 50 feet above sea level in the western portion of the city near Added Territory "B" to 110 feet above sea level in the eastern portion of the city near Added Area "K". There is a 60-foot change in elevation from east to west, however the change in elevation is gradual and is not readily noticeable.

#### Soils

The City of Garden Grove is underlain by three general types of soil associations: Hueneme-Bolsa, Metz-San Emigdio, and the Sorrento-Mocho associations. These soils range from somewhat excessively drained to poorly drained, and are found on nearly level to moderately sloping soils on alluvial fans and flood plains and in basins of the coastal plains. Specific soil types include Hueneme fine sandy loam, drained; Bolsa silt loam, drained; Metz loamy sand; San Emigdio fine sandy loam; and San Emigdio fine sandy loam, moderately fine substratum. These soils are generally well-suited to agricultural use, as well as urban development.<sup>19</sup>

#### Landslides

A landslide is the movement of earth materials down a hillside or steep slope area. Landslide problems usually occur when a hillside is over steepened, the support at the base is moved, additional material or fill is loaded onto the hillside, or water saturates into the slide mass. Landslide problems and other ground failures occur during earthquakes, triggered by the strain induced in soil and rock by the ground shaking vibrations and during non-earthquake conditions, most frequently during the rainy season. Based on a review of the City of Garden Grove General Plan, there are no landslide areas in the Project Area.

#### Seismic Characteristics

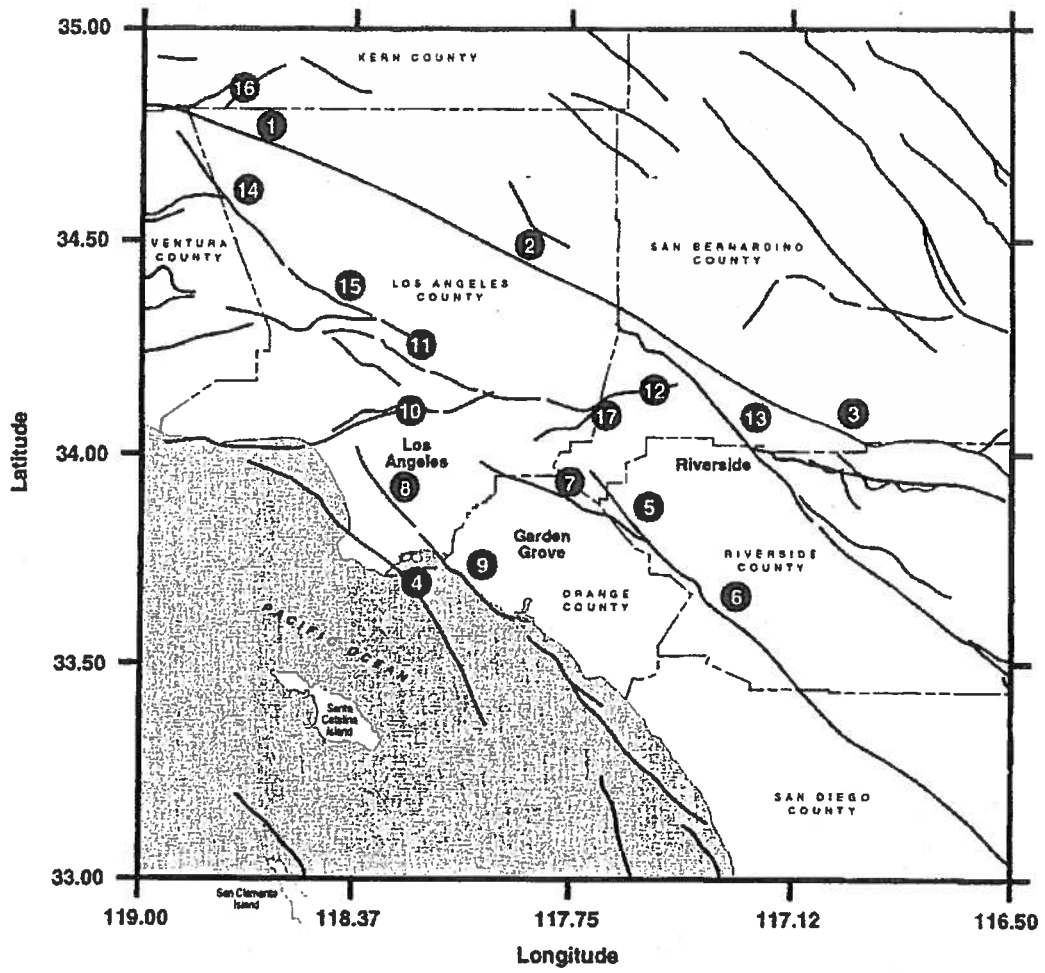
The geology of southern California and particularly in the Los Angeles Basin is dominated by active faults. **Figure 7, *Selected Active and Potentially Active Faults in Southern California***, shows the better known seismically active faults in southern California. The City of Garden Grove is located between several of these faults. There are no active faults located in the City, however, there are two fault splays, probably associated with the Pelican Hill Fault, that underlie the city as shown in **Figure 8, *Fault Splays of the Pelican Hill Fault Zone***. It should be noted that the Pelican Hill

---

<sup>19</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, page 5.3-2.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***





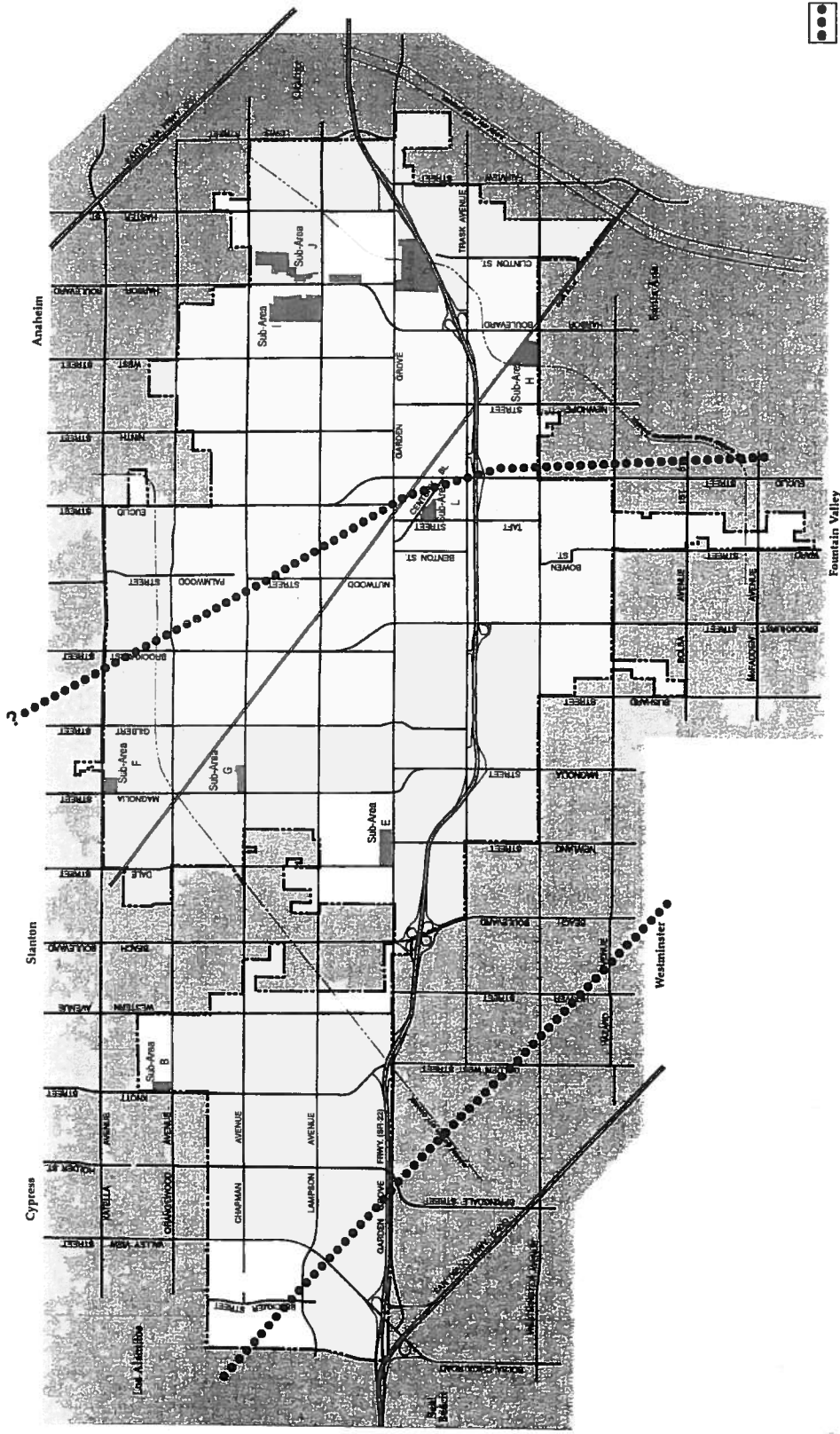
**FAULTS**

- |  |  |
|--|--|
| 1 San Andreas (Carrizo)                  | 10 Santa Monica                          |
| 2 San Andreas (Mojave)                   | 11 Sierra Madre - B                      |
| 3 San Andreas (San Bernardino Mountains) | 12 Cucamonga                             |
| 4 Palos Verdes                           | 13 San Jacinto (Lytle Creek - Claremont) |
| 5 Chino                                  | 14 San Gabriel - A                       |
| 6 Elsinore - A                           | 15 San Gabriel - B                       |
| 7 Whittier                               | 16 Garlock                               |
| 8 Newport Inglewood - B                  | 17 San Jose                              |
| 9 Newport Inglewood - A                  |  |



**Selected Active & Potentially Active Faults in Southern California**

**Figure 7**



Approximate Location of Pelican Hill Fault Splays (buried)

Source: Leighton & Associates  
Moran and Miller, 1981



# Fault Splays of the Pelican Hill Fault Zone

Figure 8

Fault Zone is considered inactive by the State; however, minor historical seismicity recorded in the area may be related to this fault.<sup>20</sup>

Detectable ground shaking in the City of Garden Grove could be caused by any of the active or potentially active faults shown in Figure 8. The Newport-Inglewood, Whittier, and Palos Verdes faults are the active faults most likely to cause high ground accelerations in the City. The San Andreas Fault has the highest probability of generating a maximum credible earthquake in California within the next thirty years. The faults most likely to impact Garden Grove, including the Added Territory, during a seismic event are described below:

The San Andreas Fault is 44 miles from the City of Garden Grove at its closest point. The City has some high-rise buildings and transportation routes that could be damaged significantly if an earthquake of a Richter scale magnitude of 8.0 or greater on the San Andreas occurred. However, the most impact issue is the loss of water, power, and fuel supplies that could occur in the event of such an earthquake.

The nearest segment of the Newport-Inglewood Fault is located approximately five miles to the southwest of the City of Garden Grove in the Pacific Ocean. The 1933 Long Beach Earthquake, attributed to the Newport-Inglewood Fault achieved a magnitude of 6.3 on the Richter scale. The close proximity of the Newport Inglewood Fault to the City would result in damage patterns different than those from an earthquake on the San Andreas Fault. The short-period seismic waves generated by near-field earthquakes interact preferentially with low-rise buildings and other short-period structures such as electric substations. Because most buildings in the City are low- to mid-rise, a moderate to strong earthquake on the Newport-Inglewood Fault would impact the City more than a stronger earthquake on a more distant fault, such as the San Andreas.

The Whittier Fault is the next closest fault to the City and is located approximately ten miles northeast of the City. The Whittier Fault is the northern extension of the Elsinore Fault Zone and has the capability to produce a maximum credible earthquake of magnitude 7.3. The 1987 earthquake along the Whittier Fault achieved a magnitude of 6 on the Richter scale, and resulted in relatively minor damage.

The Palos Verdes Fault is located approximately fifteen miles from the City. This fault has only recently been considered active. The Palos Verdes Fault is considered to be capable of generating a maximum credible earthquake of magnitude 7.0.

A newly postulated fault, the Torrance-Wilmington Fault, could also adversely impact the City. Although the seismic parameters of the Torrance-Wilmington fold and thrust belts are not well defined, the belt has been divided into three segments. Estimates indicated that if one of these segments ruptures, an earthquake of magnitude 5 to about 7.5 would result. If two or more segments rupture simultaneously, a great earthquake, or magnitude greater than 7.8 could result.

<sup>20</sup> City of Garden Grove General Plan Final EIR, October 24, 1995

Other faults, currently not considered active, which are close to the City of Garden Grove are the Norwalk and El Modeno Faults. The Norwalk and El Modeno Faults are located approximately 4.5 and 4 miles, respectively, northeast of the City.

Maximum credible earthquakes on other sources further away from the City may also impact Garden Grove. These other sources include earthquakes along the Chino, Elsinore, Offshore Newport-Inglewood, Raymond, San Jose, Santa Monica, and Sierra Madre Faults.

#### Fault Rupture Hazard

There are no Alquist-Priolo Special Studies Zones within the City. The objective of fault investigations within an Alquist-Priolo Special Studies Zone Act Movement is to locate the trace of the fault so that setbacks away from the fault can be prescribed. The two fault splays underlying the City do not reach the surface and are not considered active under the State definition.

#### **Earthquake-Induced Ground Failure**

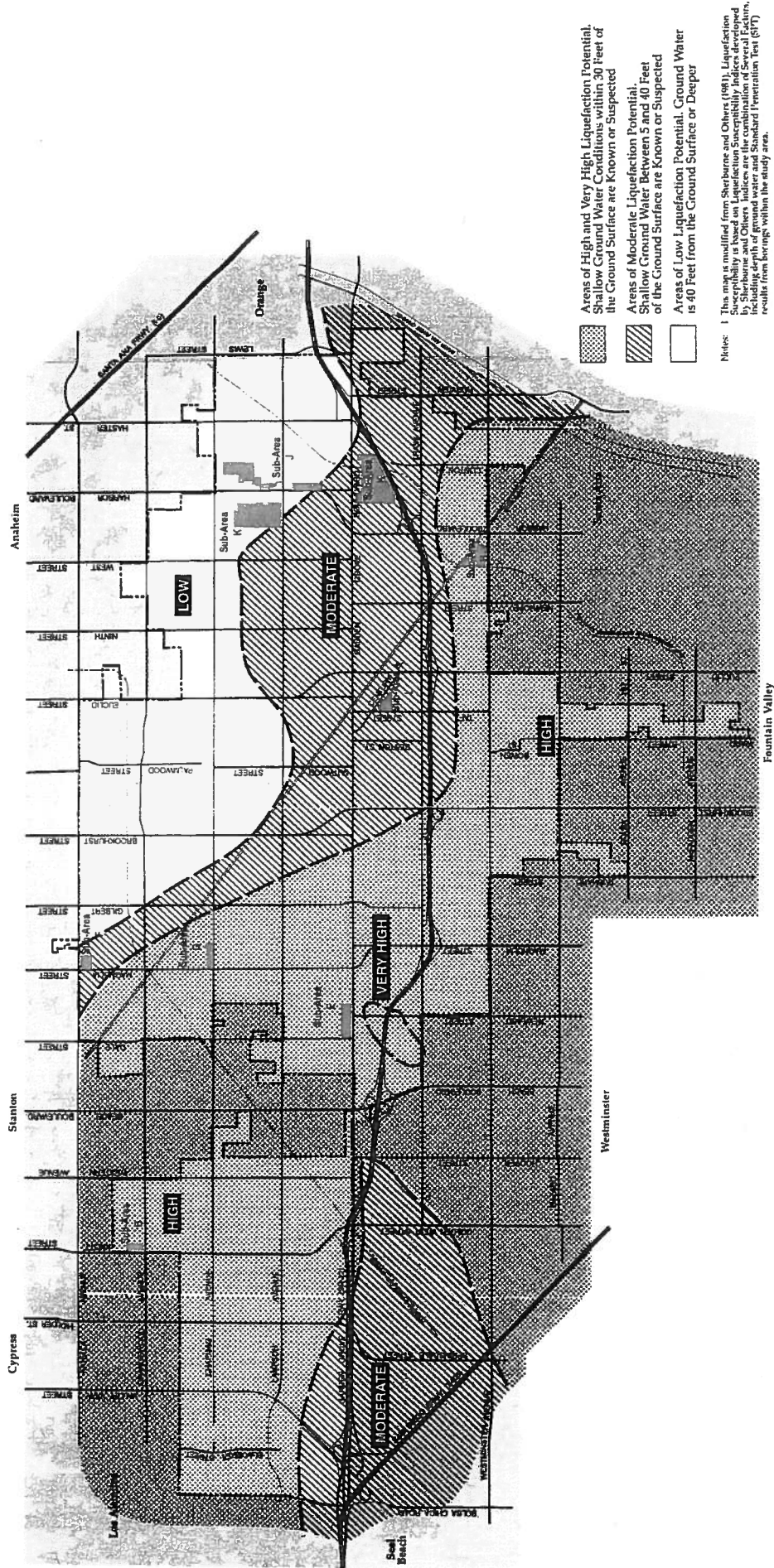
Secondary earthquake hazards such as liquefaction, lateral spreading, dynamic settlement, and landsliding are generally associated with relatively high intensities of ground shaking. Liquefaction, lateral spreading, and dynamic settlement are also associated with shallow groundwater conditions, and loose, sandy soils. Liquefaction and its related effects pose one of the greatest dangers to the City during a future large magnitude earthquake.

**Figure 9, *Liquefaction Susceptibility Map***, shows the approximate limits of the soils susceptible to liquefaction as delineated by the California Division of Mines and Geology (CDMG). Areas of high susceptibility are more likely to liquefy during an earthquake than areas of low susceptibility.

Lateral spreading includes the lateral displacement of surficial blocks of sediment as a result of liquefaction in a sub-layer. Lateral spreads most commonly occur on gently sloping ground, and can have lateral displacement of several feet. Larger displacements can occur if soil conditions are especially favorable for liquefaction and if earthquake shaking is of sufficient duration. The western half and the southern portions of the City are underlain by sediments highly susceptible to liquefaction. These are the areas in the City where lateral spreading is most likely to occur.

Dynamic settlement, or seismically induced settlement of soils, occurs due to seismic shaking. Ordinary differential settlement is the settlement of soils that occurs due to static loading, such as from a large building. Dynamic settlement is not necessarily related to liquefaction and can occur in dry soils. Most dynamic settlement, like differential settlement, occurs in sandy soils. **Figure 10, *Dynamic Settlement Map***, shows the limits of areas of low, moderate, and high susceptibility to dynamic settlement within the City, as determined by the CDMG. The eastern portion of the City is underlain by a north-south trending zone of sediments that is highly susceptible to dynamic settlement.

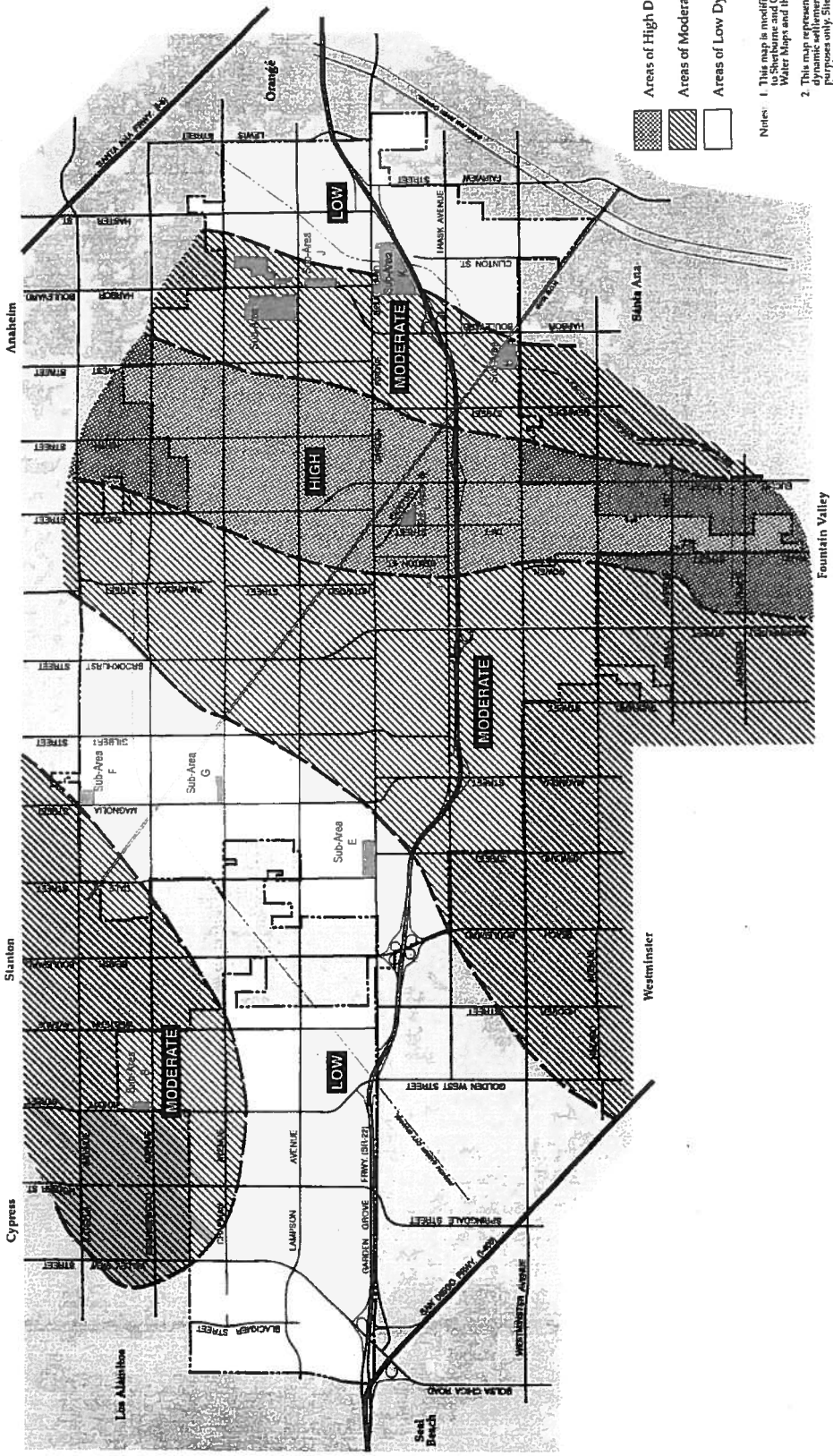
Earthquake-induced landsliding and rockfalls are common in areas where oversloped slopes expose out-of-slope bedding, or where the bedrock is intensely jointed and fractured. Soil slopes, or shallow surficial slides, may also occur. There are no bedrock slopes within the City, but there are a



Source: Leddington & Associates  
Sherburne and Others, (1981)

**Liquefaction Susceptibility Map**

**Figure 9**



**Notes:**

1. This map is modified from Sherburne and Others (1981). According to Sherburne and Others, this map is a composite of Regional Ground Water Maps and the thickness of underlying Holocene sediments.
2. This map represents a regional interpretation of areas susceptible to dynamic settlement and should be used for general land use planning purposes only. Site-specific settlement studies should be conducted for development purposes.
3. Boundaries of dynamic settlement are approximate.

Source: Leighton & Associates, Sherburne and Others, 1981.



**Dynamic Settlement Map**  
Figure 10

few slopes composed of unconsolidated soils. The slopes are located along the Anaheim-Barber City and East Garden Grove Wintersburg Channels, and the Southern Pacific railroad line. The majority of these channel slopes are lined with concrete, which protects the face of the slopes from eroding and reduces the hazard of shallow failures occurring on these slopes. Unprotected slopes may be susceptible to soil slips or shallow surficial slides during a future earthquake, especially if the slopes are wet or saturated by heavy rains or overwatering.

#### **4.2.2 Project Impacts**

The threshold criteria for determining significant impact on geology/soils are based on whether or not the adoption and implementation of the Amendment will:

1. Trigger or accelerate geologic processes such as landslides or erosion.
2. Disturb or adversely affect unique geologic features of unusual scientific value for study or interpretation.
3. Require grading or construction that will cause displacements, compaction, exposure or over covering of soil such that project development poses a reasonable probability of damage, endangerment, or other hazard to on-or off-site building or structures by ground or soil failure.
4. Expose people to unacceptable risk due to the presence of geologic, seismic or soil hazards.

#### **Added Territory/Existing Project Area**

The Amendment will allow the Agency to participate in the construction of needed improvement projects that are listed in the Amendment as funds become available. The Amendment will also allow the Agency to participate with the private development community to rehabilitate or demolish existing blighted and underutilized buildings and construct new buildings.

The construction of public improvement and private projects could have both short and long-term soils and geologic impacts. The potential impacts of the public improvement projects could include changes in topography during grading and trenching and short-term soil erosion impacts due to wind and rain. Similar soils and geology impacts could occur during construction and development of private development projects. The potential geology and soils impacts associated with construction of the public improvement and private development projects in general are discussed below:

#### **Topography**

The construction of public improvement projects will require grading which in some areas the ~~construction of some of the projects~~ will result in changes to the existing topography. The construction of underground utility projects are not anticipated to have significant topography impacts because the trenching required to place underground utilities will be covered with the same material removed from the trench and restored close to the original topographic condition as possible upon completion of construction. Construction of public improvements projects described in the



public improvements list will result in changes to the existing elevations. The significance of the changes in topography due to grading and construction is not known at this time since construction and grading plans are not available. However, construction of the public improvement facilities is not expected to result in significant topography changes and impacts since the sites anticipated for their construction is generally flat. It is anticipated that minimal grading will be required for the construction of any of the listed public improvement projects.

Overall, the construction of the improvement projects proposed for the Added Territory are not anticipated to result in significant amounts of grading or significant topography impacts since most of the projects include street improvements within existing right-of-way, construction of underground utilities that will not require extensive amounts of grading and other public improvement projects where significant quantities of grading are not anticipated.

The Amendment is anticipated to encourage new private development within the Added Territory. Redevelopment will, in all likelihood, result in changes to existing topography to grade the site for suitable building pads, construct new roads, etc. Specific site development plans are not available for any anticipated private development projects at this time. Therefore, it is speculative to evaluate potential impacts to the topography due to grading, trenching, and project construction. Potential impacts to topography associated with grading and construction will be evaluated at the time development projects are submitted to the City or Agency, as appropriate, for approval and carried out pursuant to the Amendment.

### **Soils**

The subsurface soils in the Added Territory appear to be adequate to support the construction of the public improvement and private projects pursuant to the Amendment and allowed by the General Plan. A soils and geotechnical report will identify the types of soil on the site and state if the soil can safely support the proposed development. Based on the type of soil in the Added Territory and the type of development allowed by the General Plan, it is anticipated that the existing soils have the ability to support future development without significant soil impacts.

### **Geologic Hazards**

Future public and private development in the Added Territory will be exposed to the same geologic hazards and seismic activity that exists for all development in the City, independently of the adoption of the Amendment. The adoption and implementation of the Amendment will not change or increase the exposure of future development to geologic hazards. While the adoption and implementation of the Amendment may encourage new redevelopment to occur sooner than without the Amendment, or the private sector acting alone, all new development and rehabilitation projects will be exposed to the same geologic hazards that presently exist. The Amendment will not cause any new or significant geologic hazards to public or private development in the Added Territory.



## **Liquefaction**

The Added Territory is subject to liquefaction based on information in the General Plan. All of the sub-areas in the Added Territory are subject to either, low, moderate, or high liquefaction potential. None of the Added Territory is located in the very high liquefaction potential area.

The public and private projects that require grading, trenching or excavation, will have to prepare a soils and geotechnical report that addresses liquefaction and submit the report to the City or Agency, as appropriate, for approval prior to the issuance of grading or building permits. The City or Agency, as appropriate, will review the geotechnical reports for all projects, both public and private, and make a determination whether or not corrective measures must be made to reduce or minimize potential liquefaction effects. The incorporation of all City required measures to reduce potential liquefaction impacts, if identified, will minimize potential liquefaction impacts associated with public and private projects carried out under the Amendment.

## **Landslides**

The General Plan EIR identifies several areas in the City subject to earthquake-induced landslides. The slopes that are subject to landslide potential are located along the Anaheim-Barber City and East Garden Grove Wintersburg Channels, and the Southern Pacific railroad. The East Garden Grove Wintersburg Channels bisects sub-area "K." Future development in Sub-area K ~~would have to~~ will be reviewed closely by the City for potential landslide issues due to development adjacent to the channels. When potential landslide impacts are identified, measures to reduce those impacts to insignificant ~~acceptable~~ levels will ~~would have to~~ be incorporated into the project accordingly. While earthquake-induced landslides due to development along the channels could occur, measures can be incorporated into projects to reduce the impacts to less than significant levels and landslides are not anticipated to significantly impact future development in the Added Territory.

## **Soil Erosion**

Soil erosion due to wind and water could occur during construction of both public and private projects. The effects of potential wind and water erosion during construction include the generation of dust due to wind and soil erosion and siltation due to rain. Depending upon the project, length of construction and the measures that are incorporated into the project, soil erosion impacts could be significant.

The City or Agency, as appropriate, will require all projects to provide soil erosion control measures to reduce and minimize wind and water erosion. The City or Agency, as appropriate, will require the incorporation of all applicable soil and water erosion measures into both private and public projects to reduce potential wind and water erosion impacts. The incorporation of soil erosion control measures will minimize wind and water soil erosion impacts from projects pursuant to the Amendment.

As with the Added Territory, there are no suspected geologic or geotechnical constraints associated with development in the Existing Project Area due to the adoption and implementation of the Amendment. The same geologic and geotechnical constraints generally identified and discussed

above regarding future private and public development in the Added Territory will apply to the Existing Project Area.

Soils and geotechnical reports will be submitted to the City or Agency, as appropriate, for all public and private projects proposed within the Existing Project Area for review and approval. Measures will be incorporated into each project to reduce or eliminate potential geotechnical impacts when required. As with the Added Territory, there are no soils or geologic hazards that are unique to the Amendment and any soils or geotechnical constraints that presently exist with new development in the Existing Project Area will continue to exist independently of the Amendment.

There are no geologic or geotechnical impacts that are unique to the construction of public or private projects pursuant to the Amendment. The adoption and implementation of the Amendment will not have any significant geologic or geotechnical impacts with construction of improvement projects in the Existing Project Area

### **Conclusion**

Based on the threshold criteria, the Amendment will not directly trigger or accelerate geologic processes such as landslides or erosion, disturb or adversely affect unique geologic features of unusual scientific value for study or interpretation, require grading or construction that will cause displacements, compaction or overcovering of soil that poses a reasonable probability of damage, endangerment, or other hazard to on-or off-site building or structures by ground or soil failure, or expose people to unacceptable risk due to the presence of geologic, seismic or soil hazards because development is not directly proposed as part of the Amendment. However, the adoption and implementation of the Amendment could have significant soil erosion impacts associated indirectly with the construction of public or private projects in the Project Area. The effects of potential wind and water erosion during construction include the generation of dust due to wind and soil erosion and siltation due to rain. Depending upon the project, length of construction and the measures that are incorporated into the project, soil erosion impacts could be significant. Development in the Project Area could also be impacted by liquefaction and lateral spreading. Specific geotechnical impacts, including liquefaction and lateral spreading, that may be associated with the construction of future public and private development will be evaluated in detail at the time development plans are submitted to the City or Agency, as appropriate, for approval. The City has programs to implement the geologic and seismic policies of the General Plan to protect property and residents from geologic hazards. Two policies applicable to new or redevelopment projects in the Project Area include: 1) promote seismic safety in new and existing buildings and structures; 2) where mandated or practical, require site specific dynamic settlement studies for significant development projects proposed within the high dynamic settlement susceptibility zone, and require mitigation of the hazard of dynamic settlement to the satisfaction of the responsible agencies. Implementation of the existing City programs relative to the geologic and seismic constraints associated with development in the Project Area will reduce potential impacts to a level of insignificance, thus not meeting the threshold criteria for significance.

#### **4.2.3 Mitigation Measures**

The following mitigation measures are recommended to reduce potential soil erosion, liquefaction, and lateral spreading impacts associated with the construction of projects in the Project Area.

1. The City or Agency, as appropriate, shall require all projects to provide soil erosion measures to reduce and minimize wind and water erosion. The City or Agency, as appropriate, shall require the incorporation of all applicable soil and water erosion measures into both private and public projects to reduce potential wind and water erosion impacts to a level of insignificance. The incorporation of soil erosion control measures will minimize wind and water erosion impacts.
2. A soils and geotechnical report shall be approved by the City for all public and private projects prior to the issuance of grading or building permits, whichever is issued first. The soils and geotechnical report will identify the types of soil on the site and determine if the soil can safely support the proposed development.

#### **4.2.4 Significance After Mitigation**

No significant geology/soils impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## 4.3 HYDROLOGY/DRAINAGE AND WATER QUALITY

### 4.3.1 Environmental Setting

Based on Federal Emergency Management Agency (FEMA) floodplain mapping for the Santa Ana River watershed, the eastern third of the City is subject to flooding by a 100-year flood. Additional studies conducted in 1988 indicate that a greater portion of the city would be subject to a 100-year flood compared to the FEMA results. The rest of the city is located outside of the 100-year flood plain. Again, based on FEMA information, the entire City would be flooded during a 500-year flood event.

Areas outside of the 100-year storm limits may also flood due to poor storm drainage. Flood risks in Garden Grove will remain high until several portions of the storm drain system are improved. Long-term planning for drainage devices is necessary to control runoff and prevent local ponding.

A Master Plan of Drainage was prepared for the City in September 1991 to serve as a tool for planning future drainage projects. The Master Plan identifies the needed storm drain facilities in the City. The Master Plan also presents a construction priority ranking for those proposed storm drains that have been assessed to be strategic toward improving the City's drainage.

Although the goal of the Master Plan of Drainage is to achieve ten-year protection within City streets, the City adopted Flooding Ordinance Number 2043, which specifies a 100-year flood protection level for the construction of any new buildings. Private developments must ensure that public or private storm drains constructed in conjunction with new developments meet the goals of the master plan, but must also provide 100-year flood protection for new buildings by raising the finished floors or by other acceptable means.

The City has a general southwest slope that provides the gravitational force necessary to move the waters through the storm drain system from the smaller pipes serving residential areas to larger collector lines, and eventually to the appropriate channel.

The major flood control channels that serve the City are as follows:

- Belgrave Channel Storm Drain (Facility No. C02S05);
- Rancho Los Alamitos City Channel (Facility No. C01);
- Anaheim-Barber City Channel (Facility No. C03);
- East Garden Grove-Wintersburg Channel; and
- Westminster Channel.

The construction and improvement of storm drain structures proposed by the Master Plan should help prevent future flooding in the City. Construction of additional storm drains, including curbs and gutters where they presently do not exist, should also help prevent curb lines from being inundated with flood water. Curb line inundation is not a direct threat to public safety; however, if access to fire hydrants is hindered by street inundation, fire fighting capability can be indirectly affected.

## **County Flood Control Facilities**

Stormwater runoff from the Project Area flows directly and indirectly several Orange County Flood Control District and/or County of Orange flood control facilities. The facilities include, but are not limited to:

- Bolsa Chica Channel (Facility No. C02)
- Anaheim-Barber City Channel (Facility No. CO30)
- Garden Grove Storm Drain (Facility No. C03P17)
- Rosalia Storm Drain Channel (Facility No. C03S054)
- Shannon Storm Drain Channel (Facility No. C03P17S05)
- Westminster Channel (Facility No. C04)
- Taft Storm Drain (Facility No. C04P12)
- Bolsa Grande Storm Channel (Facility No. C04SO2)
- East Garden Grove-Wintersburg Channel (Facility No. C05)
- Haster Retarding Basin (Facility No. C05B02)
- Oertly Storm Drain (Facility No. C03P19)
- Newhope Storm Channel (Facility No. C05S10)
- Lewis Storm Channel (Facility No. C05S11)
- Santa Ana River (Facility No.E01)<sup>21</sup>

## **Caltrans Stormwater Control Facilities**

The Garden Grove Freeway extends in an east/west direction through the City. Caltrans has existing stormwater collection facilities within their right-of-way that collects stormwater and directs it to County facilities. Portions of the Existing Project Area are located adjacent to the Garden Grove Freeway. Some of the stormwater collection facilities in several projects listed in the Amendment include proposed on/off ramp modifications to the Garden Grove Freeway. The construction of on/of ramp modifications could increase the current amount of surface water runoff directed to the stormwater collection facilities within Caltrans right-of-way.

## **Added Territory**

The Added Territory subject to flooding includes all of sub-areas H, J, K and L and most of sub-area I. The remaining sub-areas are not located within the established 100-year flood plain.

## **Existing Project Area**

Portions of the Existing Project Area are also located in the established 100-year flood hazard areas. Approximately one-third of the Existing Project Area located in the eastern portion of the City is within the 100-year flood plain. The remaining portion of the Existing Project Area is located outside of a 100-year flood zone.

---

<sup>21</sup> Mr. Tim Neely, Manager Environmental Planning Services Division, letter dated October 5, 2001.

### 4.3.2 Project Impacts

The threshold criteria for determining significant impact on hydrology/drainage are whether or not the adoption and implementation of the Amendment will:

1. Substantially degrade water quality in any surface body of water.
2. Substantially degrade or deplete groundwater resources.
3. Cause substantial flooding, erosion, and/or siltation in any surface body of water.

#### County Flood Control Facilities

There is no development proposed directly within either the Existing or Added Territory with adoption and implementation of the Amendment. Therefore, there would not be any potential impacts directly to existing OCFCD and/or County flood control facilities.

However, the adoption and implementation of the Amendment could indirectly result in development consistent with the General Plan that could generate stormwater to County flood control facilities. If redevelopment should occur that generates stormwater to OCFCD or County facilities, additional runoff tributary to the County facilities could result in degradation of water quality or flooding and erosion if there is not sufficient significantly impact the capacity in existing of the facilities to adequately handle the increased flows. ~~Without site-specific project information, it is speculative to determine at this time whether or not future development would impact County flood control facilities. At the time a project is submitted to the City for approval, the City should contact the County with regards to potential runoff impacts, if any, to the County facilities that would serve the project to determine whether or not there would be potential storm water impacts. The potential impacts of the Amendment on County flood control facilities cannot be fully assessed at this time since no projects are proposed in conjunction with the Amendment.~~

The construction of future projects in Orange County Flood Control District right-of-way including upgrades to existing facilities or the construction of new facilities would require an encroachment permit from the County prior to construction. Construction within to the City's storm drain system that changes the existing 100-year floodplain would have to be reported to the City and could possibly require a revision of the 100-year flood plain. The City would review all proposed flood control construction projects to determine whether or not the limits of the 100-year flood plain would be impacted and would revise the floodplain limits accordingly.

#### Caltrans Stormwater Control Facilities

Portions of the Existing Project Area are located adjacent to the Garden Grove Freeway. The future construction of any on/off ramp modifications within Caltrans right-of-way could increase the amount of surface water runoff directed to Caltrans stormwater collection facilities and impact their facilities. Caltrans has indicated that post-construction surface water runoff should be less than or equal to pre-construction conditions with respect to their facilities.<sup>22</sup>

---

<sup>22</sup> Mr. Robert Joseph, Chief Advanced Planning Branch, letter dated October 10, 2001

All drainage construction within Caltrans right-of-way to either upgrade their existing facilities or construct new facilities must comply with Caltrans' Statewide New Point Discharge Elimination System (NPDES) Permit No. CAS000003 (Order No. 99-06-DWQ). Construction in the Caltrans' right-of-way would also require an encroachment permit. Along with and concurrent with an encroachment permit, subsequent environmental requirements related to hydrology and water quality will be required, which could include, but not be limited to Standard Plans and Standard Specifications for Water Pollution Control. All runoff draining into Caltrans right-of-way from construction operations must also conform to the current discharge requirements of the Regional Water Quality Control Board. Projects would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies the Best Management Practices (BMP's) that must be incorporated into the project during and after construction to minimize impacts to receiving waters. Caltrans will be a discretionary agency for any development activity that infringes upon Caltrans' right-of-way. The City must coordinate with Caltrans on all plans, activities, and projects that may affect State facilities to identify and mitigate potential significant stormwater impacts.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment is anticipated to encourage the construction of public improvement projects and encourage private development. The construction of public improvement and private projects could impact local drainage facilities and water quality. Increased quantities of surface water runoff due to the construction of new development could impact the ability of the local existing storm drain facilities to handle increased surface water runoff. Since some of the existing storm drain facilities in the Added Territory are inadequate to handle existing flows, any increase in the amount of surface water runoff will impact such already over-capacity local existing storm water facilities.

Future development in the Added Territory subject to a 100-year storm event will have to be protected from a flood in compliance with all local and federal laws prior to construction and development. Increased surface water runoff quantities from the development of properties in the Added Territory could impact existing storm drain facilities and require upgrades to existing local facilities or the construction of new facilities. Since specific development plans are not available at this time for development of properties in the Added Territory, the City or Agency, as appropriate, will review development plans for potential flooding impacts when they are submitted for approval. The City or Agency, as appropriate, will also review plans to construct improvement projects when submitted for approval. Upon their review, the City or Agency, as appropriate, will require measures accordingly to reduce flooding impacts of the project and assure that adequate stormwater collection facilities are available to serve the project.

New development within the sub-areas could generate water quality impacts to the storm drain channels receiving the surface water runoff and ultimately the Pacific Ocean. The discharge of surface water runoff from development projects in the Project Area could result in urban type pollutants being discharged into the local storm drain collection systems and ultimately the Pacific Ocean. The types of urban pollutants that could be discharged and impact the water quality of the storm channels and the ocean include petroleum products from parking lots, streets, pesticides and herbicides associated with landscape maintenance activities, etc. The urban pollutants could impact

~~the water quality of surface water bodies if the storm drain channels and the ocean river if the surface water runoff is discharged directly into the receiving storm drain channels without the surface water being pre-treated.~~

The construction of the public drainage facilities listed in the Amendment for the Added Territory will improve storm water and flooding risks issues that exist in the Added Territory. However, detailed construction plans of the storm drain and/or flood control improvements are not available for evaluation of their potential environmental impacts at this time. Therefore, a detailed analysis and discussion of potential hydrology and surface water quality impacts cannot be assessed. The City or Agency, as appropriate, will evaluate potential hydrology and surface water impacts when plans are submitted for approval. The construction of public storm drain projects that reduce or eliminate flooding will have positive impacts.

Surface water quality impacts could occur during the construction of public and private development projects after project completion as well as during the life of the project. The national Clean Water Act requires a National Pollutant Discharge Elimination System (NPDES) permit for storm water runoff from construction sites of five acres or more. For all applicable projects, a NPDES permit for discharge of runoff to surface waters will be required from the State Water Resources Control Board through the Regional Water Quality Control Board (RWQCB). The discharge of water can be associated with, but not limited to, dewatering during construction, dredging activities or storm water runoff from construction sites and/or facilities that use hazardous materials.

The RWQCB has issued a NPDES permit to the County of Orange and the City of Garden Grove as co-permittee. As part of the NPDES permit, all new development is required to implement structural and nonstructural pollution control measures to limit urban pollutants reaching the waters of the United States to the maximum extent practical. A NPDES permit would be required for any project that discharges wastes to surface waters, or a Waste Discharge Requirements permit for any discharge of wastes to land as required by the California Water Code. The County has identified both construction and post construction Best Management Practices (BMPs) that can be used to mitigate and reduce water quality impacts. The appropriate BMPs would be required to be incorporated into all projects as applicable to control the discharge of pollutants, prevent sewage spills, and avoid the discharge of sediments into the streets, storm water conveyance channels, or waterways. All projects submitted to the City or Agency, as appropriate, for approval will be required to implement all applicable BMPs as recommended by the City Public Works Department. The incorporation of all applicable BMPs into future projects will reduce water impacts to a level of insignificance.

The City or Agency, as appropriate, would evaluate future development projects for potential water quality impacts at the time projects are submitted for approval. To reduce water quality impacts and improve water quality, the City could consider the following: 1) encourage the use pervious materials to retain runoff and allow more storm water percolation into the groundwater including the use of pervious materials for parking areas and grass swales in lieu of hard surface drainage channels; 2) replace existing concrete drainage channels with more natural drainage channels when appropriate; 3) construct water quality enhancing detention basins or holding ponds to capture dry weather urban runoff and first flush rainfall runoff when feasible; 4) the construction of water quality wetlands should be considered; etc.



The Amendment will encourage new development in the Added Territory. It is not anticipated that the type of development that will be developed as allowed by the General Plan will significantly degrade or deplete groundwater resources. Garden Grove has a public water supply system that provides water for potable use and fire flow. Therefore, there will be no need for future development to drill on-site water wells for a water supply. The grading that will be required for future projects is not anticipated to require extensive cuts that will intercept the local groundwater. The Amendment is not anticipated to directly degrade or deplete groundwater resources in the Added Territory.

The Amendment includes a list of several drainage improvements that could be constructed by the Agency for the Existing Project Area. The drainage improvements that could be constructed in the Existing Project Area include the construction of storm drain facilities that are needed along specific roadways to convey storm water runoff to regional storm drain facilities. As with the Added Territory, the construction of needed public storm drain improvements will have positive impacts on people and property in the Existing Project Area. While it can be anticipated that there will be short-term construction impacts with the construction of storm drain improvements, the impacts will be short-term and cease upon the completion of each project. The City or Agency, as appropriate, will review future projects for both short and long-term hydrology impacts at the time specific development plans are submitted for approval.

The construction of private projects in the Existing Project Area will result in similar hydrology impacts as those identified with the development of private projects in the Added Territory. The City or Agency, as appropriate, will review all private projects for potential hydrology and water quality impacts as required by CEQA when submitted to the City or Agency for approval. If potential hydrology or water quality impacts are identified the City or Agency will require measures for incorporation into the project to reduce or eliminate impacts.

## **Conclusion**

The adoption and implementation of the Amendment is anticipated to encourage new development in the Project Area that could impact water quality due to erosion and/or siltation during and after project construction. Redevelopment could also significantly impact the ability of existing City and County (Orange County Flood Control District and ~~County of Orange~~) storm drain facilities to handle increased surface water flows. If upgrades and improvements to existing facilities are required within Orange County Flood Control District or County right-of-way, the appropriate encroachment permits will have to be obtained from OCFCD and/or the County. Any drainage improvements that are required to be constructed in Caltrans right-of-way must comply with Caltrans' Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ). Construction in the Caltrans right-of-way would also require an encroachment permit. The adoption of the Amendment will allow the Agency, as appropriate, to construct needed storm drain and storage improvements that will have positive impacts by improving the ability of existing storm drain facilities to better serve the Project Area. The Amendment will also encourage new private development in the Project Area that will generate increased amounts of surface water due to a decrease of permeable surfaces. Surface water quality impacts could occur during and after construction of public and private development projects. The National Clean Water Act requires a National Pollutant Discharge

Elimination System (NPDES) permit for storm water runoff from construction sites of five acres or more. For all applicable projects, a NPDES permit for discharge of runoff to surface waters will be required from the State Water Resources Control Board through the Regional Water Quality Control Board (RWQCB). The discharge of water can be associated with, but not limited to, dewatering during construction, dredging activities or storm water runoff from construction sites and/or facilities that use hazardous materials. All development plans will be reviewed by the City or Agency, as appropriate, for potential surface water runoff and other hydrology and water quality impacts and require the construction of improvements or other measures necessary to protect people and property from flooding.

#### **4.3.3 Mitigation Measures**

The following mitigation measures are recommended to reduce hydrology, drainage and water quality impacts associated with new development to a level of insignificance:

1. All development projects as determined by the City's Public Works Department shall prepare a preliminary hydrology study to determine whether or not the existing storm drain system serving the project has capacity to handle the runoff from the proposed development project on the subject site.
2. All projects shall comply with all applicable State NPDES requirements including the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies the Best Management Practices (BMP's) that must be incorporated into the project to reduce or eliminate urban pollutants from entering local surface waters.
3. Construction in Caltrans, County, or County of Orange County Flood Control District right-of-way shall be required to obtain an encroachment permit prior to the start of construction.

#### **4.3.4 Significance After Mitigation**

No significant hydrology, drainage, or water quality impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## 4.4 TRAFFIC AND CIRCULATION

### 4.4.1 Environmental Setting

#### Roadways

The streets and highways in the City are described and classified according to their primary function. The City has a hierarchical system of several street classifications including regional roadways, arterials, collectors, and local roads. A brief description of the classifications of roadways that either serve or are located in the Project Area is provided below.

1. **Regional Roadways** – Regional roadways include those facilities that serve regional travel demand and are under the jurisdiction of other agencies, such as Caltrans. With the city limits of Garden Grove, the Garden Grove Freeway (SR-22) is the primary regional facility. SR-22 is a six-lane limited access transportation corridor between the Costa Mesa Freeway (SR-55) in the east and the San Diego Freeway (I-405) in the west.<sup>23</sup> The Garden Grove Freeway is located adjacent to and south of sub-area K. However, the Garden Grove Freeway also provides regional access to and serves other sub-areas.
2. **Arterials** – The City has several arterials that serve the community including major arterials, primary arterials, and secondary arterials. A brief description of each arterial classification is presented below.
  - **Major Arterials:** Major arterials are six-lane divided highways, with a typical right-of-way of 120 feet. The function of Major arterials is to carry a large volume of regional traffic, approximately 45,000 daily trips, not handled by the freeway system. The Major arterials in the city that are located in or adjacent to the Project Area (existing and proposed) include:
    - Valley View Street - Santa Barbara Avenue to Belgrave -Avenue.
    - Brookhurst Street - Katella Avenue to Reading Avenue.
    - Harbor Boulevard - northern city limit to southern city limit boundary.
    - Westminster Avenue – east city limit to Rosita Place.
    - Fairview Street – EB SR-22 off-ramp to Garden Grove Boulevard.
    - Knott Street – SR-22 to Patterson Drive.

Katella Avenue is a designated Smart Street in the County of Orange Congestion Management Program highway system. This special street system designation allows for the development of improvements that enhance the traffic carrying capacity of this roadway in excess of the Major arterial designation. Beach Boulevard is another Smart Street in the City of Garden Grove and extends through the Existing Project Area.

---

<sup>23</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, pages 5.2-1, 5.2-3

- **Primary Arterials:** Primary arterials are four-lane divided roadways, with a typical right-of-way of 100 feet. A Primary arterial's function is similar to that of a Major arterial, but carries less traffic up to 30,000 daily trips. The Primary Arterials in the city that are located in or adjacent to the Project Area include:
  - Magnolia Street – Katella Avenue to Trask Avenue.
  - Euclid Street – Katella Avenue to Trask Avenue.
  - Haster Street – Aspenwood Lane to Garden Grove Boulevard.
  - Chapman Avenue – Magnolia Street to east of Harbor Boulevard, Knott Street to east of Western Avenue, Baily Street to Emerald Street.
  - Garden Grove Boulevard – Knott Street to west of Lewis Street.
  - Westminster Avenue – Livingston Meadows to Dawson Street.
  
- **Secondary Arterials:** Secondary arterials are four-lane undivided roadways, with a typical right-of-way of 80 feet. A Secondary arterial serves as a collector, distributing traffic between local streets and Major and Primary arterials and carries approximately 20,000 vehicle trips per day. The Secondary Arterials in the city that are located in or adjacent to the Project Area include:
  - Western Avenue – Garden Grove Boulevard to Chapman Avenue
  - Gilbert Street – Katella Avenue to Garden Grove Boulevard
  - Ninth Street – Stanford Avenue to Garden Grove Boulevard
  - West Street – Acacia Avenue to Garden Grove Parkway
  - Lampson Avenue – Knott Street to east of Harbor Boulevard.
  - Trask Avenue – Magnolia Avenue to Harbor Boulevard
  - Newhope Street – Westminster Avenue to north of Trask Avenue
  - Newland Avenue – Both sides of the intersection south of Garden Grove Boulevard at Newland Avenue
  - Dale Street – Acacia Avenue to Garden Grove Boulevard

## **Transit**

The Orange County Transit Authority (OCTA) provides fixed route bus service along arterial streets in the City of Garden Grove. Destinations throughout the County of Orange and to Los Angeles can be reached via the bus routes traveling through Garden Grove. An inter-county service line is provided along Route 701 from Huntington Beach to Los Angeles with a stop in Garden Grove.

In addition, a park and ride lot is provided for peak period commuters at the Church of the Nazarene, located along Euclid Street near the Garden Grove Freeway.

A Dial-A-Ride service is also provided on an on-call basis to residents of Garden Grove. Pick-up service is provided for seniors and disabled users. No other private bus systems or recognized paratransit providers operate in Garden Grove.

## Level of Service

Level of Service (LOS) is a measure of the efficiency of a circulation system or of a particular section of roadway. LOS is expressed by a letter (A through F) that corresponds with a decreasing level of service or efficiency. The LOS is defined by a volume-to-capacity ratio for the roadway. Levels of service A, B and C are considered good operating conditions with only minor delays being experienced by motorists. Level of Service D represents below average or fair operating conditions where drivers occasionally have to wait through more than one signal cycle to proceed through the intersection. Level of Service E is considered capacity conditions and Level of Service F represents jammed conditions.

The level of service of an intersection can be an indication of the delay that can be expected on the street network. For this reason the City determines level of service by means of Intersection Capacity Utilization (ICU) analysis for signalized intersections. An ICU value is a means of representing peak hour volume-to-capacity ratios. At a value of 1.00 (LOS E) the theoretical absolute capacity of the intersection has been reached. An ICU value greater than 1.00 is an unsatisfactory LOS F condition. The City allows a LOS D as the lowest acceptable LOS. The intersections in the City that presently operate at an unacceptable level of service (LOS E or F) during either the AM or PM peak hour, or both include: Magnolia Avenue @ Chapman Avenue; Euclid Street @ Westminster Avenue; Harbor Boulevard @ Trask Avenue; and Haster Street @ Chapman Avenue.<sup>24</sup> Of the intersections operating at an unacceptable level of service, only Magnolia Avenue @ Chapman Avenue and Harbor Boulevard @ Trask Avenue are in either the Existing or Added Territory.

The City of Garden Grove has approved several private development projects since the General Plan was updated in 1995. Traffic studies updating the existing levels of service at major intersections in the City have been completed in association with the projects. Based on updated traffic counts, some intersections in the City have improved in levels of service while others have not. For instance, the intersection of Harbor Boulevard at Garden Grove Boulevard operated at LOS A and D for the AM and PM peak hours, respectively as identified in the 1995 General Plan Update EIR. Similar traffic counts, taken in June 1998, at this intersection for the Riverwalk Entertainment/Retail Complex project show a LOS of B and C, respectively. The June, 1998 traffic counts reflect a decrease in intersection capacity at Harbor Boulevard and Garden Grove Boulevard during the AM peak hour and an improvement in the PM peak hour. Similarly, traffic counts at the intersection of Chapman Avenue at Harbor Boulevard were B and D, respectively with June 1998 counts of B and B for the peak hour. The AM peak hour at this intersection has not changed while the PM peak hour has improved from D to B. It is likely that other intersections in the City have changed one way or the other since 1995 as well.

The change in intersection LOS from 1995 to June 1998 could be due to a combination of changes including traffic patterns, the construction of traffic improvements through the City Public Works Department or private development as conditions of approval, reduced traffic due to car pooling, etc.

---

<sup>24</sup> City of Garden Grove General Plan EIR, October 24, 1995, Table 10, page 5.2-9

Traffic conditions throughout the Project Area change over time and updated traffic counts are needed periodically to accurately determine current intersection capacities.

### **Truck Routes**

The City has adopted a truck route system to provide access to land uses requiring truck transportation, while protecting those land uses sensitive to the impacts of truck travel. The truck routes are shown in **Figure 11, *Truck Routes*** from the General Plan. As shown, many of the truck routes are located within either the Existing or Added Territory.

### **Bicycle Facilities**

The City of Garden Grove has established bicycle routes to meet the growing demand for safe places to ride bicycles. All proposed and existing bikeway routes in Garden Grove and the surrounding area are classified in three types of facilities, as shown in **Figure 12, *Master Plan of Bikeway Facilities*** from the General Plan.

A Class I bicycle trail is a facility that is physically separated from a roadway and designated primarily for the use of bicycles. A Class II bicycle lane is a facility featuring a striped lane on the paved area of a road for preferential use by bicycles. A Class III bicycle route is a facility typically identified by green and white “Bike Route” guide signage only.

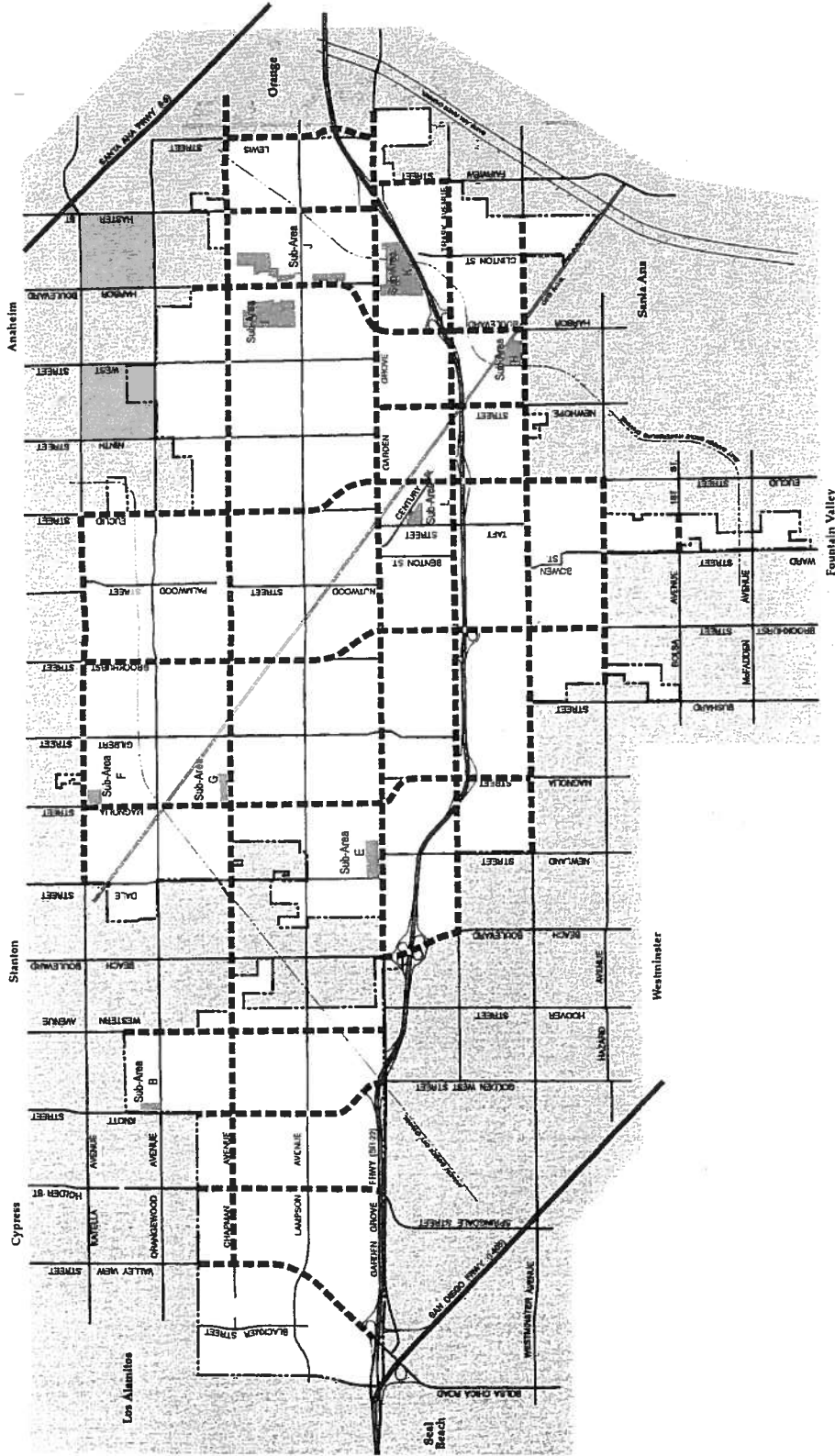
Presently there are three bicycle routes in the city. Bicycle routes are classified as Class II bikeways. The three segments are: Lampson Avenue from the western city limits to Western Avenue; Ninth Street from Orangewood Avenue to Chapman Avenue (west side only); and Bushard Street south of Westminster Avenue to the southern city limit (east side only). Of these segments, only the section of Lampson Avenue between Knott Street to Western Avenue and Western Avenue is located in the Existing Project Area. The Class II bicycle lane segments are located along the edge of the paved area outside the motor vehicle travel lanes, and are restricted to vehicular parking.

According to the City Master Plan of Bikeway Facilities, facilities that are most needed in Garden Grove are those proposed for Lampson Avenue, Orangewood Avenue, Ninth Street/Newhope Street, and Bushard Street. These routes have been proposed by the Orange County Environmental Management Agency (OCEMA) because they provide vital links to major activity centers, while allowing continuous travel from one regional route to another.

### **Policy Framework**

#### **Orange County Congestion Management Plan (OCCMP)**

The City of Garden Grove will be required to show continued compliance with the county-wide Congestion Management Plan (CMP). Currently, SR-22 Freeway, Valley View Street, Katella Avenue, Harbor Boulevard, and Westminster Avenue are arterials in the CMP Highway System. In addition, the intersections of SR-22/Harbor Boulevard and SR-22/Valley View Street are included in the highway system for level of service determination.



Garden Grove Truck Routes



Source: ISA and Municipal Code 10.40.01



**Truck Routes**  
Figure 11





Compliance with the CMP provisions include:

- Continued land use coordination through the utilization of standardized traffic impact analysis methodologies.
- Implementation and enforcement of Transportation Demand Management (TDM) strategies.
- Maintenance of transit service standards.
- Demonstration transportation modeling consistency with the County-wide computer model.
- Monitoring of CMP highway system levels of service.
- Development of level of service deficiency plans where applicable.
- Development of seven year capital improvement programs and,
- Monitoring and conformance with all CMP provisions.

Since the inception of the county-wide CMP guidelines, the City of Garden Grove has enjoyed compliance with all provisions of the program. The benefits of compliance with the CMP provisions include the allocation of the City's fair share of gas tax subventions collected by the State of California.

The Orange County Traffic Improvement and Growth Management Ordinance (Measure M) was approved by Orange County voters in November, 1990. Measure M authorized a one-half cent sales tax for transportation, which has been collected since April 1, 1991. The revenues generated by this measure will be allocated through a variety of programs to fund freeway, transit, and local streets and road projects throughout Orange County. The Measure M Local Turnback Funds may be used for any operations, maintenance, or construction projects on the City's local streets and roads.

Pursuant to Measures M policy requirements, Garden Grove, along with other cities in Orange County, must satisfy specific requirements to be eligible for receiving Measures M funds. The City of Garden Grove has complied with the Measure M requirements, including adoption of a Growth Management Element and a TDM Ordinance and is eligible for Measure M revenue.<sup>25</sup>

#### **4.4.2 Project Impact**

The threshold criterion for determining whether or not the project could have significant traffic impacts is based on whether or not adoption and implementation of the Amendment will:

1. Conflict with adopted environmental plans and goals of the community where it is located;
2. Interfere substantially with the movement of any resident; and
3. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system.

---

<sup>25</sup> City of Garden Grove General Plan, Circulation and Infrastructure Element, page 25.

## **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment is anticipated to encourage development in the Added Territory. Development and redevelopment of existing property and new construction of buildings and improvement projects will generate traffic during and after project construction. Depending upon the project size, location and the circulation system adjacent to and serving the project the additional traffic could impact existing levels of service of road segments and intersections both within and outside the Added Territory.

The construction of private projects within the Added Territory will generate traffic during construction from workers driving to and from the construction site, delivery of materials and equipment, etc. The traffic generated by construction activities could impact specific road segments and local intersections. Traffic impacts such as congestion, delays and the re-routing of traffic, could occur during the construction of projects. Although traffic delays and congestion are usually short-term and only exist during construction, the delays and congestion can be significant depending on a number of factors, including the time of year, length of construction, volume of traffic on the streets adjacent to projects, etc.

The long-term traffic associated with new development could significantly impact the Project Area and regional transportation systems depending upon the scope of the development. The potential traffic impact of new construction may require project specific traffic studies to assess the traffic impacts and suggest measures accordingly to reduce and mitigate identified traffic impacts.

~~The City or Agency, as appropriate, will review all projects for potential traffic impacts when submitted for approval. When necessary, the City or Agency will require the preparation of a traffic study to estimate the traffic that will be generated by the project, distribution of the traffic on area streets, impact on street capacity and intersection level of service, and list mitigation measures to reduce traffic impacts. Even though a project may be consistent with the land use and zoning designations, potential traffic impacts may still occur with its development.~~

The Amendment will allow the Agency to assist in the construction of private and public development projects. New projects could increase traffic on area streets that could impact traffic and circulation. The City or Agency, as appropriate, will review all projects for potential traffic impacts when submitted for approval. ~~Since detailed development plans for projects are not available at this time specific traffic analysis associated with their development cannot be conducted.~~ The potential traffic impacts associated with the construction of private projects and some of the public projects may require project specific traffic studies to assess the traffic impacts and suggest measures accordingly to reduce and mitigate identified traffic impacts. The City or Agency, as appropriate, will review all projects for potential traffic impacts when plans are submitted for approval. When necessary the City or Agency, as appropriate, will require the preparation of a traffic study to estimate the traffic that will be generated by the project and require measures to reduce impacts accordingly.

The construction of needed traffic and circulation improvements in the Existing Project Area will have positive circulation impacts. The construction of freeway on/off ramps modifications, intersection widening, right-of-way acquisition, etc. at key intersections will improve traffic

circulation and safety throughout the Existing Project Area. The Amendment will have positive impacts on traffic and circulation in the Existing Project Area if the Agency is able to assist the City with the construction of needed traffic improvement projects.

The following discussion evaluates the adoption and implementation of the Amendment and whether or not the Amendment, which adds the Added Territory to the Garden Grove Community Garden Grove Community Project Area, will impact traffic and circulation~~the listed topic~~.

### Level of Service

The adoption and implementation of the Amendment for the Project Area could impact current levels of service along roadways and controlled intersections with development of both private and public projects. The traffic generated by private and public projects could impact traffic levels of local transportation systems. The City or Agency, as appropriate, will require traffic assessments for those projects anticipated by the City or Agency to have traffic impacts. The traffic reports will estimate the amount of traffic to be generated, the impact of the traffic on the area transportation system and recommend traffic improvements or other measures when required to reduce potential traffic impacts.

The construction of public transportation system projects listed for the Project Area will have positive impacts to the circulation system. The construction of enhanced intersection improvements to eliminate safety impacts and improve traffic flow will have positive traffic and circulation impacts. While the construction of the public street improvements will have short-term construction impacts, the improvements will improve traffic circulation and safety for the long-term upon completion of construction.

### Bikeways

The adoption and implementation of the Amendment will allow the Agency the ability to construct needed circulation improvements, including bicycle lanes in the Project Area. The construction of bikeways in the Project Area in compliance with the Master Plan of Bikeway Facilities will have positive benefits to the City by providing alternative forms of transportation.

### Mass Transit

The Amendment will not change or impact any existing or planned bus routes or bus stops by OCTA in the Project Area. As development in the Project Area occurs, OCTA will plan future bus routes and bus stops accordingly to serve increased ridership. One of the listed public improvement projects for the Existing Project Area is the construction of bus turnout bays on all streets serving Agency projects (other than those included in intersections). If the Agency is able to construct bus turnout bays in conjunction with new intersection improvements, the Amendment will result in positive mass transit impacts.

## **Railroads**

The proposed Amendment includes a public improvement project for the Existing Project Area to construct a rail system along the existing OCTA right-of-way and a transportation system connecting the hotels along Harbor Corridor with specific destinations within Orange County. The City, in conjunction with OCTA, would evaluate potential environmental impacts of development of a rail system project proposed within the right-of-way. OCTA would be the lead agency and the City of Garden Grove would work with OCTA accordingly. It is speculative to identify and discuss any potential impacts that could be associated with a rail project since specific project information is not known at this time.

## **CMP**

The Agency can use tax increment revenue from the Project Area to fund needed roadway improvements. As monies become available the Agency can fund roadway improvements that are supported by the TDM. Funding of needed transportation system improvements by the Agency will have positive impacts on the area transportation system in the community and the TDM.

## **Conclusion**

The adoption and implementation of the Amendment could indirectly have significant traffic or circulation impacts. The construction of public and private development projects in the Project Area could result in potential traffic or circulation impacts due to increased traffic. The City or Agency, as appropriate, will evaluate all public and private projects at the time development plans are submitted for approval. If potential traffic impacts are identified, measures will be required to mitigate the impacts. Since future development in the Project Area must be consistent with the General Plan, traffic impacts due to new or redevelopment in the Project Area would not be any greater than the impacts identified in the General Plan Update Final EIR. The General Plan includes a list of traffic improvements that when completed would reduce traffic impacts to acceptable levels, except two intersections. The intersections that would not have levels of service at acceptable levels are Harbor Boulevard/Trask Avenue and Fairview Street at SR-22. These two intersections would continue to have unacceptable service levels after mitigation. The Amendment allows the Agency to construct needed traffic improvements as monies from the Project Area become available. If the Agency is able to assist the City in the construction of needed street and circulation improvements, the Amendment will have positive impacts to the local traffic and circulation system by improving traffic flow and reducing congestion.

### **4.4.3 Mitigation Measures**

Upon evaluation of specific redevelopment projects by the Agency or City, as appropriate, if potential significant impacts are determined to exist as described above, the following mitigation measures shall be implemented where appropriate:

1. The City or Agency, as appropriate, shall review all projects for potential traffic and circulation impacts, including safety and congestion, when submitted for approval. A traffic analysis shall be prepared to evaluate the potential traffic and circulation impacts when the

City or Agency, as appropriate, determines a project could have significant traffic or circulation impacts.

2. The City or Agency, as appropriate, shall require all projects to change, modify, or incorporate measures accordingly to reduce identified significant traffic and circulation impacts to a level of less than significant.

#### **4.4.4 Significance After Mitigation**

There will be no significant traffic and circulation impacts with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

## **4.5 AESTHETICS**

### **4.5.1 Environmental Setting**

#### **Added Territory**

The Added Territory is developed with a variety of land uses including residential, industrial, commercial, public, vacant, previously developed sites, underutilized parcels, and public rights of way. The existing residential uses are comprised of single-family detached and multi-family units. The industrial uses include research, development, and light manufacturing uses in concrete tilt-up structures. The commercial uses include a mixture of restaurants, fast food outlets, super markets, video stores, medical offices, banks, etc.

#### **Existing Project Area**

The Existing Project Area is urbanized and developed with a variety of land uses including residential, commercial, apartment buildings, mobile home parks, professional offices, and some light industrial uses. Some of the existing buildings in the Existing Project Area are blighted due to the lack of regular maintenance including painting and landscaping. Other buildings do not meet current building and fire codes, are not earthquake safe, and are non-conforming to adjacent and surrounding land uses.

#### **Community Design Element**

The Community Design Element of the General Plan was adopted as part of the General Plan because the residents of Garden Grove felt the appearance of the City is important.

Special needs that are focused on by this element include: 1) the protection and enhancement of the City's existing aesthetic attributes; 2) the promotion of community design, through the use of architectural standards, landscape and streetscape, amenities, and a variety of other design techniques, as well as involvement by the community's citizens, 3) the harmonious incorporation of new development into existing public and private development, and 4) the preservation and enhancement of the existing neighborhoods.<sup>26</sup>

The intent of community design is to define the various requirements relating to the visual image of the community. This Element thereby, relates most directly to the Land Use, Circulation and infrastructure, Housing, Open Space/Conservation and the Parks, Recreation and Cultural Activity Elements.

Urban design and visual appearance play an important role in defining a community's image and character. There are a number of elements that can strongly influence this image and character, including entries, signage, streetscape treatments, art in public places, landscaping, as well as architecture and site features.

---

<sup>26</sup> City of Garden Grove General Plan, Community Design Element, page 1.

In addition to the community features described above, special “districts” or landmarks offer unique identity to a community. Special “districts” in Garden Grove include, but are not limited to:

- Main Street
- Community Center
- Harbor Corridor
- Garden Grove Boulevard, and
- Brookhurst/Chapman area.

Landmarks or special interest features within the City include, but are not limited to:

- Crystal Cathedral,
- Plaza Alicante, and
- Stanley Ranch Museum and Heritage Park

The Garden Grove General Plan has specific goals and policies for design elements including entries, signage, streetscape treatments, art, landscaping, as well as architecture and site features. The General Plan describes and identifies the design elements that are important to the City.

#### **4.5.2 Project Impacts**

The threshold criteria for determining potential significant aesthetic impacts are if the adoption and implementation of the Amendment will:

1. Have a substantial, demonstrable negative aesthetic effect.

#### **Added Territory/Existing Project Area**

The Amendment will encourage development of both public and private projects. Some development projects could impact scenic and visual resources while other projects will have minimal aesthetic impacts. The construction of public improvement projects such as water lines, sewer lines, and storm drain laterals will be located underground and will not have any aesthetic impacts once constructed. Construction of these improvement projects will have short-term aesthetic impacts associated with the presence of construction equipment, supplies and materials, and open trenches during construction. However, once construction is completed the trenches will be filled, the land graded to its initial grade and the construction equipment will be removed. The construction area will be returned as close as possible to its pre-construction condition eliminating any significant aesthetic impacts. After construction, there will not be any aesthetic impacts associated with the construction of underground utilities.

The adoption and implementation of the Amendment is anticipated to encourage private development in the Added Territory. It is not known at this time which properties will be developed or and when they will be developed, and therefore, ~~It is speculative to determine~~ which existing buildings may be redeveloped, refurbished, or demolished and the aesthetic impacts that may be associated with the activity. ~~As with all projects, d~~Development plans will be submitted to the City or Agency, as appropriate, for approval once a specific project is proposed~~development plans are available~~. The City, or the Agency, as appropriate, will review the plans and make a determination

whether or not the project will have aesthetic impacts and require the incorporation of mitigation measures as necessary accordingly to reduce significant aesthetic impacts.

~~As with the Added Territory, t~~The Amendment will allow the Agency to participate in the construction of needed public improvement projects as well as private projects. The construction of the public improvement projects listed in the Amendment could have short-term aesthetic impacts due to the presence of construction equipment, open trenches, materials, etc. Once construction is completed and the construction equipment removed, any potential short-term the aesthetic impacts will be eliminated.

~~Since development plans have not been prepared for the construction of the public improvement projects listed in the Amendment, an analysis of the potential aesthetic impacts cannot be adequately completed at this time without speculation.~~ The City or Agency, as appropriate, will review the development plans for of the public improvement projects for potential aesthetic impacts when plans are submitted for approval. If potential aesthetic impacts are identified the City or Agency, as appropriate, will require design changes accordingly to reduce aesthetic impacts.

Assistance by the Agency in upgrades and improvements within the special “districts” would have positive aesthetic impacts to the community as a whole. Several of the special “districts” are located within the Existing Project Area. The Main Street, Community Center, Harbor Corridor, Garden Grove Boulevard, Central Industrial Area, and Brookhurst/Chapman areas are located in the Existing Project Area. Amending the Garden Grove Redevelopment Plan would allow the Agency to authority to use tax increment revenue to construct needed upgrades and improvements in the special districts at the Agency’s discretion. The construction of street furniture, on all major streets serving the special districts will significantly improve the aesthetics throughout the Existing Project Area. All projects should be consistent with and in conformance with the Garden Grove General Plan for special districts to improve the aesthetics of the Existing Project Area.

## **Conclusion**

Based on the threshold criteria the adoption and implementation of the Amendment will not result in significant aesthetic impacts. The construction of new projects and redevelopment of existing property must be in compliance with all applicable community design features, including architecture and site features, landscaping, streetscape, signage, and all other city required design features to reduce and minimize aesthetic impacts. Site development plans for public or private improvement projects that could be anticipated to be constructed under the Amendment have not been prepared. Therefore, it is speculative to evaluate in detail the potential aesthetic impacts that may be associated with future projects. All projects will be reviewed by the Garden Grove Community Development Department or the Agency, as appropriate, and all applicable measures will be incorporated as appropriate to minimize and reduce potential aesthetic impacts associated with constructing streetscape and other improvement projects.

The adoption and implementation of the Amendment will encourage development and is anticipated to have positive aesthetic impacts by removing existing blighted and deteriorated buildings and replacing them with new buildings. The Amendment will encourage improvements in the Project Area that may not otherwise be completed by the private sector acting alone. Some of the projects



that will improve the aesthetics of the Project Area include streetscape improvements, street furniture, intersection improvements, undergrounding of overhead electrical and communication lines, etc.

#### **4.5.3 Mitigation Measures**

The following mitigation measure is recommended to reduce potential aesthetic impacts that may be identified with future public and private projects developed in the Project Area.

1. As part of the review process for new projects, the City shall continue to evaluate projects for and require conformance with the policies, guidelines, and regulations contained in the Open Space/Conservation Element, Land Use Element, Community Design Element, and Zoning Ordinance.

#### **4.5.4 Significance After Mitigation**

No significant aesthetic impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measure.

## **4.6 NOISE**

### **4.6.1 Environmental Setting**

There are two types of noise sources in the City: mobile and stationary sources. Mobile sources are typically transportation-related and include automobiles, trains, trucks, motorcycles, aircraft, and buses. Stationary sources are generally those generated by specific land uses and may include industrial and commercial operations, construction activities including the operation of grading and construction equipment, loud stereos and other urbanized noise.

The noise sources that are considered most significant in the Project Area include mobile sources due to motor vehicle traffic. However, stationary sources such as construction activities, power tools, commercial, residential, and industrial activities, operation of mechanical heating and cooling equipment also contribute to ambient noise levels throughout the Project Area. The following is a discussion of the significant sources of noise in the Project Area.

#### **Mobile Sources of Noise**

##### **Road Noise**

Roadway traffic noise is the most extensive noise problem faced by the City. Vehicular noise has three main component sources: engine/transmission noise, exhaust noise and tire noise. The intensity of noise emissions from any given vehicle will vary with its size and other factors, such as speed, acceleration, braking, roadway grade, and conditions of the roadway surface. Thus, a busy downtown arterial with stop and go traffic is often noisier than an open highway with comparable traffic volumes.

#### **Stationary Sources of Noise**

##### **Railroad Noise**

The Stanton Line of the Southern Pacific Transportation Company bisects the western portion of the city in a north/south direction at the city boundary with the City of Stanton. There are several spur lines that extend from the Stanton Line. The Stanton Line is used to transport freight to the Central Industrial District area. There are approximately two one-way trips on the line daily, traveling at speeds approximately 25 miles per hour. The factors that influence noise levels along railroad tracks include the frequency of pass bys, train lengths pass-by duration, speed and time of day. The 65 CNEL contour is estimated at a distance of approximately 425 feet from the centerline of the railway.

##### **Aircraft Noise**

The primary source of aircraft noise within the City of Garden Grove is the Naval Reserve Air Base immediately west of the City in the City of Los Alamitos. At its closest distance the Base runway is located approximately 700 feet from the City's western boundary. Portions of the City are located within the planning area established by the Airport Land Use Commission for Orange County.

According to the Airport Environs Land Use Plan (AELUP) CNEL contour map and the 60 and 65 CNEL contours for the Base extend into the extreme northwest corner of the City of Garden Grove.

### **Existing Noise Levels**

Existing noise levels throughout specific areas of the City were taken in conjunction with preparation of the 1995 Garden Grove General Plan Update.

Existing noise contours that depict noise levels for both stationary and mobile noise sources including, but not limited to rail, freeway, prime arterials, major arterials, and collector streets were taken in conjunction with preparation with the General Plan. The General Plan lists goals and policies to improve the overall noise environment by reducing annoying and physically harmful levels of noise for both existing and future land uses.

### **City of Garden Grove Noise Element**

The purpose of the Noise Element is to achieve and maintain an environment that is free from objectionable, excessive, or harmful noise. The Noise Element is correlated with the Land Use, Circulation, and Housing Elements of the general plan. The Land Use Element is related to the Noise Element in that noise can have a significant impact on land use. The Circulation Element is related to the Noise Element in that the majority of the noise generated in the City is by automobiles.

Consistent with state law, it is the policy of the City that the Noise Element be consistent with all General Plan Elements.

One of the key implementing policies and action programs of the Noise Element is to enforce the policy of the City that Ldn 65 is the exterior noise level to which all residential units should be mitigated. An interior Ldn of 45 is the maximum noise level for residential units.

### **Sensitive Noise Receptors**

The City of Garden Grove has identified residences, public and private school/preschool classrooms, churches, hospitals and elderly care facilities as noise sensitive receptors. The maximum interior exposure for these land uses is 45 Ldn (maximum exterior exposure is 65 Ldn).

#### **4.6.2 Project Impact**

The threshold criteria for determining whether or not the project could have significant noise impacts are based on whether or not adoption and implementation of the Amendment will:

1. Increase substantially the ambient noise levels for adjoining areas.

### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment is expected to increase development activity. The Amendment will allow the Agency to collect tax increment from the Added Territory and use the tax increment to construct improvement projects and assist with private development. The

adoption and implementation of the Amendment, however, will not directly result in development at this time, but its implementation will result in redevelopment activity.

The Agency can participate financially with private development to rehabilitate or demolish existing buildings in the ~~Added Territory~~ Amended Project Area (per definition on page 2) and construct new buildings in their place. The construction of private development projects will generate both short and long-term noise impacts. The short-term noise impacts will be during construction of individual projects and include the operation of construction equipment, the movement of construction materials and equipment, ~~throughout the site, delivery trucks, entering and leaving the site, etc.~~ The long-term noise impacts associated with private development include noise that will be generated due to the daily operations of a business. The types of noise that can be expected include, but are not be limited to, the operation of mechanical equipment to heat and cool the buildings, traffic from employees and customers driving to and from the businesses and operation of, forklifts, or other motorized equipment, ~~operating on the site, etc.~~ However, all noise associated with the construction and operation of a project will have to comply with the City noise requirements. Compliance with the City noise requirements will reduce noise impacts to insignificance acceptable levels.

The Amendment will also allow the Agency to construct public improvement projects in the Amended Project Area. ~~The construction of improvement projects can generate both short and long-term noise impacts. Short-term noise impacts will be associated with the construction activities necessary to construct the project and include the operation of mechanical equipment.~~ The types of construction equipment that can be anticipated to be used during construction of public projects and that will generate short-term noise impacts include grading equipment, back-hoes, compactors, generators, motor vehicles, etc. Although the construction noise impacts will be short-term, there could be impacts to noise sensitive land uses located adjacent to or in the immediate vicinity of the site. A review of the improvement projects listed in the Amendment indicates that most of the projects are located away from residential and other noise sensitive land uses and will not have significant noise impacts. However, other improvement projects could impact noise sensitive land uses that are close to the sites of such improvement projects. Even if noise sensitive land uses are not located close to a construction site, the construction activities will increase the ambient background noise levels. The noise levels will not be significant because construction noise levels are limited by the City's noise requirements.

~~The adoption and implementation of the Amendment will result in short and long-term noise impacts similar to those discussed above for the Added Territory. New development and/or remodeling of existing buildings will generate both short and long-term noise levels that could impact noise sensitive land uses either adjacent to or in close proximity to the project. As discussed above, short-term noise impacts will occur during construction and include the operation of construction equipment, delivery of materials to the site, workers commuting the site daily, etc. Long-term noise impacts will be due primarily to the operation of vehicular traffic associated with employees and customers driving to and from the site and from the operation of mechanical equipment within various projects. Since vehicular traffic is the single largest mobile noise source in the City increased vehicular traffic will have the single largest impact on existing noise levels.~~

The potential noise impacts that could be expected to be associated with the construction of private development and public improvement projects will be evaluated by the City or Agency, as

appropriate, at the time specific development plans are submitted for approval. ~~The City or Agency, as appropriate, will evaluate the projects for potential noise impacts and require the incorporation of measures to reduce noise impacts in compliance with the City noise requirements will be required to be incorporated therein.~~ All projects will result in some increased noise level impacts either during construction or operation of the project. However, all projects must comply with the City noise requirements reducing noise impacts to levels of insignificance.

The Circulation improvement projects, including intersection widening, could move traffic lanes closer to existing residential and commercial uses increasing traffic noise levels to those uses. Once the street improvement plans are known, the City or Agency, as appropriate, can determine if there will be any significant noise impacts to adjacent land uses. If the City or Agency, as appropriate, determines there will be significant noise impacts associated with the construction of public improvement projects, changes to the plans or noise reduction measures will be required to be incorporated into the projects to reduce interior and exterior noise to insignificant acceptable levels. The noise impacts associated with the construction and operation of projects listed in the Amendment will be fully evaluated by the City or Agency, as appropriate, at the time projects are submitted for approval.

## **Conclusion**

Based on the threshold criteria the adoption and implementation of the Amendment will allow the Agency to fund and assist the construction of private and public projects in the Project Area. Development plans are not available at this time for any of the public or private projects. Therefore, a detailed noise analysis cannot be conducted for any project at this time to determine whether or not future projects could have either short-term or long-term construction, operational or project generated traffic noise impacts, respectively. Development in the Project Area consistent with the General Plan could have adverse noise impacts for those sensitive receptors that do not presently have adequate noise attenuation. The City or Agency, as appropriate, will review all projects for potential noise impacts when plans are submitted for approval. The City or Agency, as appropriate, will determine whether or not a project will potentially have any specific noise impacts, either short-term and/or long-term, and recommend changes to the project to reduce potential significant noise impacts for compliance with the City of Garden Grove Noise Ordinance.

### **4.6.3 Mitigation Measures**

Upon evaluation of specific redevelopment projects by the City or the Agency, as appropriate, if potential significant noise impacts are anticipated the following measure shall be implemented where appropriate:

1. The City or Agency, as appropriate, shall review all projects for potential noise impacts to determine if a project could have noise impacts that do not comply with the City's Noise Ordinance. If significant noise impacts are identified, proper measures as suggested by the City or Agency, as appropriate, to reduce noise levels in compliance with the City's Noise Ordinance shall be incorporated into the project.

#### **4.6.4 Significance After Mitigation**

There will be significant traffic noise impacts indirectly associated with future development in the Project Area upon adoption and implementation of the Amendment even with incorporation of the recommended mitigation measure.

### **4.7 AIR QUALITY**

#### **4.7.1 Environmental Setting**

The City is located in the South Coast Air Basin (SCAB) and totals approximately 6,000 square miles. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino Counties.

The SCAB climate is characterized by Southern California's Mediterranean climate (a semi-arid environment with mild winters, warm summers, and moderate rainfall). The distinctive climate of the SCAB is determined by its terrain and geographical location as the Basin is a coastal plain with connecting broad valleys and low hills. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. As a result, the climate is mild, tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, due to Santa Ana winds.

Ambient air quality is a measure of the purity of the air. Air quality is diminished by the release of pollutants into the air from local and nearby sources. Air quality is enhanced by dispersion of these pollutants through winds and rising air. The principal air pollutants of concern in the Basin are carbon monoxide (CO), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), lead (Pb) and fine particulates (PM<sub>10</sub>). The SCAB is currently in non-attainment for ozone, nitrogen oxides, and PM<sub>10</sub>. Non-attainment refers to the fact that the State and /or ambient air quality standards are exceeded in the region.

The Mulford-Carrell Act of 1969 and the Clean Air Act of 1970 established State and Federal air quality standards for several pollutants. These standards are divided into primary standards, designed to protect the public health, and secondary standards, intended to protect the public welfare from effects such as visibility reduction, soiling, nuisance and other forms of damage.

The air pollutants covered in the above-described legislation are known as "criteria" pollutants, in that their effects are documented in criteria documents which form the basis for Federal and State ambient air quality standards. These pollutants and their effects are described below:

#### **Suspended Particulate Matter**

Suspended particulate matter consists of solid and liquid particles of dust, soot, aerosols and other matter that are small enough to remain suspended in the air for a long period of time. A portion of the suspended particulate matter in the air is due to natural sources such as wind blown dust and pollen. Man-made sources include combustion, automobiles, field burning, factories and unpaved

roads. The effects of high concentrations on humans include aggravation of chronic disease and heart/lung disease symptoms. Non-health effects include reduced visibility and soiling of surfaces.

### **Carbon Monoxide**

Carbon monoxide is an odorless, colorless gas that is highly toxic and that is formed by the incomplete combustion of fuels. The main source of this gas is automobiles. Carbon monoxide can contribute to adverse health effects. At high concentrations, carbon monoxide reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic disease, reduced lung capacity, and impaired mental abilities.

### **Ozone**

Ozone is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of a complex chemical reaction between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues. Ozone also damages some materials such as rubber and may damage plants and crops.

### **Nitrogen Dioxide**

Nitrogen dioxide is a reddish-brown toxic gas. It is one of the oxides of nitrogen that result from combustion. It is the only oxide of nitrogen that is toxic; however, other oxides of nitrogen, particularly nitric oxide, are converted to nitrogen dioxide in the presence of sunshine. Major sources of oxides of nitrogen are automobiles and industry.

### **Sulfur Dioxide**

Sulfur dioxide is a colorless gas with a pungent, irritating odor. It is created by combustion of sulfur-containing fuels. This substance is known to oxidize to sulfur trioxide, which combines with moisture in the atmosphere to form a sulfuric acid mist. Sulfur dioxide damages and irritates lung tissue and accelerates corrosion of materials.

### **Lead**

Atmospheric lead occurs in the form of airborne lead particles. The dominant source of lead in urban atmospheres is lead compounds contained in gasoline. Lead accumulates in the body tissues where it impairs blood function and nerve construction.

## **Air Quality Management and Standards**

In accordance with the State Lewis Air Quality Management Act (1976) and the Federal Clean Air Act Amendments, the South Coast Air Quality Management District (SCAQMD) prepared several Air Quality Management Plans. The 1989 AQMP was the first AQMP to define a comprehensive

control strategy, achievable attainment dates, and an aggressive rule-making schedule for implementation of the Plan.

The California Clean Air Act (CCAA) was signed into law in September, 1988, became effective on January 1, 1989, and was amended in 1992. The CCAA established a legal mandate to achieve health-based State air quality standards at the earliest practical date. The 1991 AQMP was designed to comply with State and Federal requirements and thus reduce the high level of pollutant emissions in the SCAB and return clean air to the region by 2010. The Plan is governed by State and Federal laws and is part of the State Implementation Plan (SIP) submitted to the Environmental Protection Agency (EPA).

The 1994 AQMP was released in September 1994, in order to address CAA and CCAA requirements. As opposed to the three-tiered structure of measures in the 1991 AQMP, the 1994 AQMP includes two tiers of emission reduction measures (short, intermediate-and long-term measures), based on availability and readiness of technology.

To ultimately achieve ambient air quality standards, further development and refinement of known low-and zero-emission control technologies, in addition to technological breakthroughs, will be necessary.

### **Regional Plans**

The Southern California Association of Governments (SCAG) is responsible under the Federal Clean Air Act for determining conformity of projects, plans, and programs with the SCAQMD Air Quality Management Plan. SCAG prepared a Regional Comprehensive Plan (RCP), which is a compilation of the summaries of Plans for the Southern California region. It establishes a broad set of goals for the region, and identifies strategies for agencies at all levels to use in guiding their decision-making toward implementation of the proposals.

Policies within the adopted chapters of the RCP are aimed at SCAG's overall goals to one, improve the regional standard of living, two, maintain the regional quality of life, and three, provide social, political, and cultural equity.<sup>27</sup>

### **Sensitive Receptors**

Sensitive populations are more susceptible to the effects of air pollution than are the general population. Sensitive populations (sensitive receptors) who are in proximity to localized sources of toxics and carbon monoxide are of particular concern. Land uses considered sensitive receptors include residences, schools and preschools, parks and playgrounds, child care centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes, as well as hospitals. The SCAQMD provides guidance for local governments to consider when placing proposed sensitive receptors adjacent to land uses with significant CO and toxic

---

<sup>27</sup> 1995 Garden Grove General Plan Air Quality Element, page 13



emissions. In this particular case, existing sensitive receptors are currently located throughout the City and Project Area.

#### **4.7.2 Project Impacts**

The threshold criteria for determining potential air quality impacts with adoption and implementation of the Amendment are based on whether or not the Amendment will:

1. Conflict with adopted environmental plans and goals of the community where it is located; and
2. Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to fund the construction of improvement projects and private projects in the Added Territory. The Amendment incorporates the General Plan by reference and development in the Added Territory will need to be consistent with the General Plan. Incorporation of the General Plan will make the Amendment consistent with the air quality management plan for the Basin. The adoption of the proposed Amendment will not change or contradict the existing air quality standards for projects by other public agencies.

The Agency can assist with the construction of the projects listed in the Amendment. The construction of projects will generate short-term air emissions due to construction workers driving to and from the construction site, trucks delivering construction materials to the site, dust and other particulates generated during demolition of existing buildings, the operation of grading and other construction equipment, and emissions from off-site generation of electricity to power construction equipment. Once construction is completed the air emissions associated with the construction activities will cease. The construction of parking structures, convention center, and other public improvement projects that generate traffic will generate long-term air emissions due to people driving to and from these public projects. The City or Agency, as appropriate, will evaluate both the short and long-term air emission impacts of the improvement projects at the time plans for each project are submitted for approval for compliance with adopted emission thresholds by SCAQMD and incorporate measures accordingly to reduce potential significant air quality impacts to be in compliance with such thresholds.

The development of private projects will also generate long-term air emissions. After projects are constructed, the operation of motor vehicles, on-site boilers, water heaters, furnaces and other mechanical equipment associated with the project will generate air emissions that could have long-term air quality impacts. Some air emissions will only be generated by on-site uses such as water heaters, boilers, etc. However, the majority of the long-term air emissions will be attributed to the operation of motor vehicles during the life of the project. The generation of traffic by private projects will incrementally increase area pollutants.

Information is not known, and cannot be known at this time, regarding specific future development projects, which will be developed as part of implementation of the Amendment.

The City or Agency, as appropriate, reviews all private development projects for potential air quality impacts. When development plans are submitted for approval, the City or Agency, as appropriate, will determine whether or not a project has the potential to have adverse air quality impacts by exceeding State and/or Federal or other applicable air emission thresholds during both construction and the life of the project. If the City or Agency, as appropriate, determines a project could exceed air emission thresholds an air quality analysis will be required. Measures will be incorporated into the project when required to meet established air quality thresholds. ~~At this time it is speculative to determine whether or not future development within the Added Territory will result in any short or long term air quality impacts because specific development plans are not available.~~

The incorporation of all applicable air emission reduction measures listed in the General Plan and encouraged by the SCAQMD will reduce air quality impacts. However, the emissions associated with some projects may not be reduced to a level of insignificance.

The adoption and implementation of the Amendment will allow the construction of public and private projects in the Existing Project Area. The construction of public and private projects will, as with the Added Territory, result in short, and long-term air quality impacts. The construction of improvement projects including underground utilities, and landscape improvements will generate short-term air emissions due to the operation of construction equipment. Once construction is completed the short-term air emissions will cease.

The Amendment lists several improvement projects that, if undertaken, will generate long-term air emissions during the life of the project. For instance, the construction of public improvement projects will generate air emissions for the long-term due to the operation of mechanical equipment necessary to heat and cool the buildings, employees driving to and from the facilities, and off-site generation of electricity to power the buildings. The air emissions generated during the life of these facilities could have significant long-term air quality impacts.

The Agency will also be able to assist the private sector to develop property in the Original Project Area with adoption and implementation of the Amendment. The development of private projects will generate air emissions during both project construction and the life of the project. Air emissions will also be generated to demolish existing structures if existing buildings have to be demolished to allow new construction. The operation of construction equipment could have short-term air quality impacts. Air quality impacts could be associated with the long-term operation of private projects. Throughout the life of the projects air emissions will be generated by employees, customers, and residents driving to and from the project. There will also be air emissions generated long-term to heat, cool, and provide electricity. The air emissions generated throughout the life of the project could have significant air quality impacts.

The City or Agency, as appropriate, will review all projects for potential air quality impacts when the projects are submitted for approval. If the City or Agency, as appropriate, identifies potential air quality impacts, all feasible ~~the recommended~~ measures to reduce air quality impacts will be incorporated into the project as appropriate.

## **Conclusion**

The adoption and implementation of the Amendment will allow the Agency to fund the construction of both public and private projects in the Project Area. Construction and operation of future projects that may be developed or redeveloped will have both short and long-term air emission impacts. The City or Agency, as appropriate, will evaluate all projects for potential air quality impacts when plans are submitted for approval. Measures to reduce air emissions will be incorporated when required to reduce significant air quality impacts for compliance with air emission thresholds enforced by SCAQMD. The Amendment could indirectly cause or contribute to air quality violations that will conflict with SCAQMD air quality strategies due to the funding of development in the Project Area. -Although all development must be consistent with the General Plan, the development of additional projects could have unavoidable adverse air quality impacts because the SCAQMD is non-attainment for ozone. The air basin is non-attainment for ozone because it does not meet state and federal threshold requirements for allowable ozone emissions. The Amendment could indirectly have significant adverse air quality impacts by funding the construction of public and private projects that exceed air emission thresholds in a basin that is non-attainment for ozone.

### **4.7.3 Mitigation Measures**

The following mitigation measures are recommended to reduce air emissions generated by development and redevelopment in the Project Area. While the following measures will serve to reduce air emissions typically associated with development activities, the measures are not all-inclusive. As new air emission reduction measures are identified in the future, the City or Agency, as appropriate, shall incorporate those air emission reduction measures into projects to further reduce air emissions. The following mitigation measures are recommended to reduce air emissions associated with projects that are anticipated to be developed in the Project Area:

The following measures shall be implemented during construction of future projects within the City:

1. Adherence to SCAQMD Rule 403, Fugitive Dust, as revised, which includes dust minimization measures such as daily watering of soils, application of non-toxic soils stabilizers, replacement of ground cover in disturbed areas as soon as possible, suspension of excavating and grading operations when wind speeds (or instantaneous gusts) exceed 25 miles per hour, and maintenance of a minimum two feet of freeboard on all trucks hauling dirt, sand, soil or other loose material.
2. Sweeping of local streets near the construction area.
3. Rinsing of wheels on construction vehicles prior to leaving construction area.
4. Paving of all construction access roads at least 100 feet onto the site from the main road.
5. Use of electricity from power poles rather than temporary diesel or gasoline powered generators.

6. Use of methanol, natural gas, propane, or butane powered on site mobile equipment rather than diesel or gasoline-powered equipment.
7. Encourage that all developments within the City with 100 employees or more develop a rideshare program as required under SCAQMD Regulation XV;
8. Encourage trip reduction plans to achieve 1.5 average vehicle ridership for businesses with less than 100 employees or multi-tenant worksites;
9. Encourage the use of low-emission fleet vehicles;
10. Encourage the use of satellite offices rather than regular worksites to reduce vehicle miles traveled;
11. Encourage on-site employee services such as cafeterias, banks, etc.;
12. Construct additional bus turnouts, passenger benches, or shelters as appropriate;
13. Require the construction of on-site bicycle facilities for all new non-residential developments; and
14. Require on-site truck loading zones for all new commercial and industrial developments.
15. Use of solar or low-emission water heaters in all new developments;
16. Use of energy efficient low-sodium parking lot lights in all new parking areas;
17. Use of lighting controls and energy-efficient lighting in all new developments; and
18. Require the increase of wall and attic insulation beyond Title 24 requirements in all new developments.
19. The City shall coordinate with SCAG to update and refine future population and housing projections to ensure consistency in air quality planning.
20. All projects shall be reviewed by the City or Agency, as appropriate, for potential air quality impacts.
21. The City or Agency, as appropriate, shall incorporate all applicable air emission reduction measures to reduce air emissions to comply with air emission thresholds adopted by the SCAQMD. In addition, the City or Agency, as appropriate, shall incorporate new short and long-term air emission reduction measures in the future as applicable to further reduce project air emissions.

#### **4.7.4 Significance After Mitigation**

There will be unavoidable adverse air quality impacts indirectly associated with adoption and

implementation of the Amendment even with incorporation of the recommended mitigation measures.

## **4.8 PUBLIC SERVICES**

### **4.8.1 Water Service**

#### **4.8.1.1 Environmental Setting**

Water for the City of Garden Grove is provided by the Metropolitan Water District (MWD), local groundwater, and surface water. MWD imports water from the Colorado River and northern California via the State Water Project. MWD operates several water filtration plants to treat both Colorado River and the State Water project water supplies.

The Metropolitan Water District of Orange County (MWDOC) provides the backbone water distribution system for the County. There are four distribution lines that are either located in or along the boundary of Garden Grove and they include: the Orange County Feeder; West Orange County Feeder; and West Orange County Feeder Numbers One and Two.

#### **Water System Master Plan**

The City's Water System Master Plan was prepared in 1986 to evaluate the City's existing water system and determine its ability to serve the ultimate needs of the City. The Master Plan identified the need for several water system improvements. The City is divided into two separate water pressure zones: the West Pressure Zone; and the Main Pressure Zone. The West Pressure Zone covers the northwest area of the City generally west of Western Avenue and north of Garden Grove Boulevard and the Main Pressure Zone covers the remaining portion of the City.

#### **Water Production**

The City obtains a large part of its water from twelve wells within the city. In the past, the City had a problem with high nitrate levels in water from shallow wells. This problem was largely solved by drilling deeper wells and closing down affected wells. Currently the water quality in the City of Garden Grove is generally good, with groundwater within the standards set by the California Department of Health Services (DOHS), with the exception of unacceptably high nitrate levels in some wells, and high total dissolved solids. The City receives approximately 87% of its source of water from local groundwater and the remaining 13% from supplemental sources such as MWD.

#### **Fire Fighting Capabilities**

The requirements for water for fighting fires are developed by the Insurance Services Office (ISO). ISO criteria include standards for the water flow required to provide protection for various structures. The City has a system of pressure reducing valves (PRVs), which act to maintain pressures between its two pressure zones. The PRVs are designed to provide large emergency flows and will "open" if the normal supply at the West Garden Grove Reservoir fails, or if an unusually large fire flow demand occurs.

Another potential restriction to fire fighting capabilities during emergencies is the loss of secondary water storage. The City's seven underground and above-ground water reservoirs have a storage

capacity of 45 million gallons and will be the main source of the City's emergency supply. The seven reservoirs are located in various sections of the City and consist of pre-stressed concrete or reinforced steel tanks.

#### **4.8.1.2 Project Impacts**

The threshold criteria for determining potential water supply impacts are based on whether or not adoption and implementation of the Amendment will:

1. Substantially degrade or deplete groundwater resources
2. Encourage activities that result in the use of large amounts of water
3. Use water in a wasteful manner.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to fund the construction of needed water improvement projects that are listed in the Amendment for the Added Territory as monies become available. The construction of the water lines listed in the Amendment would result in positive impacts to the Project Area by improving the water supply to areas where existing water distribution facilities are inadequate.

The Agency ~~can~~ also has the ability to assist some fund private development projects in the Added Territory ~~at their discretion~~. The construction of new development would require water for drinking, fire suppression, landscaping, etc. The City or Agency, as appropriate, will review development plans for each project to make sure an adequate supply of water is available to serve the project and require the incorporation of all applicable state mandated water conservation measures to reduce water consumption.

Future development in the Added Territory must be consistent with the General Plan. The City bases its future water supply needs on the General Plan and the amount of growth that is anticipated based on the land uses allowed by the General Plan. Future development and growth in the Added Territory consistent with the General Plan will control future water demands to a level that has been planned for the Added Territory by the existing adopted General Plan.

Additional development will consume additional quantities of water. The General Plan Update Final EIR indicates that the build-out of the current general plan would result in an annual water demand increase of 300 gallons per minute (gpm) over ~~to~~ that of the previous general plan. Based on an increased water consumption of 300 gpm, "Garden Grove has an adequate water supply to handle the additional demand."<sup>28</sup> A follow-up telephone call to the City Water Department confirms there is an adequate supply of water to serve the future needs of development in the Added Territory based on development consistent with the General Plan.<sup>29</sup> The City and MWDOC's distribution and treatment system has been sized to serve the water needs of the City. Major arterial water mains

---

<sup>28</sup> City of Garden Grove General Plan Final EIR, October 24, 1995, page. 5.12-21.

<sup>29</sup> Mr. Ken Anderson, City of Garden Grove Water Department, Telephone Conversation January 30, 2002.

have been oversized in anticipation of build-out water demands that include the demand from the Added Territory. The City also has sufficient reservoir storage to meet average day flow requirements in the event the water treatment plant is out of service for up to 48 hours.

The adoption and implementation of the Amendment will allow the Agency to participate in the construction of needed water distribution facilities at its discretion. As monies become available, the Agency can assist the City in the construction of water system upgrades including water mains, construction of a water reservoir, and upgrade water booster stations. The construction of the needed water system improvements due to financial assistance by the Agency would have positive benefits on the community's water system overall.

The Agency can also assist in the construction of private projects. New development will require water for drinking, fire suppression, and watering landscape materials. The additional demand for water could impact the City's ability to provide an adequate source of water. The City or Agency, as appropriate, will review all development plans to assure that the City and MWD can provide an adequate supply of water throughout the life of the project for drinking, fire suppression and maintaining landscaping before a project pursuant to the Amendment will be approved. The City or Agency, as appropriate, will also require that all applicable water conservation measures be incorporated in the project to reduce water consumption.

The Agency can also participate in the construction of other public improvement projects that would require water including police and fire administration facilities, landscape improvements, and a community center. These uses would require water for drinking, fire suppression, and maintaining the landscape. The additional water demand by these public improvement projects could impact the City's water supply. The City or Agency, as appropriate, will require the incorporation of state mandated water conservation measures into all projects as applicable to reduce water consumption. The City or Agency, as appropriate, will also require information from the City Water Department and MWD to assure that an adequate supply of water is available before each project is approved for development and if new or upgraded water distribution facilities are needed, the improvements would have to be provided as part of the project.

## **Conclusion**

Based on the threshold criteria, the adoption and implementation of the Amendment will not have any significant impact on the City's water supply or reduce the capacity of existing or planned water supply and distribution facilities. The City or Agency, as appropriate, will review all projects for potential water supply impacts at the time development plans are submitted for approval. At that time the City or Agency, as appropriate, will require the construction of new distribution facilities or upgrades to existing facilities to make sure the project has an adequate supply of water.

### **4.8.1.3 Mitigation Measures**

Since there have not been any significant water supply impacts identified with adoption and implementation of the Amendment, no mitigation measures are recommended.



#### **4.8.1.4 Significance After Mitigation**

No significant water supply impacts are anticipated with adoption and implementation of the Amendment, therefore, no mitigation measures are recommended.

#### **4.8.2 Police Protection**

##### **4.8.2.1 Environmental Setting**

The Garden Grove Police Department provides police protection for the City. The Police Department is headquartered in the City's Civic Center with five sub-stations located throughout the City. The Department has implemented several special programs include: remote sub-stations with translators for the Hispanic, Vietnamese and Korean community; an officer bicycle program for high-visibility; and the Neighborhood Advisory Network Program. Drug Abuse Resistance Education (D.A.R.E.) Programs are provided to local schools for Grades 2, 4 and 6. Other school programs include Police Explorer Scouts and School Resource Officers in each high school to provide counseling as needed, and to act as juvenile investigators.

##### **4.8.2.2 Project Impacts**

The threshold criterion for determining potential police protection impacts is based on whether or not adoption of the Amendment will:

1. Conflict with adopted environmental plans and goals of the community where it is located.
2. Interfere with emergency response plans or emergency evacuation plans.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to assist in the development of private and public improvement projects. The development of projects will require police protection services that could cumulatively impact the Police Departments ability to provide an adequate level of police protection.

The Police Department anticipates that as the Project Area redevelops there will be an increase in police service demands. As new development and redevelopment occurs the Police Department anticipates an increase in calls for traffic related events such as traffic violations, traffic accidents, and other services that are associated with residential and commercial development. Increased development could require increased calls for police protection services and require additional police officers and/or equipment.

The adoption and implementation of the Plan could result in positive impacts to the Police Department if the Agency can assist the City and complete street improvements that allow faster response times to emergencies and improve street design reducing or eliminating areas for potential traffic accidents. The construction of new buildings and the redevelopment of older buildings that include new security hardware, security cameras, on-site security personnel, etc. would help to reduce police service calls. The Police Department does not anticipate that adoption and

implementation of the Amendment itself will have a significant effect on police personnel or response times, but future development in the Project Area along with development in other parts of the City will cumulatively increase the need for additional police personnel and equipment.

All development projects will be submitted to the City for approval. In conjunction with being submitted to the City, the plans will also be submitted to the Police Department for review. The Police Department will review the projects for impacts that could require increased calls for service and determine if measures and/or designs can be incorporated into the project to improve the safety and reduce service calls. The incorporation of the Police Department's suggested improvements and changes to the project will reduce impacts on police protection.

### **Conclusion**

The Amendment could have an impact on police protection services. The Amendment will encourage development in the Project Area, which could generate additional calls for police protection services due to traffic violations, traffic accidents, break-ins, etc. However, the adoption and implementation of the Plan could have positive impacts on police services due to the construction of street improvements, which could reduce police response times. Reducing police response times would have a positive impact on police protection in the City. The construction of new buildings and the redevelopment of older buildings to include newer security hardware, security cameras, on-site security personnel, etc. would help to reduce service calls. In addition, the Police Department reviews all projects for potential police service impacts when submitted for approval and require measures as conditions of approval to improve the safety and security of the project. The incorporation of measures, which could include personnel, facilities, equipment, or security products to improve safety and reduce police calls as conditioned by the Police Department, will reduce impacts to the Department. The need for additional police personnel and equipment will be assessed through the City's Capital Improvement Program and annual budget reviews. The Growth Management Element of the City of Garden Grove General Plan contains implementing actions, which address the provisions of public services, including law enforcement, as the City grows. These actions guide the expansion of police services, including personnel, equipment, and facilities, to meet demands of new development and an increased population. The City's development review process ensures the application of all relevant regulations, standards, and requirements for the provision of adequate services as development occurs. As part of the discretionary review process for new developments, evaluation of project-specific impacts on public services will be undertaken, including the preparation of environmental documents when needed.

#### **4.8.2.3 Mitigation Measures**

There could be police protection impacts associated with development throughout the City, including the Project Area. The following mitigation measure is recommended to reduce potential police protection impacts of the Amendment to less than significant.

1. The need for additional police services such as personnel and facilities shall be monitored and mitigated during the discretionary review process for future development projects.

#### **4.8.2.4 Significance After Mitigation**

No significant police protection impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measure.

#### **4.8.3 Fire Protection**

##### **4.8.3.1 Environmental Setting**

The Garden Grove Fire Department provides fire protection services throughout the City. The City maintains a comprehensive Automatic Aid Agreement for fire protection services with the contiguous cities of Santa Ana, Stanton, Orange, Anaheim, and Cypress as well as the County of Orange.

The City is also a signatory to the California Mutual Aid Fire Protection System. This agreement was established to provide assistance for major emergency incidents. All protected jurisdictions have mutually agreed to dedicate their resources, to the extent feasible, to major incidents in the State.

The Garden Grove Fire Department has seven fire stations that serve the city. While each stations "first-in" response averages approximately 2.5 square miles, all units may respond anywhere within the City's eighteen square mile area.

The City of Garden Grove Fire Department has been given an ISO rating of Class 2. The City's water system was also given a Class 2 rating. The ISO uses a scale of 1 (best protection or lowest threat) to 10 (least protection or highest threat).

##### **4.8.3.2 Project Impacts**

The threshold criterion for determining potential fire protection impacts is based on if the adoption and implementation of the Amendment will:

1. Interfere with emergency response plans or emergency evacuation plans.

##### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will encourage the development of both public improvement projects and private development. The Amendment will allow the Agency to construct public projects as well as participate with developers to rehabilitate or demolish existing buildings and construct new buildings. New development and redevelopment will require fire protection services including plan check, fire inspections, fire service calls, etc. that could impact the Fire Department. The City and the Fire Department will review all development plans for potential significant fire protection impacts when submitted for approval and require all projects to meet the fire code improving the fire safety of buildings and reducing service calls. All development will have to meet all applicable requirements of the fire code prior to the start of construction. The construction of local public water distribution facilities that are needed to adequately serve

individual projects with adequate fire flow will have positive impacts on the Fire Department by improving water supply and fire flow to fight fires, if needed. The construction of needed street improvements will also have positive impacts for the Fire Department because the improvements will reduce response time and allow the fire engines to respond to fire emergencies faster.

There are existing buildings in the Added Territory that may not meet current fire and earthquake building codes. Funding by the Agency to either demolish buildings that do not meet current fire and/or earthquake codes or rehabilitate the buildings to comply with the appropriate codes would have positive impacts for reducing future fire protection service calls and safety due to fire hazards. If the Agency has funding available to eliminate potential fire protection hazards, the Plan would have positive impacts on the Fire Department.

The adoption and implementation of the Amendment will allow the Agency to construct projects in the Existing Project Area. As with the Added Territory, the construction of needed water distribution and storage facilities in the Existing Project Area will improve water supply and fire flow for new development. The construction of street improvements will allow the fire department to provide a faster response time for emergency calls and will have positive impacts on the Fire Department.

The Agency anticipates that adoption and implementation of the Amendment will encourage new development in the Existing Project Area. Calls for fire protection services will increase as new development occurs and could impact the Fire Department. However, compliance of all projects with the fire code will reduce fire protection calls. All development plans will be reviewed by the Fire Department when submitted to the City or Agency, as appropriate, for approval to make sure the project complies with the fire code.

There are buildings in the Existing Project Area that do not meet current fire and building codes and earthquake requirements. These buildings increase the potential for calls for fire protection services because the buildings are not safe. If the Agency is able to assist building owners to upgrade the buildings to comply with fire and building codes, the Amendment will have positive impacts on the Fire Department by reducing potential fire and safety impacts.

## **Conclusion**

The Amendment would have significant impacts to fire protection services due indirectly to new development within the Project Area. New development and redevelopment of existing uses would increase the need for fire protection services including personnel, equipment, and facilities. The Amendment will have positive impacts on the Fire Department if the Agency is able to construct needed water supply facilities in the Project Area necessary to provide the Fire Department improved fire flow in local areas where upgraded fire flow is necessary. Although the City has an adequate water supply available to serve new development, some areas need water infrastructure upgrades for required fire flow. The adoption and implementation of the Plan could have positive impacts on fire protection services with the construction of street improvements, which could reduce fire department response times to emergencies. The Fire Department has established requirements for site and building design that improve fire safety as well as the Fire Department's ability to provide emergency services. The City has standard conditions, which include provisions to facilitate

fire protection services within the City. All development must be in compliance with fire and building codes and compliance with the codes will reduce future calls for fire protection services.

There are no aspects of the Plan that would interfere with emergency response or access plans. The construction by the Agency of needed public infrastructure would have positive impacts if the improvements allow faster and safer evacuation of people and emergency vehicles and reduce response times.

#### **4.8.3.3 Mitigation Measures**

There could be fire protection impacts associated with development throughout the City, including the Project Area. The following mitigation measures are recommended to reduce potential fire protection impacts of the Amendment to less than significant.

1. Ongoing coordination with the Fire Department during review of development proposals shall be required to ensure that adequate fire protection, facilities, staffing and equipment are available to meet anticipated needs.
2. The City shall continue to require developers, at the time of issuance of building permits, to participate in the City-wide ~~fire protection~~ developer impact fee program, including fire protection.

#### **4.8.3.4 Significance After Mitigation**

No significant fire protection impacts are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

### **4.8.4 School Facilities**

#### **4.8.4.1 Environmental Setting**

##### **Introduction**

In accordance with the Public Resources Code § 21080, subd. (e)(2), 21082.2 subd. (c), and CEQA Guidelines, § 15064, subd. (e), this Program EIR focuses on the physical impacts of the proposed Amendment, not fiscal impacts unless the fiscal impacts lead to a physical change that may be regarded as a significant effect on the environment.

The City of Garden Grove is served by six different school districts and two Community College Districts. The Garden Grove Unified School District (GGUSD) is a large school district in Garden Grove. The other school districts serving the City include Anaheim Union High School District (grades 7-12), Huntington Beach Union High School District (grades 9-12), Orange Unified School District (grades K-12), Westminster School District (K-6), Anaheim City School District (K-6). The two community college districts that serve the City include the North Orange County Community College District and Rancho Santiago College District.

Most of the schools serving the students in Garden Grove are either at or over-capacity. The school districts have installed portable classrooms at most of the schools in order to provide adequate classroom space to meet the existing student enrollment.

The school districts collect school impact fees associated with new development. The school impact fee is used by each district to provide additional classroom space as necessary to accommodate additional students. School districts also receive tax increment through existing pass-through agreements with the Agency entered into prior to January 1, 1994 and pursuant to §33607.5 of the Health and Safety Code or all school districts who levy taxes within the Added Territory will receive statutory pass-through payments from the portion of the tax increment attributable to each school district's respective share in the Added Territory.

The community colleges that serve the City do not collect school impact fees. The Agency does have existing pass-through agreements with the Count College District and as with the K-12 school districts pursuant to §33607.5 they will receive tax sharing payments from the Added Territory. Students from the City and Project Area are not restricted to the community college districts that serve the City. Rather, students are allowed to attend the college of their choice. Students that attend college in either the North Orange County Community College District or Rancho Santiago College District pay tuition that is used by the college to pay, among many costs, to provide classroom space and teaching facilities.

#### **4.8.4.2 Project Impacts**

The threshold criteria for determining if adoption and implementation of the Amendment will have potentially significant impacts on school facilities is whether adoption and implementation of the Amendment will:

1. Encourage development that will result in school facilities exceeding the existing and planned facilities serving the Project Area as a result of the adoption and implementation of the Amendment.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to assist in the construction of needed improvement projects. The construction of the improvement projects listed in the Amendment will not result in any impacts to the school districts serving the Added Territory.

The Amendment allows the Agency to assist with the development of private projects. Construction of additional residential homes in the areas that allow residential development (sub-areas E, G, L, I, J, and K) could increase the number of students that will have to attend area schools depending upon the density of new residential development. The generation of additional students could impact the schools that serve the area depending upon the capacity of the schools at the time students are generated. Since schools that serve the areas of residential development are currently near or over capacity, the generation of additional students will have a significant impact on school facilities.

The Added Territory also includes property zoned for planned unit development, commercial, and industrial use. The development of these land uses will not directly generate new students. While some people that will be employed by industrial and commercial uses in the Added Territory may relocate to be closer to their place of employment, the number of people that actually relocate will be minimal. The number of new students estimated to be generated to area schools by new employees in the Added Territory moving closer to their place of employment will be minimal. Most of the people will most likely commute from their current place of residence, rather than move or relocate to the City. Therefore, the development of additional industrial, public and semi-public and parks and recreation uses in the Added Territory is not anticipated to significantly impact educational facilities in the school districts.

The payment of developer fees for residential, industrial, and commercial development in conjunction with revenue received through pass-through agreements will be used by the school districts to provide adequate educational facilities to serve new students. The developer fees collected by each school district and revenue from pass-through agreements will mitigate the impact of new development on school facilities to a level of insignificance.

The adoption and implementation of the Amendment, like the Added Territory, will allow the Agency to assist in the construction of needed improvement projects. The construction of improvement projects will not result in any impacts to the school districts.

The Amendment will allow the Agency to assist with the development of residential projects that will increase the number of students that attend area schools. Additional students could impact the schools, depending upon their capacity at the time students are generated. Since most schools are currently near or over capacity, the generation of additional students will have a significant impact on schools.

The Existing Project Area also includes property that is zoned for heavy industrial and commercial uses. Like the Added Territory, development of industrial and commercial land uses will not directly generate new students.

## **Conclusion**

The City is served by the Garden Grove Unified School District, Anaheim Union High School District, Huntington Beach Union High School District, Orange Unified School District, Westminster School District, and Anaheim City School District. The adoption and implementation of the Amendment would have an impact on the public schools K-12 that presently serve the Project Area if additional students are generated to overcrowded schools. Since most or all of the schools that presently serve the Project Area are overcrowded, the generation of additional students would impact those schools. School districts collect developer fees and pass-through agreement revenue that are used to provide additional classrooms as needed.

### **4.8.4.3 Mitigation Measures**

There could be school impacts with development in the Project Area. The following mitigation measures are recommended to reduce potential school impacts to less than significant.

1. The City shall continue to include the appropriate school districts in the State mandated review of tentative tract maps to help ensure that adequate school facilities and services are planned and provided.
2. The City shall continue to require developers to contribute their fair share of State mandated school impact fees.
3. The City shall continue to work with the school districts and developers to facilitate the development of school facilities to accommodate growth and ensure that the districts can meet future needs; to this end, facilitate the re-opening of schools (which have been closed and used for other purposes) as necessary to accommodate increases in student populations.
4. The Agency shall continue to make pass-through payments pursuant to the existing tax sharing agreements and shall make all additional statutory payments required by Section 33607.5 due to the Amendment.

#### **4.8.4.4 Significance After Mitigation**

There will be no significant school impacts with adoption and implementation of the Amendment, and incorporation of the recommended mitigation measures.

#### **4.8.5 Wastewater Service**

##### **4.8.5.1 Environmental Setting**

The Garden Grove Sanitary District (GGSD) owns and operates the local sewer lines that collect and transport city-generated wastewater to regional trunk sewer lines. The regional trunk sewer lines are maintained by the Orange County Sanitation District (OCSD). OCSD has nine revenue areas and the City of Garden Grove is located within Revenue Area 2. The OCSD has five regional trunk sewer lines that serve the City. Wastewater that is generated in the City is treated at the Fountain Valley wastewater treatment plant.

OCSD operates under the terms of an Ocean Discharge Permit as well as a number of laws and regulations governing their activities. The ocean discharge is regulated by the U.S. Environmental Protection Agency under the Clean Water Act, and by the Regional Water Quality Control Board, Santa Ana Region, under the Porter-Cologne Water Quality Act. These agencies have jointly issued a National Pollution Discharge Elimination System (NPDES) ocean discharge permit that sets forth the physical, chemical, and biological standards that OCSD must meet to protect the ocean.

The GGSD prepared a Sewage Collection System Master Plan in October 1988. The Master Plan identified several deficiencies in the District's sewage collection system. Corrections to alleviate the deficiencies involved rehabilitation of the system, replacement of the deficient reaches or providing relief facilities. Many of the problems faced by the GGSD occur with the abuses of its sewer system. The population densities in some areas of the District have caused sewage to back up into the streets forcing the District to connect their sewer lines to other jurisdiction's sewer lines. The



City constructs needed wastewater collection facilities as money becomes available. However, there are areas in the City where new and/or upgraded wastewater collection facilities are needed to serve new development.

### **Orange County Sanitation District**

As stated above, OCSD serves the Project Area. The District's 1999 Strategic Plan (Master Plan) and Capital Improvement Program sets forth the increases in sewer system improvements for conveying wastewater flows to the District's treatment plants through the year 2020. The sewer system improvements are based on land use planning information received from the City in 1995/1996.<sup>30</sup>

#### **4.8.5.2 Project Impacts**

The threshold criterion for determining if adoption and implementation of the Amendment will have impacts on wastewater collection and treatment facilities is if adoption and implementation of the Amendment will:

1. Generate demand for additional sewer service that exceeds the capacity of the existing or planned sewer collection infrastructure and treatment facilities.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency the authority to assist in the construction of needed wastewater collection facilities. The construction of the wastewater facilities will have positive impacts on wastewater collection for the area served by the new facilities. Financial assistance by the Agency for the construction of sewer facilities will have positive impacts for the City by improving the sewer collection services.

The Amendment will allow the Agency to participate with private developers to rehabilitate existing buildings and construct new buildings. The development of industrial, commercial, and residential uses will generate additional quantities of wastewater that will have to be collected and treated at the treatment plant in Fountain Valley. The General Plan requires that adequate wastewater treatment plant capacity be available to serve future development. Therefore, all development will be required to have adequate wastewater treatment plant capacity available prior to project approval. Development plans are not available for private projects at this time to determine whether or not suitable wastewater collection and treatment facilities are available. ~~The City or Agency, as appropriate, will evaluate whether or not existing wastewater facilities are available when development plans are submitted for approval. If adequate facilities are not available the City or Agency, as appropriate, will require the developer to construct the wastewater facilities necessary to serve the project.~~

---

<sup>30</sup> Mr. David Ludwin, P.E., Director of Engineering, Orange County Sanitation District, letter dated October 5, 2001.

The adoption and implementation of the Amendment will allow the Agency to assist in the construction of needed wastewater collection facilities. As with the Added Territory, the construction of wastewater collection facilities in the Existing Project Area will have positive impacts on wastewater collection facilities that serve the area. Any financial assistance the Agency can provide towards the construction of wastewater treatment facilities that are part of the Garden Grove Sanitary District Master Plan would have positive benefits to the Existing Project Area and the community as a whole.

Participation by the Agency with private developers to rehabilitate existing buildings and construct new buildings could generate additional quantities of wastewater that would have to be collected and treated. Like the Added Territory, some sections of the Existing Project Area will require the construction of new or upgrade wastewater collection facilities to serve wastewater from new development. Since development must be consistent with the General Plan, adequate wastewater treatment plant capacity must be available prior to project approval.

### **Orange County Sanitation District**

The redevelopment Plan Amendment incorporates the City of Garden Grove General Plan by reference and does not propose to change any existing land use designations of the properties in the Project Area. The adoption and implementation of the Amendment would not change any net land use densities, therefore, the Amendment would not impact or change any wastewater flows from the Project Area to the District's wastewater treatment facilities. As a result, the Amendment would not generate any increased wastewater flows to the District beyond the quantity estimated for the buildout of the city in the 1995 General Plan Update EIR.

### **Conclusion**

The adoption and implementation of the Amendment would not have any significant wastewater collection or treatment plant capacity impacts. Development of the City under the current general plan would not impact the regional wastewater collection facilities that serve the City based on the wastewater analysis that is provided in the City of Garden Grove 1995 General Plan Update EIR. Per the General Plan EIR, the existing City and District wastewater collection systems have capacity to serve build-out of the General Plan. However, there are local wastewater collection facilities that need to be upgraded or replaced to serve new development. New development could impact the local wastewater collection system, which could require upgrades to the local system. Some industrial uses could also generate wastewater that could impact the OCSD treatment plant in terms of the quality of the wastewater. Although specific wastewater discharge thresholds must be met, wastewater from some types of commercial or industrial uses could exceed those standards. Overall the existing Garden Grove Sanitary District (GGSD) system and the Orange County Sanitation District (OCSD) regional collection and wastewater treatment plant have adequate capacity to serve new development in the Project Area. The Amendment will have positive impacts on the wastewater collection facilities serving the Project Area if the Agency is able to construct needed local wastewater collection facilities to serve new development. Should new private development need upgraded wastewater collection facilities, the developer would be required to construct the needed local wastewater collection facilities and as a result, new development would not impact City

wastewater collection facilities. The City or Agency, as appropriate, will require all new development to provide adequate wastewater collection facilities as part of the project.

#### **4.8.5.3 Mitigation Measures**

Although the Amendment is not anticipated to have any significant wastewater impacts, the following measures are recommended to minimize wastewater generation in the Project Area and ensure as much as possible that wastewater discharge meets all applicable regulations.

1. The City shall require that all applicable state and local water conservation measures be incorporated into all projects to reduce wastewater flows as much as feasible.
2. ~~2.~~ The City shall require the incorporation of all applicable and feasible measures into commercial and industrial projects to reduce the strength of wastewater equal to required standards, or less when feasible.
3. The City or Agency, as appropriate, shall evaluate whether or not existing wastewater facilities are available when development plans are submitted for approval. If adequate facilities are not available the City or Agency, as appropriate, will require the developer to construct the wastewater facilities necessary to serve the project.

#### **4.8.5.4 Significance After Mitigation**

There will be no significant wastewater facilities impacts with adoption and implementation of the Amendment with incorporation of the recommended mitigation measures.

## **4.9 HAZARDS AND HAZARDOUS MATERIALS**

### **4.9.1 Environmental Setting**

The Garden Grove Fire Department regulates the use and storage of hazardous materials for the City and provides emergency response to accidental release of hazardous substances. The Fire Department is a member of the Joint Power Authority that supports four hazardous materials response units in Orange County. The Garden Grove Fire Department is the first responder to a hazardous waste incident in the City and if assistance is required, a hazardous materials response team from another city is dispatched to the site. All businesses in the City that store acutely hazardous substances are located within one and one-half miles of a fire station with an average response time of less than five minutes.

There are several hundred businesses in the City, including some in the Project Area, that handle hazardous materials. A smaller number of businesses handle acutely or highly hazardous materials. Due to the age of some buildings and residences (pre 1978) in the Project Area, there is a high probability that some buildings contain lead based paint and asbestos. There may also be abandoned underground storage tanks associated with former service stations and other businesses that stored fuel on-site. The County of Orange, Health Care Agency, Financial and Administrative Services Custodian of Records maintains a list of all known underground storage tanks, leaking underground storage tanks, and hazardous waste generators in all of the cities and unincorporated areas of the County, which includes the City of Garden Grove.

Most of the businesses that are users of hazardous materials are located in the Central Industrial District (CID). Although sub-area "B" is located in the CID, the majority of the CID is located in the existing Project Area. Due to the number of existing and former businesses in the CID that handle hazardous materials, it is likely there could have been a release of hazardous materials.

Hazardous materials are transported through the City of Garden Grove on railways, surface streets, and the Garden Grove Freeway (SR-22). In addition, there are several crude oil and petroleum product pipelines that transect the City in a north-south direction along Knott Avenue. In the event of a pipeline failure, the Garden Grove Fire Department would respond and contact the operator of the damaged pipeline.

### **Regulatory Compliance – Overview of the Management of Hazardous Substances**

#### Federal Agencies:

Federal agencies that regulate hazardous substances include the Environmental Protection Agency (EPA), Occupations Safety and Health Administration (OSHA), Nuclear Regulatory Commission (NRC), Department of Transportation (DOT), and the National Institutes of Health (NIH). Hazardous substances handled in the City of Garden Grove, as with all cities, must comply with the following applicable regulations:

- Federal Water Pollution Control Act
- Clean Air Act
- Occupational Safety and Health Act

- Comprehensive Environmental Response, Compensation, and Liability Act
- Guidelines for Carcinogens and Biohazards
- Superfund Amendments and Reauthorization Act Title III
- Resource Conservation and Recovery Act
- Safe Drinking Water Act, and
- Toxic Substances Control Act

Up until August 1992, the principal agency at the federal level regulating the generation, transport, and disposal of hazardous waste was the EPA under the authority of the Conservation and Recovery Act (RCRA). As of August 1, 1992 the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) was authorized to implement the State's hazardous waste management in lieu of the EPA.<sup>31</sup>

#### State Agencies:

The Cal-EPA, DTSC, State Water Resources Control Board, and the local Santa Ana Regional Water Quality Control Board govern the use of hazardous materials and the management of hazardous waste. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce hazardous substance transportation regulations.

Under Cal-EPA, DTSC has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the state agency, for the management of hazardous substances and the generation, transport and disposal of hazardous waste under the authority of the Hazardous Waste Control Law (HWCL). State regulations applicable to hazardous substances are indexed in Title 6 of the California Code of Regulations (CCR).

#### Regional:

The South Coast Air Quality Management District (SCAQMD) works with the California Air Resources Board (CARB) and is responsible for developing and implementing rules and regulations regarding air toxics on a local level. The SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines.<sup>32</sup> In addition, the State Water Resources Control Board and the local Santa Ana Regional Water Quality Control Board are responsible for implementing laws, rules, and regulations regarding groundwater contamination. Finally, the California Highway Patrol and Caltrans enforce hazardous substance transportation regulations.

#### **Added Territory**

The Added Territory includes vacant land, residential homes, mixed-commercial and light industrial uses. The residential homes and commercial businesses typically use small quantities of hazardous materials for routine janitorial cleaning. Some of the light industrial uses may use large quantities of

---

<sup>31</sup> Garden Grove General Plan Update Final EIR Appendices, Appendix G, page 3.

<sup>32</sup> Ibid, page 4.

hazardous materials in the daily operation of their business. Underground storage tanks, lead paint and asbestos may exist in some of the existing buildings in the Project Area that may be demolished or remodeled. The development or redevelopment of buildings that contain asbestos, lead based paint or have underground storage tanks could pose health and hazardous impacts. The preparation of the appropriate studies (Phase 1, lead based paint, asbestos) prior to demolition or construction would identify those properties with potential impacts and appropriate measures in compliance with all applicable local, county, state and federal laws can be incorporated. For the most part, the existing businesses in the Added Territory do not use large quantities of hazardous materials that would result in a significant health hazard should a spill occur.

### **Existing Project Area**

The Existing Project Area includes automotive repair shops and other businesses that have used or are presently using hazardous materials. It is highly likely that some of the properties where hazardous materials have been used in the past, or are now in use, may have resulted in spills with hazardous materials present in the soil. There is also a high probability that some existing or former businesses may have stored fuel on-site in underground storage tanks that remain on the property.

The General Plan has goals, policies, and implementation measures to protect the public from the use, transport, treatment and disposal of hazardous substances. Some of the policies include the storage of all hazardous materials as strictly regulated, proper containment of all stored toxic materials, and routing new fuel lines away from populated areas, etc.

### **Household Hazardous Waste Element**

Adopted in March 1992, the City of Garden Grove Household Hazardous Waste Element describes existing and future programs to reduce household hazardous waste. The goals and objectives that have been established by the County and supported by the City in this Element include:

- Providing a means for Orange County residents to safely dispose of household hazardous waste by developing a plan for implementing additional waste collection facilities and expanding current collection facilities and practices.
- Increasing the percentage of collected household hazardous waste that is recycled or reused.
- Decreasing the amount of household hazardous waste by continuing to use public education programs.
- Monitoring and remaining current on regulatory requirements and participating in improving household hazardous waste management methods.
- Eliminating or significantly reducing disposal of household hazardous waste in Orange County's solid waste landfills.<sup>33</sup>

---

<sup>33</sup> City of Garden Grove General Plan Safety Element, pages 7-9.

## 4.9.2 Project Impacts

The threshold criterion for determining whether or not the Amendment could have hazardous impacts is based on whether or not the Amendment will:

1. Create a potential public health hazard or involve the use, production or disposal of materials that pose a hazard to people and planned populations in the affected area.

### Added Territory/Existing Project Area

The adoption and implementation of the Amendment will add sub-area (B) to the Plan that is located within the Central Industrial District. The addition of this sub-area will encourage redevelopment of the sub-area, which could result in the use and storage of hazardous materials on the property. The potential risk of upset and exposure of employees and adjacent employees/residents to the use or storage of hazardous materials on the site would increase with the use of hazardous materials.

The use and storage of hazardous materials by businesses in sub-area B would expose both employees of the businesses, adjacent employees, and residents in the immediate area to exposure of hazardous materials in the event of a spill or release of hazardous vapors. The risk of exposure to hazardous substances cannot be eliminated, however, measures can be implemented to maintain and minimize risks to an acceptable level.

There are federal, state, county, and local agencies that regulate and oversee the storage and use of hazardous materials. Oversight of the use and storage of hazardous materials within sub-area B, as well as the City overall, would serve to minimize potential adverse impacts due to a hazardous waste spill. The Garden Grove Fire Department would be the first agency responding to a hazardous waste release or spill and prevent or reduce its impact to the community. The Fire Department would request back-up support services from other members of the Joint Power Authority as necessary to minimize the impact of a hazardous waste spill.

The existing laws and regulations pertaining the storage, use and transportation of hazardous materials along with the oversight of the public agencies that respond to emergencies are considered adequate to reduce potential hazardous waste impacts to a level less than significant.

In addition to the oversight of the safe keeping of hazardous materials by public agencies, the City or Agency, as appropriate, would conduct assessments necessary to determine whether or not any hazardous materials may be present on the site or in the area proposed for redevelopment. ~~The City or Agency, as appropriate, will review development plans to assess if hazardous materials are present that could impact workers constructing the project, employees or area residents. If contaminated soils or groundwater are present the soils or groundwater will have to be removed and remediated in conformance with the law before construction can begin.~~

All properties in the Added Territory that are suspected by the City or Agency, as appropriate, of having hazardous materials will have to be inspected to the City or Agency, as appropriate, to determine if hazardous materials are present and proper remediation completed, if required, before project demolition, grading or construction can commence.

The City or Agency, as appropriate, will need to determine whether or not any properties proposed for redevelopment, including all sub-areas could have hazardous materials present prior to development and require appropriate documentation accordingly. The City or Agency, as appropriate, will also be responsible to determine if any proposed and future uses of property could pose a hazardous material impact to project tenants, employees, or surrounding land uses.

Like the Added Territory, there are existing uses in the Existing Project Area that have a potential to have hazardous materials in the soil. Existing automotive repair businesses as well as other businesses that typically use hazardous materials in their daily course of business could have contaminated soil associated with the current use of the property. The City or Agency, as appropriate, will require proper documentation from the property owner to determine whether or not hazardous materials are present in the soil. If hazardous materials are present, the City or Agency, as appropriate, will require the property owner to remediate the property in compliance with all applicable local, county, state and federal laws prior to the redevelopment of the property. The City or Agency, as appropriate, will require proper documentation prior to the development of public or private projects on any property in the Existing Project Area that is suspect of having hazardous materials.

#### **Department of Toxic Substances Control**

The Department of Toxic Substances Control (DTSC) has jurisdiction over the cleanup of any hazardous materials that have been released in the Project Area. If hazardous materials are encountered in association with redevelopment, all site characterization, clean-up plans, removal and disposal, etc. would have to be approved by and completed in compliance with DTSC requirements and laws prior to the issuance of any demolition, grading or building permits.

Because there is no specific private development projects proposed as part of this Amendment, it is not known at this time whether or not there would be any acutely hazardous materials used within one-quarter mile of an existing or proposed school. The City would review all future development proposals to determine if any projects would be located within one-quarter mile of an existing or proposed school. If a project that emits or handles hazardous materials is located within one-quarter mile of a school, the appropriate studies would be prepared to identify the potential impacts of emissions on the students.

Since site-specific development plans are not a part of this Amendment, it is not known whether or not future development within either Project Area would encounter sites with hazardous materials. The City would evaluate future development proposals for hazardous impacts at the time they are submitted to the City or Agency, as appropriate, and require technical studies when necessary to determine whether or not hazardous materials exist on the site.

In addition to reviewing future development sites for the presence of hazardous materials, the City would also review all project applications for the proposed use or storage of hazardous materials. If a business proposes to store or use hazardous materials, a hazardous materials storage permit may be required. The Garden Grove Fire Department would be contacted to determine whether or not a hazardous materials storage permit would be required.



If any contaminated soils or suspected soil contamination are encountered during project grading or construction, construction in the area would be suspended until the contamination is properly investigated. Remediation, if required, would be completed in compliance with the laws and regulations of the appropriate regulatory oversight agency.

The existing laws and regulations pertaining the storage, use and transportation of hazardous materials along with the public agencies that respond to emergencies are considered adequate to reduce potential hazardous waste and material impacts that may be encountered during future development in the Project Area to a level less than significant.

## **Conclusion**

The Amendment could indirectly have a potential public health or safety hazard due to the introduction of new businesses in the Project Area that could result in an increased risk of upset associated with the use, generation, and transport of hazardous substances. The accidental release of hazardous substances used, stored, or transported in the Project Area could result in contamination of soil, groundwater, or surface water. The use or transportation of hazardous substances that may be used in association with commercial or industrial uses increases the potential for accidental releases of hazardous substances could pose a hazard to people and planned populations in the affected area. The adoption and implementation of the Amendment will encourage the development of private projects in the Project Area, which could expose humans to significant health hazards. The redevelopment of properties where hazardous materials are either presently in use, or have been in use on the site in the past, could expose construction workers and employees to hazardous materials. In particular, the development of sub-area B in the Central Industrial District where most businesses that store or use hazardous materials are located could have hazardous materials and pose health impacts. At this time it is unknown if any of the sub-areas in the Added Territory contain hazardous materials. The future development of any sites that use hazardous materials will have to comply with all applicable local, county, state and federal laws regarding remediation of hazardous materials prior to development. The adoption and implementation of the Amendment will not change the requirements to remediate contaminated properties prior to development. Assistance by the Agency to construct public or private projects will not change or alter any local, county, State or federal requirements to remove hazardous materials in compliance with all applicable laws and regulations. If necessary, the Agency can use the Polanco Act and require property owners to remediate contaminated sites and/or carry out remediation itself. The use and storage of hazardous substances is regulated by Cal-EPA, DTSC, State Water Resources Control Board, Santa Ana Regional Water Quality Control Board, the Orange County Fire Department (Hazardous Materials Program) and the Orange County Health Care Agency (Hazardous Materials Section). The California Highway Patrol and the California Department of Transportation (Caltrans) enforce hazardous substance transportation regulations. The Garden Grove Fire Department provides emergency response to accidental release of hazardous substances.

### **4.9.3 Mitigation Measures**

The following measure is recommended to mitigate potential hazardous material impacts of redevelopment pursuant to the Amendment in the Project Area:

1. ~~1.~~ The Agency shall use the Polanco Act, when necessary to facilitate the clean-up and remediation of a contaminated site when no alternative cleanup options are available.
2. The City or Agency, as appropriate, will review development plans to assess if hazardous materials are present that could impact workers constructing the project, employees or area residents. If contaminated soils or groundwater are present the soils or groundwater will be required to be removed and remediated in conformance with the law before construction can begin.

#### **4.9.4 Significance After Mitigation**

There will be no significant hazardous waste impacts with adoption and implementation of the Amendment and implementation of the suggested mitigation measure.

## 4.10 POPULATION, HOUSING, AND EMPLOYMENT

### 4.10.1 Environmental Setting

As of January 2000, the City of Garden Grove had a population of 165,196 people based on information from the California Department of Finance.<sup>34</sup> The City had approximately 46,703 residential dwelling units based on the 2000 Census.

The City of Garden Grove has adopted a Housing Element that extends from January 2000 to June 2005. The Housing Element provides the City with the opportunity to plan for the existing and future housing needs in the community and has been prepared in compliance with the five-year update cycle for cities in the Southern California Association of Governments (SCAG) jurisdiction.<sup>35</sup>

The Housing Element identifies strategies and programs that focus on: 1) conserving and improving existing affordable housing; 2) providing adequate housing sites; 3) assisting in the development of affordable housing; 4) removing governmental and other constraints to housing development; and 5) promoting equal housing opportunities.<sup>36</sup>

The Housing Element includes goals, policies, and objectives for the maintenance, improvement, and development of housing. The City's Housing Element includes goals and policies that address Garden Grove's identified housing needs and are implemented through a series of housing programs. The housing programs define the specific actions Garden Grove will take to achieve specific goals and policies.

The Housing Element goals are further broken down into specific goals that when met, will help the City provide various types of housing to meet city housing needs. The policies are also further broken down in sub-sections including maintenance, preservation, improvement, development, and additional policies.

The Housing Element also lists quantified objectives by income group as required by State housing law. State law defines the income groups in terms of the percentage of the Orange County median household income.

Quantified objectives are the maximum number of housing units that City projects can be constructed, rehabilitated, conserved, and preserved over a five-year time frame. The State housing law requires that the Housing Element establish the quantified objectives for each income group: very low, low, moderate, and above moderate.<sup>37</sup>

---

<sup>34</sup> California Department of Finance, Demographic Research Unit, California State Census Data Center, Census 2000 PL94-171.

<sup>35</sup> City of Garden Grove Housing Element 2000-2005, page 4.

<sup>36</sup> Ibid.

<sup>37</sup> City of Garden Grove Housing Element 2000-2005, page 40

In addition to the Housing Element, there are a number of local and regional plans and programs that relate to the housing element. The plans and programs that are important to the Housing Element are briefly described below:

**City of Garden Grove Housing and Urban Development (HUD) Consolidated Plan Fiscal Year 2000-2005:** The Consolidated Plan is a five-year plan, which must be prepared by entitlement jurisdictions in order to receive federal housing funds. As an entitlement jurisdiction, Garden Grove has prepared a Consolidated Plan which identifies the City's overall housing and community development needs and outlines a strategy to address those needs over a five-year period from 2000-2005. This Plan satisfies the Department of Housing and Urban Development statutory requirements for Garden Grove's formula programs, Community Development Block Grant (CDBG) and HOME.

**Garden Grove Agency for Community Development Five Year Implementation Plan:** The Five Year Implementation Plan describes specific goals, objectives, and programs of the Agency, including programs, potential projects, and an estimate of expenditures to be made over a five year period, and a description of how these goals will assist in the alleviation of blight. The Implementation Plan also describes how the Agency will implement the requirement to increase, improve, and preserve low and moderate-income housing, and the inclusionary and replacement housing requirement.<sup>38</sup>

## **HOUSEHOLD CHARACTERISTICS**

A household includes all the persons who occupy a housing unit. The size of a household is usually expressed in terms of number of persons per unit. An analysis of household characteristics is useful to determine household size, trends, incomes, overcrowding or underutilization of housing as well as the amount of special needs households, such as large families and those headed by females. Of the total 44,538 households in Garden Grove, 26,546 are owner occupied and 17,992 are renter occupied. The average household size is 3.2 persons per household.<sup>39</sup>

### **Special Needs Groups**

The segments in the City of Garden Grove that are considered to have special needs for affordable housing include elderly households, disabled persons, female-headed households, farm workers, homeless and large households. A brief description of each segment is provided below.

#### **Elderly**

According to the 1990 Census, 8.7 percent (12,512 people) of the City's population is composed of persons who are sixty-five years of age and older. Approximately 77 percent are persons in the age group of 65 years or older that require special housing needs and services. The special needs of senior citizens generally result from their lower, fixed incomes and dependence needs on public transportation and health care.

---

<sup>38</sup> Ibid, page 5

<sup>39</sup> Ibid, page 9

The City has four (4) assisted living housing projects that contain units targeted toward accommodating the City's lower-income senior citizens. In addition to the four Agency assisted senior apartments, there are 56 senior residential care and 7 nursing homes located in Garden Grove that provide independent and assisted living for senior citizens.

### **Disabled Persons**

According to the 2000 Census, there are 9,848 disabled people in Garden Grove. Although no current comparisons of disability with income, household size, or race are available, it is reasonable to assume that a substantial portion of disabled persons are within the federal Section 8 income limits, especially those households not in the labor force. Further, most lower income disabled persons are likely to require housing assistance.

As of December 1990, 347 disabled households in Garden Grove were receiving Section 8 rental assistance. An additional 200 disabled households in Garden Grove are on the Section 8 waiting list for assistance. The Garden Grove Housing Authority estimates that there is a one to four year wait for persons applying for assistance from the Garden Grove Housing Authority Section 8 Rental Assistance program.

### **Large Households**

A large family is defined as having five or more members. The Federal Government defines overcrowding as a condition that exists when the ratio of persons to rooms (excluding bathrooms, hallways, kitchens, and closets) exceeds 1.0.

According to the 1990 Census, there are 8,547 large family households in Garden Grove. The Census data indicates that 19.2 percent of the households in the City include five or more people. Of the 8,547 large households in Garden Grove, 4,070 are owner households and 4,477 are renter households.

### **Female-Head of Households**

The housing needs of single-parent households have increased in recent years. Single-parent households, and in particular those headed by females, face challenges in finding affordable housing. Female-headed households with children tend to have lower incomes than other types of households, a situation that limits their housing options.

The 1990 Census data reported that there were 4,991 households in Garden Grove that were headed by a female householder. A total of 2,503 of these households contained children under the age of 18.

### **Farm Workers**

Farm workers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural work. Farm workers have special housing needs because they earn lower incomes than many other workers and move throughout the season from one harvest to the next.

The 1990 Census indicates that less than one percent (1,223 persons) of the City of Garden Grove's residents were employed in agriculture, fishing, and forestry. Due to Garden Grove's urban setting and nominal rural farm worker population, housing needs for farm workers can generally be addressed by overall programs for housing affordability.

### **Homeless**

According to 1999 studies prepared by the Orange County Department of Housing and Community Development (HCD), each night there are estimated 14,806 homeless persons in Orange County. Sixty-six percent of the homeless population includes persons in families with children. HCD also reported that within the homeless population there are sub-populations, including chronic substance abusers, severely mentally ill, dually diagnosed, veterans, AIDs afflicted persons, victims of domestic violence and their children, homeless youth, and physically disabled.

There are numerous factors contributing to the rise of homelessness in Garden Grove and Orange County. Difficulties in obtaining employment, insufficient education, mental illness, and substance abuse are a few of the more traditional factors. A new trend, however, includes the lack of housing affordable to very low-and low-income persons, increases in the number of persons whose income falls below the poverty level, reductions in public subsidies to the poor, and the deinstitutionalization of the mentally disabled.

In a 1999 national study by the Center on Budget and Policy Priorities, Orange County ranked last of 45 Metropolitan Statistical Areas (MSA's) in providing affordable housing opportunities. Compared to a national average of 1.7 low-income renters competing for every one (1) low cost apartment, four (4) Orange County low-income renters competed for every one (1) low cost apartment in Orange County. Lack of affordable housing, coupled with recent cutbacks in social service programs, has produced a sizable population in the County at risk of homelessness.

### **Outreach and Assessment**

The City coordinates with the network of local and regional homeless provider/service agencies and also provides referral services for individuals seeking assistance to agencies.

### **Supportive Services**

The City provides CDBG funds to non-profit agencies that provide job training and other supportive services such as food distribution for the homeless.

### **Shelter Phase**

This phase is designed to bring homeless persons into emergency transitional shelters, where case manager's link clients to a network of supportive services.

## **Permanent Housing**

This phase is designed to transition homeless persons into permanent housing with childcare, drug treatment, job training, and other supportive skills needed to reintegrate into community life. Garden Grove has assisted with the provision of permanent affordable housing projects and participated with the Section 8 assistance program.<sup>40</sup>

## **CONSTRAINTS ON HOUSING PRODUCTION**

There are many constraints on the production of housing to meet the needs of Garden Grove residents. Some of the constraints are discussed below.

### **Nongovernmental Constraints**

Various factors not under the control of government influence the cost, supply, and distribution of housing. These factors include construction costs, land costs, financing costs, and the availability of land. In addition, within the market area there is demand for a wide range of housing types and price categories.

### **Construction Costs**

A major cost associated with building a new house is the cost of building materials. According to 2000 estimates from the International Conference of Building Officials (ICBO), residential construction cost in California can range from \$75.90 (per square foot) for a multi-family Type V-wood frame construction to \$85.50 (per square foot) for a single-family dwelling unit. These cost estimates are based on "good" quality construction materials and fixtures, which would be above the minimally acceptable by building code standards.

A reduction in amenities and quality of building materials could result in lower sales prices. In addition, pre-fabricated, factory-built housing may provide for lower priced housing by reducing construction and labor costs. Another factor related to construction costs is the number of units built at one time. Construction costs over the entire development will be generally reduced based on the economies of scale as the number of units built at once increases. This cost reduction is of particular benefit when density bonuses are used for providing affordable homes.

### **Land Costs**

The cost of land is a major constraint on housing construction. A number of variables impact the cost of land. These variables include site preparation, density permitted, improvements required, the location of the land, and related issues such as holding costs. The holding cost of land during construction can add to the price of housing. Interest rates are beyond the control of local jurisdictions. Land holding costs can be lessened, by reducing processing times for building permits in most jurisdictions.

---

<sup>40</sup> City of Garden Grove Housing Element 2000-2005, page 15

## **Financing**

Interest rates are determined by national policies and economic conditions, and there is little that local governments can do to affect these rates. Jurisdictions can, however, offer mortgage down payment assistance to extend home purchase opportunities to lower income households. In addition, government issued loan programs may be available to reduce mortgage down payment requirements.

The Community Reinvestment Act (CRA) of 1977 regulates community bank lending practices in lower income neighborhoods. A lender or insurer cannot deny an applicant a loan solely based on location. Similarly, an applicant cannot be denied a loan based on different or subjective underwriting standards within a market area. The same type of credit must be extended to all applicants with similar credit history, employment record, financial condition, and loan-to-value ratio.

Under the CRA, banks are also required to lend within low-and moderate-income communities, to have meaningful communication with members of the community regarding banking services, and to market or provide special credit-related information programs to make residents aware of the bank's credit services.

## **Governmental Constraints**

### **Land Use Controls**

The availability of a range of housing opportunity and choice is a large part of the function of land use controls, particularly the Land Use Element, and the Zoning code. The City of Garden Grove has always sought to maintain a balance of land use types and styles.

One aspect of land use control that often limits the location and types of housing is density. The City's Land Use Element allows for three categories of residential land use. These categories include low, medium, and high density residential.

### **Development Process**

The City of Garden Grove requires that prior to construction of residential development, certain approvals, and permits be obtained. Site plan approval is required whenever a new residential structure is proposed except for either a single-family dwelling in the R-1 (One-Family Residential) zone or a proposed additional of less than 50 percent of the area of an existing residential structure. Prior to the approval, formal plans are submitted and routed to various City departments to determine the necessary conditions of approval for on-and off-site improvements. Once approved by a public hearing body, construction drawings are required prior to building permits being issued.

### **Development Standards**

The City of Garden Grove's zoning ordinance contains residential requirements for lot coverage, setbacks, parking, landscaping, and open space that are considered standard for suburban



communities in Orange County and Southern California. Mobile homes and manufactured homes with permanent foundations are permitted in all residential zones.

### **Required Off-Site and On-Site Improvements**

As part of providing adequate and equitable housing, developers of residential developments in the City of Garden Grove are generally required to provide the necessary on- and off-site improvements.

### **Building Codes and Enforcement**

The City of Garden Grove has adopted the most recent version of the Uniform Building Code (UBC). This code is considered the minimum necessary to protect the public health, safety, and welfare. The developer of a residential project is required to provide the entire necessary public infrastructure to serve the project. This includes, but is not limited to, the provision of storm drains, light poles, sewer/water connections, curb, gutter, and sidewalk. Developers also must pay impact fees and processing fees.

### **Fees**

Development fees in Garden Grove are set at a level to cover the actual servicing and regulating necessary for development. In a comparative analysis by the Building Industry Association of Orange County, Garden Grove was shown to have fees comparable to and in some cases lower than other jurisdictions in Southern California.

In addition to the City's development fees for residential developments, all school districts require the payment of a development fee on residential and commercial/industrial development. Fees collected pursuant to the District's actions are used for construction and/or reconstruction of school facilities.

### **Environmental Constraints**

State regulators require environmental review of proposed discretionary projects (e.g., subdivision maps, use permits, etc.). Costs resulting from fees charged by local government and private consultants needed to complete the environmental analysis, and from delays caused by the mandated public review periods, are also added to the cost of housing and passed on to the consumer. However, the presence of these regulations helps preserve the environment and ensure environmental safety to Garden Grove's residents.

### **Energy Conservation**

As residential energy costs rise, increasing utility costs reduce the affordability of housing. Title 24 of the California Administrative Code sets forth mandatory energy standards for new development, and requires adoption of an "energy budget." The home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations.

As part of this commitment to promoting energy efficiency, the City of Garden Grove has an adopted citywide energy policy called the Energy Management and Action Plan (Energy-MAP). The goal of the energy policy is to provide direction, guidance, support, and coordination of conservation efforts by working closely with residential, commercial, industrial, and other sectors within the community.

## **NEW HOUSING NEEDS**

The Regional Housing Needs Assessment (RHNA) is based on State projections of population growth and housing unit demand and assigns a share of the region's future housing need to each jurisdiction within the SCAG region. These housing needs numbers serve as the basis for the update of the Housing Element in each California city and county.

The RHNA determination of "construction need" for Orange County is 75,502 housing units. Of this total, Garden Grove was allocated 1,235 housing units, representing 1.6% of the County total construction need for the planning period from January 1998 through June 2005. The City of Garden Grove's projected construction needs include 300 very low-income units, 173 low-income units, 282 moderate-income units, and 480 upper income units for a total of 1,235 units. The City monitors the number of units that have been constructed in each category towards meeting the RHNA numbers. To date the City has provided 25 very low-income units, 69 low-income units, 300 moderate-income units, and 251 upper income units for a total of 645 units. The City needs to provide an additional 590 units of various income levels to meet the RHNA projections.

## **HOUSING RESOURCES**

To comply with the Housing Element Guidelines, the City has conducted an inventory of potential sites available for residential development and that inventory indicates that the City has sufficient sites to meet its housing needs for all income levels even though the inventory is based on a conservative estimate of potential housing sites. The inventory takes into account both vacant and underutilized land available within and outside the City's redevelopment areas, which have the potential for housing development. All sites are currently zoned for the capacity indicated and are consistent with the City's General Plan.

### **Underutilized Redevelopment Sites**

An analysis of underutilized areas within the City was conducted in year 2000. These areas identified as underutilized are currently developed at densities significantly lower than allowed by the current zoning and represent opportunities for the development of housing units.

The City has identified several underutilized sites for housing at densities of 24 dwelling units per acre. According to the City's Survey of Underutilized Sites Suitable for Housing Development, approximately 69.29 acres of underutilized land are zoned for multiple family residential developments. These areas could be potentially re-zoned to a higher density, to accommodate the density range of 42-60 units per acre.

An estimated 1,417 housing units could be potentially developed on underutilized sites. Given the City's zoning designations and the maximum allowable densities and based on HCD's density thresholds, units affordable to very low-income and low-income would need to be located in the High Density or R-3 and PR (Peripheral Residential) zones.

In addition to development of underutilized sites, construction can be further accomplished through the utilization of tools such as density bonuses. On June 13, 2000, the City adopted a Density Bonus ordinance, which permits density bonuses for eligible residential projects. The ordinance provides an amendment to Garden Grove's Title 9 Zoning Code to increase the density range above current limits. Under the ordinance, affordable housing developments are permitted to build up to 25 percent above the allowable housing densities set forth in the General Plan.<sup>41</sup>

### **Financial Resources**

The City has a variety of finance resources available to help meet its immediate and future housing needs. Some of the resources include Community Development Block Grant (CDBG) Funds, HOME Investment Partnership Programs, Tax Exempt Multifamily Revenue Bonds, Housing Agreements, and Redevelopment Housing Set Aside monies. All of these programs may be used at various times depending upon the financial need of the project. A brief description of the monies available through the Redevelopment Agency is provided below.

### **Redevelopment Housing Set-Aside**

The City of Garden Grove is projected to have approximately \$3.5 million in redevelopment set-aside funds available for affordable housing activities during the Housing Element cycle (2000-2005). Annual contributions range from \$500,000 to \$1 million per year.

### **Non-Profit Housing Developers**

An alternative to providing subsidies to existing property owners to keep units available as low-income housing is for public or non-profit agencies to acquire or construct housing units to replace "at-risk" units lost to conversion. Non-profit ownership assures the future availability of purchased units as low-income housing. Several public and nonprofit agencies are currently active or have expressed an interest in purchasing and/or managing at-risk, low-income housing projects in Garden Grove as well as Orange County.

### **Redevelopment Law**

Health and Safety Code section 33334.2(a) states "Not less than 20 percent of all taxes which are allocated to the agency pursuant to Section 33670 shall be used by the agency for the purposes of increasing, improving and preserving the community's supply of low- and moderate-income housing available at affordable housing cost, as defined by Section 50052.5, to persons and families of low or moderate income, as defined in Section 50093, and very low income households, as defined in

---

<sup>41</sup> City of Garden Grove Housing Element 2000-2005, page 31

Section 50105," unless a specific finding is made annually by resolution. The City has a program to provide and increase the amount of affordable housing to households with low and moderate incomes.

### **Added Territory**

There are residential units in the Added Territory. Sub-areas I, J, and K include single-family detached units. The remaining sub-areas consist of commercial land uses and vacant land.

### **Existing Project Area**

The Existing Project Area contains residential dwelling units including single-family detached and attached units. The City has constructed new residential units using housing set-aside monies in the Existing Project Area in an attempt to provide additional low- and moderate-income housing in the city.

### **Employment**

Garden Grove's share of employment is projected to decrease slightly to 2.6 percent (49,711 jobs) by year 2010. Orange County also has a higher share of the region's employment than its share of residents, with 18.4 percent (827,100) in 1990 compared to 16.5 percent of regional residents. The County's employment share is predicted to increase to 19.7 percent (1 million) by year 2010.<sup>42</sup>

The California Employment Development Department collects data on employment by industry for metropolitan statistical areas (MSAs). Garden Grove is part of the Anaheim-Santa Ana MSA. The 1990 employment profile of wage and salary employment for this MSA in 1990 indicated that manufacturing, trade, and services were the largest industrial sectors of the MSA's economy.

#### **4.10.2 Project Impacts**

The threshold criteria for determining whether or not the project will have population and/or housing impacts is whether or not the Amendment will:

1. Result in non-compliance with population and housing allocations for the region.
2. Displace a large number of people.
3. Create a substantial demand for additional housing.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to assist with the construction of new residential homes, upgrade, and rehabilitate existing residential units. The Agency can use housing set-aside monies to rehabilitate or construct residential units to qualify for low and moderate-income housing.

---

<sup>42</sup> City of Garden Grove General Plan Update Final EIR, page 5.5.4.

The adoption and implementation of the Amendment is anticipated to encourage new development in the Added Territory, including the construction of new residential units. The Added Territory includes parcels of land in sub-areas I, J, and K, that could be redeveloped with residential use. The construction of additional housing units could increase the City's population. There are no specific residential development plans for any of the sub-areas. It is speculative to state whether or not any new residential development may occur in sub-areas I, J or K over the length of the Amendment, or the number and types of units that would be developed. It is feasible the existing residential uses in sub-areas I, J, and K would continue as they presently exist throughout the life of the Plan.

If new residential units are developed in sub-areas I, J, or K, it is speculative to determine where people moving into the new residential will move from. In all likelihood people will move from areas both within and outside the City. Thus, residential development in the Added Territory could incrementally increase the City's population. However, the City's population would not increase beyond the level planned if all future residential development is consistent with and complies with the General Plan. All development must be consistent with the General Plan and any increase in housing units and population density has been planned for by SCAG based on future development consistent with the General Plan.

The construction of light industrial and commercial use or the rehabilitation of existing industrial uses could indirectly increase the number of City residents. The construction of new commercial or light industrial buildings or the expansion of existing businesses could indirectly result in an increase in the City's population. Most employees hired by new businesses or existing businesses that expand in the Added Territory, either live in Garden Grove or would commute from their current residence outside the city. Although some people may relocate if employed in the Project Area, it is anticipated that most employees will commute from their current place of residence and not move to Garden Grove due to the cost and inconvenience to relocate when it may be more feasible to commute.

Future population projections for the City are based on the amount of land designated by the General Plan for residential development. Build-out of the General Plan is anticipated to yield a total population of 166,838 by the year 2020, an increase of 15,031 persons from build-out of the previous General Plan. SCAG population projection for the year 2020 is 174,272 people, which is greater than the estimate of the 1995 General Plan Update. The Amendment will not change any existing land use designations of the General Plan. As a result, the Amendment will not impact previous population projections for the City as stated in the General Plan.

The 1995 General Plan Update estimated there will be 51,728 dwelling units in the City at build-out. While some new and/or rehabilitated housing units could be developed in the sub-areas that allow residential use, any increase would not exceed the amount allowed by the General Plan and is not anticipated to significantly impact future housing projections. The General Plan bases future housing estimates for the City on current land use designations. Future development in the Added Territory is guided by the land use designations of the General Plan; therefore, any increase in the number of residential units constructed in the City has been projected by SCAG. The development of additional residential units in the Added Territory will not significantly impact the City's existing or projected housing estimates because the Amendment would not change existing land use designations in the Added Territory.

The Existing Project Area includes residential uses and has more land designated for residential use by the General Plan than the Added Territory. As a result, more residential units can be constructed, rehabilitated, and upgraded in the Existing Project Area than the Added Area.

The construction of new residential units consistent with the General Plan Land Use Element within the Existing Project Area will not impact projected housing or population numbers. The housing and population projections for the City are based on the number of residential units that can be constructed based on the General Plan. The Amendment will not change any existing land use designations to either increase or decrease the number of residential dwelling units that can be constructed in the Project Area.

The proposed Amendment will have positive impacts on housing in the Existing Project Area if the Agency is able to use its set-aside additional housing monies to upgrade or rehabilitate existing units to provide housing for low and moderate income families.

Health and Safety Code section 33334.2 requires agencies adopting a Redevelopment Project Area after 1976 to set aside at least 20 percent of the tax increment generated from within the Project Area to increase, preserve, and improve the community's supply of affordable housing for persons of low and moderate income. Therefore, 20 percent of the tax increment revenue collected from the Project Area throughout the life of the Amendment must be set aside for use to increase, preserve, and improve affordable housing. The Agency can use the required housing set aside monies to either construct new housing, or preserve or provide housing that meets the needs of persons and families of low, very low, and moderate income. The City has a variety of housing programs the Agency could participate in to provide additional low and moderate-income housing. The set aside money can be used to either construct new residential units or rehabilitate existing units. The money can also be used outside the Project Area to provide low and moderate-income housing as long as the Agency can show a benefit to the Project Area.

The development of additional low and moderate income housing due to adoption and implementation of the Amendment will have positive benefits to the community. Since the City has not yet met its requirement for producing additional low and moderate income housing and does not have adequate revenue at this time to develop or assist in the provision of additional needed low and moderate income housing within the community, the opportunity for the Agency to allocate tax increment revenue towards providing more low and moderate income housing due to the Amendment will be beneficial to the City.

The conversion of existing housing stock to meet the needs of low and moderate income persons or families will not change the number of houses in the City, but could change the number of houses available in a particular price range and to a particular income group. For instance, if the Agency purchases existing houses at market price and converts them to low and moderate income housing there will be a decrease in market rate housing. However, the conversion of market rate housing to provide additional low and moderate-income housing will have a positive impact for the City towards meeting more the housing needs for the low and moderate income family sector.

At build-out of the General Plan, the total number of employment positions is expected to be 54,304 employees. This is 4,593 more than projected by SCAG for the year 2010, an increase of 9.2 percent

over the SCAG figures. The most recent SCAG figures for employment for Garden Grove for the year 2010 is 51,674 which represents only 2,630 fewer employees than the City's estimate upon build-out of the General Plan. SCAG's recent employment projection results in only a 5 percent increase in employment projections over SCAG's figures. The proposed Amendment would not directly increase the number of employees that would be hired in the Project Area because the Amendment does not change any land uses that would result in the need for more employees. The proposed Amendment could encourage economic growth in the Project Area, resulting in new jobs and employment growth much sooner than without the Amendment, however, the generation of new jobs and additional employees would not increase due to the Amendment or be any greater than the number of employees that could occur by and has been anticipated by the current General Plan. The Amendment would not have any impact on the number of people that would be employed in the Project Area. Since the number of people estimated to be employed in the City based on build-out of the General Plan exceeds those estimates of SCAG, there would be a significant adverse impact.

### Conclusion

Based upon the threshold criteria, the Amendment will not have any significant impacts on compliance by the City with SCAG housing and population projections. The Amendment will not directly displace people or create a substantial demand for additional housing. The adoption and implementation of the Amendment will allow the Agency to provide financial assistance to upgrade, improve, and provide residential housing within the Project Area. Since all development must be in compliance with the General Plan, the Amendment will not result in the construction of more residential units than currently allowed by the General Plan Land Use Element. The buildout of the City based per the General Plan will is not expected to exceed the Southern California Association of Governments (SCAG) housing or employment and population projections. SCAG's employment projections for the City extend to 2010 and the City's employment projections extend to the year 2020. Therefore, it can not be stated with any certainty at this time whether or not the City is estimated to exceed SCAG's employment projections for the year 2020.

The use of housing set-aside monies from the tax increment from the Project Area will allow the Agency the ability to construct new or upgrade existing housing stock that is affordable for low and moderate income families. The use of the housing set-aside monies to provide additional low and moderate-income units will have positive impacts on low and moderate-income families in the City by providing more low and affordable housing. Based on the threshold criteria the adoption of the Amendment would have a significant impact on population, employment, and housing because the Amendment could increase the construction of housing. The construction of additional residences and increase in the number of new jobs due to commercial and industrial growth in the Project Area could increase the City's population and employment numbers, but they are not anticipated to increase beyond the amounts planned for by SCAG, resulting in significant adverse impacts.

### 4.10.3 Mitigation Measures

There would be significant population, housing, and employment impacts indirectly with adoption and implementation of the Amendment. The following mitigation measures are recommended to reduce these impacts.

1. The City shall coordinate with SCAG to update and refine future population, housing, and employment projections.
2. The City shall evaluate projects for potential incorporation of an affordable housing component and consider compliance and implementation of affordable housing goals, programs, and objectives set-forth in the City's Housing Element, Agency's Implementation Plan, and Replacement Housing Plan.

#### **4.10.4 Significance After Mitigation**

Development in the Project Area consistent with the General Plan will result in adverse population, housing, and employment impacts even with incorporation of the recommended mitigation measures.



## 4.11 RECREATION

### 4.11.1 Environmental Setting

The City of Garden Grove has twenty public parks totaling approximately 159 acres. The public parks are comprised of both city-owned parks and shared parks with the Orange County Flood Control District and the Garden Grove Unified School District through joint-use agreements. In addition to the twenty public parks, the City also owns the Willowick Golf Course, which is a 101-acre municipal golf course in the City of Santa Ana.

There are approximately 1,077 acres of open space-designated land in the City, which approximately 734 acres may be suitable for recreational purposes. Some of the open space includes land at existing schools, OCTA right-of-way, Southern California Edison easements, a closed landfill at Harbor Boulevard and Chapman Avenue, and various greenbelts, medians and other public landscaped areas.

The City's ratio for park acreage to population is five acres per 1,000 people. The City's population is 165,196, thus the current ratio is approximately 1.04 acres of parkland per 1,000 people, which is below the City's goal.

The types of park and recreational facilities in the City are described below:

*Neighborhood Parks* - Neighborhood parks are typically the most common type of parks and in Garden Grove generally range from three-quarters of an acre to ten acres. They are intended to serve one neighborhood and are located within walking or biking distance, but typically less than one-half mile from the residences. Neighborhood parks are often located adjacent to elementary schools and have a shared-use agreement with the school district. They provide a wide range of active and passive recreational opportunities focused on activities for the neighborhood.

*Community Parks* - Community parks are centrally located to serve the active and passive recreational needs of more than one neighborhood or the entire community. Community parks in Garden Grove range from three to forty acres and include facilities such as pools, recreation buildings, or theatres, lighted ball fields, tennis courts, etc. These parks serve a population between 10,000 to 50,000 people and are often located adjacent to a junior high school or high school and may be operated with the school district under a joint-use agreement.

*Mini Parks* - Mini-parks are also known as "pocket parks" and are small, passive recreation parks generally less than one acre in size. These parks serve areas where land is not available for a neighborhood facility and may have seating areas and walkways. The City has two mini-parks: the Spirit of '76; and Morningside.

*Special Use Parks* - Special Use parks do not fit into the categories of Community or Neighborhood parks. Twin Lakes Park is a Special Use park because of the lakes within the park and its passive character. The Civic Center is another Special Use Park because of the presence of the Civic Center offices, Senior Center, and other civic uses.

*Other Recreational Facilities* – As mentioned above, the Willowick Golf Course is a City municipal golf course located adjacent to the Santa Ana River in the City of Santa Ana. The golf course is leased to a private company that operates the golf course.

The Santa Ana River Regional Trail is a riding/hiking trail that extends from the Pacific Ocean to the San Bernardino National Forest. The trail is located adjacent to the Santa Ana River to the east of the City. In the area of Garden Grove, the trail is located on the west side of the river and consists of a paved two-way bike trail accessible through city streets.

The Stanley Ranch Museum and Heritage Park are both located on Euclid Avenue. The two-acre site is owned and operated by the Garden Grove Historical Society. The park includes the Stanley House, which was constructed in 1891, other historical structures from the Stanley Ranch, and historical structures relocated to the park from other areas in the city.

*Bike Trails* – Both the City and County of Orange have existing and planned bikeway facilities in the City of Garden Grove. The County master plan of bikeways shows several existing bikeways in streets in the City. The bicycle routes in the City include the following trail types:

**Class I bikeways** (bike paths) are off-street facilities with exclusive right-of-way, serving the exclusive use of bicycles and pedestrians.

**Class II bikeways** (bike lanes) are established within the paved area of roadways. Bicycles have exclusive use of a striped and signed bike lane but must share the facility with motor vehicles and pedestrians crossing the street.

**Class III bikeways** are intended to provide continuity to the bikeway system. Class III facilities are shared facilities with motor vehicles on the street with the bicycle use as a secondary use. Class III bike routes are signed, but not striped.

The existing bikeways in the City include three Class II routes along: Trask Avenue between Leda and Fairview Streets; Lampson Avenue from the City limits on the west to Western Avenue, a short segment of Ninth Street between Chapman and Orangewood Avenues, and Bushard Street south of Westminster Avenue (east side only) to the southern City limits.

The City has a Master Plan of Bikeway Facilities to help promote safety and efficiency for recreational and commuter cyclists through the creation of a system of bikeways throughout the City.

In addition to parkland and bike trails, other forms of recreation in the City include festivals, annual events, and cultural arts programs. Some of these other forms of recreation include: The Grove Theatre Company and the Shakespeare Festival; Garden Grove Community Theater; Orange County Symphony of Garden Grove; The Company Dance Unlimited Ballet Company; Garden Grove Art Guild; Courtyard Center; Garden Grove Historical Society; Korean Festival and Parade; Strawberry Festival; and other celebrations.

The City requires the dedication of parkland for residential development towards meeting the City's desired parkland ratio of five acres of park per 1,000 people. However, for those projects where the

developer cannot dedicate parkland, the City has park fees in-lieu of parkland dedication. The in-lieu fees are based on each dwelling unit and are: \$1,200 for single family dwellings; \$1,200 for town house, condominium, or planned unit development units; \$1,200 for two, three, or multiple family dwellings; and \$500 for mobile home parks. The in-lieu fee is used by the City to acquire or develop parkland throughout the community as monies become available.

#### Orange County Transit Authority (OCTA) Right of Way

The OCTA owns a corridor of land that transects the City. Except for two commercial parking lot extensions, the OCTA land has stood vacant for many years. Future uses of the right of way include recreation, landscape parklands, mobile home parks, etc.

#### **4.11.2 Project Impacts**

The threshold criterion for determining whether or not the Amendment will have recreation impacts is based on whether or not the Amendment will:

1. Provide less than the City's park standard of 5 acres of parkland per 1,000 people.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to participate to upgrade public facilities and infrastructure, assist the private development community to remove and eliminate blight with new construction in conformance with the General Plan, and improve the quality of life for residents, businesses, and property owners in the Project Area.

The Agency could assist the City and fund needed park and recreational facilities within the Added Territory, if necessary. If the City is considering a proposed park or recreational use within the Added Territory, the Agency could assist financially with the project at the Agency's discretion. If the Agency has sufficient funds available, it can provide financial assistance towards the purchase of property and/or equipment for the park. If the Agency is able to assist the City with the development of a park or other recreational facility in the Added Territory that may otherwise not get developed, the adoption of the proposed Amendment would have positive impacts to the Added Territory specifically and the City as a whole. The funding of needed parks and improvements will have positive impacts to the City by helping the City to work towards meeting its park standard of 5 acres per 1,000 people.

The adoption and implementation of the Amendment is anticipated to indirectly encourage redevelopment of existing uses as well as new development that could increase the demand for recreation facilities. New residential development within areas that allow residential use will ~~have a~~ directly increase in the demand for recreational facilities. The City will require a developers to either pay an in-lieu park fee or provide land for park facilities towards meeting the City's goal of 5 acres of park per 1,000 people.

Commercial and industrial development within other areas of the Added Territory will have a minimal impact on demand ~~for~~ recreational facilities. Unlike residential development, commercial

and industrial projects do not directly generate a demand for recreational facilities, or an increase in population which would result in a lower parkland to residents ration, whereas residential uses create additional population and additional demand for both active and passive recreational uses. Therefore, the development of new commercial or industrial projects orf the redevelopment of existing buildings will not significantly increase the demand for park and recreational facilities.

As required by the City, all new residential development must either dedicate parkland or pay in-lieu park fees for development of parkland. For new residential development within either Project Area the City will either accept parkland or collect the applicable developer park fee. The per-unit park fee will either be \$1,200 or \$500 depending upon the type of residential development. Payment of the required parkland fees will mitigate the impact of residential development on parkland.

### **Bikeways and OCTA Right of Way**

The Amendment does not specifically include any public improvement projects consisting of either new or expanded bikeways or development of the OCTA Right of Way (ROW). However, as revenue from the Added Territory becomes available, the Agency can assist in the construction of bikeways in roadways within the Project Area. Assistance by the Agency in the construction of needed bikeways would have positive impacts because the added bikeways would provide alternative modes of transportation as well as increasing available bikeways in the community.

A portion of the OCTA ROW is located in sub-area H in the southeast portion of the City. Assistance by the Agency to improve and develop this vacant open space with park or other recreational uses would have positive impacts on the community by providing more park and open space area towards meeting the City's goal of 5 acres per 1,000 people.

The only city park in the Existing Project Area is Village Green, a 6.3-acre community and special use park. This park is located between Euclid Street on the east and Main Street on the west and provides play equipment. There is no other park or recreational facilities in the Existing Project Area.

The proposed Amendment does not list any park or recreational improvements for the Existing Project Area. Future projects in the Existing Project Area may include residential development that could require additional park and recreational facilities. Depending upon the project, additional park or recreational facilities may be required to serve the needs of the residents. As such, the project developer could be required to provide either park fees or parkland for project residents.

### **Conclusion**

Based on the threshold criteria, the adoption and implementation of the Amendment could indirectly result in significant park and recreational impacts. The City's target for the ratio of park acres to population is five acres per 1,000 in population. The City's current population is 165,196; thus the current ratio of park acres to population is 1.03 acres/1,000 in population, below the City's goal. There are no activities associated with the Amendment that will reduce or eliminate existing park or recreational facilities in the Project Area that would further reduce the existing park ratio. New residential development in the Project Area will be required to pay all applicable in lieu Park

Facilities Impact Fees that will be used to enhance park and recreational services. Payment of the fee will allow the City to use the monies towards enhancing existing park facilities. The adoption and implementation of the Amendment will allow the Agency the authority to participate in the construction of park and recreational facilities if monies become available. Although the Amendment could allow the Agency to assist the City and enhance park and recreational facilities, the City still does not meet its target ratio of park space per 1,000 people.

#### **4.11.3 Mitigation Measures**

There would be significant park and recreational impacts indirectly with the adoption and implementation of the Amendment. The following mitigation measures are recommended to reduce the impacts.

1. The need for additional park and recreational facilities shall be monitored as growth occurs and the need for additional parkland shall be mitigated during the discretionary review process for future development projects. Mitigation may be in the form of land dedicated for public park purposes or the payment of in-lieu fees. The need for the provision of private recreational facilities to serve the needs of individual development projects shall also be examined.
2. The City shall coordinate with the Manager, EMA/Harbors, Beaches, and Parks/Program Planning, in efforts to provide additional parks and recreation opportunities.

#### **4.11.4 Significance After Mitigation**

There would be unavoidable adverse park and recreational impacts with implementation of the recommended mitigation measures because the City would still exceed its desired park ratio.

## **4.12 BIOLOGY RESOURCES**

### **4.12.1 Environmental Setting**

The Project Area is urbanized and most properties are either developed or have been disturbed in the past. Although there are vacant properties in the Project Area, for the most part they have been developed in the past and the previous buildings demolished. Sub-area B includes property that is vacant and undeveloped. The property has been and maintained to control weeds on the site in compliance with City regulations. The maintenance disced of the site for weed control eliminates any vegetation or other biological resources on the site that could be considered significant in terms of sensitive or special status species.

#### **Added Territory**

The property in the Added Territory is or has been developed. Although Sub-area B is vacant, there are no biological resources associated with the property. There is no Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) within the Added Territory.

#### **Existing Project Area**

As with the Added Territory, there are no biological resources associated with any of the properties in the Existing Project Area. The Existing Project Area is urbanized and includes residential, commercial, industrial, and office uses. There is vacant property in the Existing Project Area, but none that includes any significant biological resources. There is no Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) property within the Existing Project Area.

### **4.12.2 Project Impacts**

The threshold criterion for determining whether or not adoption and implementation of the Amendment will have biological resource impacts is based on whether or not the project will:

1. Reduce the number or restrict the range of rare or endangered plant or animal species.
2. Substantially affect the movement of any resident or migratory fish or wildlife species.
3. Substantially diminish habitat for significant or endangered fish, wildlife, or plant species.
4. Cause a fish or wildlife population to drop below self-sustaining levels.
5. Eliminate a plant or animal community.

#### **Added Territory/Existing Project Area**

Since there are no existing biological resources in the Added Territory, future development that may occur due indirectly with the adoption and implementation of the Amendment would not have any impacts on biological resources.

There are no sensitive biological resources in the Existing Project Area that would be impacted with the adoption and implementation of the Amendment. The construction of public improvement and private development projects would reduce existing vacant land and open space. However, none of

the existing property in the Existing Project Area is considered to be biologically sensitive. As a result, future development in the Existing Project Area would not have any significant biological impacts.

### **Conclusion**

The Amendment would not have any significant biological impacts because there are no known sensitive biological resources in the Project Area.

#### **4.12.3 Mitigation Measures**

Since no significant biological impacts have been identified with the adoption and implementation of the Amendment, no mitigation measures are recommended.

#### **4.12.4 Significance After Mitigation**

No significant biological impacts are anticipated with adoption and implementation of the Amendment.

## **4.13 CULTURAL RESOURCES**

### **4.13.1 Environmental Setting**

Throughout the history and prehistory of Orange County and the Garden Grove area, there have been periods of settlement and growth. The City limits of Garden Grove encompass a rich and varied historic and prehistoric heritage. Orange County is rich in Native American and historic cultural resources, especially due to the terrain and historical use of the land. While no systematic archaeological survey has been conducted for Garden Grove, one prehistoric and twelve historic archaeological sites have been identified within the City. Identification of these archaeological sites is largely the result of sporadic surveys conducted in association with development proposals. The location of the twelve sites cannot be identified in this document due to the sensitivity of the resources. However, the information is available to the City.

The City conducted a historic and architectural inventory in 1986. The inventory included a review of approximately 250 structures and documented 132 buildings. The City graded the buildings from 1-4. Buildings designated grade 1, were considered candidates for nomination to the National Register of Historic Places.

The City of Garden Grove is located on a broad alluvial fan and alluvium from the Rio Hondo, Santa Ana, and San Gabriel Rivers. Because these alluvial deposits are young, they are not considered to contain scientifically significant fossils in their original, undisturbed location. Therefore, the City is not considered to have paleontological sensitive resources.

#### **Added Territory**

The Added Territory is urbanized with very few vacant undeveloped parcels. Although most of the properties in the Added Territory have been developed, the likelihood remains for existing archaeological resources to be uncovered during construction activities such as grading and trenching.

None of the known historical properties listed in the City survey are located in the Added Territory. While older buildings are present, none of the buildings are listed on the City's list of historical, or potentially historical, buildings.

#### **Existing Project Area**

As with the Added Territory, the Existing Project Area is urbanized and developed. Existing archaeological resources may still be present on properties even though they are developed.

Some of the City listed historical buildings are located within the Existing Project Area. The proposed development of any of the buildings listed for candidacy as a historical building would have to be thoroughly evaluated based on existing City criteria before a building could either be demolished or remodeled.



#### **4.13.2 Project Impacts**

The threshold criteria for determining potential significant cultural resources impacts associated with the adoption and implementation of the proposed Amendment is if the Amendment will:

1. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study.

#### **Added Territory/Existing Project Area**

The adoption and implementation of the Amendment will allow the Agency to participate in the construction of public and private projects in the Added Territory. The construction of projects could uncover and impact existing archaeological resources that may be present. Although most of the Added Territory has been developed, it is possible that new construction could uncover existing archaeological resources. Depending upon the significance of the resource, the impact could be significant. The significance of an archaeological resource would be evaluated by a qualified archaeologist and measures implemented into the project by the City in compliance with Section 21083.2 of the California Public Resources Code to either protect or recover the resource. Pursuant to Public Resources Code 21083.2, an archaeologist, along with the City, will determine the measures that will be implemented to either protect the resources in place, or excavate and relocate the resource to an appropriate location for preservation or display.

There are no known historical buildings in the Added Territory that would be impacted by the project. However, at the time development of existing buildings is proposed, the City will determine whether or not the buildings to be remodeled or demolished could be considered historical and require the appropriate measures to protect or preserve the buildings accordingly, if required. At this time, there are no known buildings in the Added Territory that would be impacted due to remodeling or demolition of the structures.

The Existing Project Area is highly urbanized and has been disturbed due to previous development. The City has identified twelve historic archaeological sites in the city. Some of the sites could be in the Existing Project Area. The adoption and implementation of the Amendment could encourage construction of public and private projects, which could have significant impacts to archaeological resources, if present. The City would review all future projects for potential impacts to archaeological resources and incorporate measures accordingly to comply with Section 21083.2 of the California Public Resources Code to protect discovered resources.

Continued redevelopment of the Existing Project Area could result in remodeling or demolition of known historical buildings. The list of City historical buildings would be referenced in the future to determine if a project would impact any historical buildings that are on the 1986 list of historical buildings. If potential impacts are identified, the City would incorporate measures accordingly to protect the resource. Some of measures that could be incorporated to protect historical buildings include preservation and restoration, façade restoration, etc. The City would make the final determination of the measures that would have to be implemented to protect a historical resource based on the project.

## **Conclusion**

The adoption and implementation of the Amendment will encourage development of private and public projects, some of which could impact sensitive archaeological resources. Sensitive archaeological resources are known to exist in the City. Archaeological resources may exist throughout the Project Area. The construction of public and private projects could significantly impact archaeological resources, if they are present.

### **4.13.3 Mitigation Measures**

The following measures are recommended to mitigate potential impacts to archaeological and historical resources in the Project Area for those projects only that are suspected by the City or Agency, as appropriate, to have archaeological or historical resources present:

The following measures are recommended to mitigate potential impacts to archaeological resources in the Project Area for those projects only that are suspected by the City or Agency, as appropriate, to have archaeological resources present:

1. **Implementation as required by the City or Agency, as appropriate, of the following measures associated with grading and construction of a site suspected of containing archaeological resources:**

**Phase 1:** Phase 1 shall consist of a qualified archaeologist doing a literature and records search, surface study, subsurface testing if necessary, the recordation of any sites, and a recommendation regarding the need for further work.

**Phase 2:** If it is determined during Phase 1 that further work is necessary, it shall consist of the following:

- A. A qualified archaeological monitor shall be present at a pre-grading conference with the developer, grading contractor, and the environmental review coordinator. The purpose of this meeting will be to consult and coordinate the role of the archaeologist in the grading of the site.
- B. An archaeologist or designate shall be present during those relative phases of grading as determined at the pre-grading conference. The monitor shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains. The developer shall authorize the deposit of any resources found on the project site in an institution staffed by qualified archaeologist as may be determined by the Planning Director. The contractor shall be aware of the random nature of archaeological resource occurrences and the possibility of a discovery of such scientific and/or educational importance that might warrant a long-term salvage operation or preservation. The Planning Director shall resolve any conflicts regarding the role of the archaeologist and/or recovery times.

#### **4.13.4 Significance After Mitigation**

No significant impacts to cultural or historical resources are anticipated with adoption and implementation of the Amendment and incorporation of the recommended mitigation measures.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

## 5.0 CUMULATIVE IMPACTS

Section 15130(a) of the CEQA Guidelines states “An EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable, as defined in Section 15065(c)”. Further, Section 15130(d) provides that previously approved land use documents such as general plans, specific plans, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plans where the lead agency determines that the regional or area wide cumulative impacts of the proposed project have already been adequately addressed, as defined in Section 15152(e), in a certified EIR for that plan.

The General Plan designates land uses and anticipates development within the City into the future consistent with the General Plan. The Final Environmental Impact Report for the General Plan Update, herein incorporated by reference, projected the build-out of the General Plan. The Final EIR for the General Plan thoroughly evaluated the cumulative impacts related to the build out of the designated land uses and analyzed impacts. The General Plan EIR identified several significant and unavoidable cumulative impacts with build-out consistent with the General Plan. The environmental factors disciplines that were identified to have significant and unavoidable cumulative impacts upon build out of the General Plan included transportation and circulation, population, housing, and employment, noise, and parks and recreation.

Adoption and implementation of the Amendment will not change the existing General Plan land use or zoning designations of the properties within the Project Area because the Amendment incorporates the existing General Plan by reference. Therefore, the existing land use designations of the General Plan will remain throughout the life of the Amendment, or as land use designations are amended by the City from time to time. The Amendment, if adopted, is anticipated to encourage development of public and private projects in the Project Area consistent with the General Plan sooner than if the Amendment is not adopted. The Amendment will be consistent with the General Plan and the significant and unavoidable cumulative impacts identified by the General Plan EIR would remain with the adoption and implementation of the Amendment.

In addition to complying with applicable land use and zoning designations, all future projects will have to comply with and be consistent with the various elements of the General Plan. Projects will also have to comply with all applicable goals and policies of each element of the General Plan. All projects, when submitted to the City of Garden Grove Planning Department or the Agency, as appropriate, for approval, will be reviewed for compliance and consistency with the various elements and policies of the General Plan. Pursuant to Section 15130(d), the Amendment is consistent with the General Plan and its accompanying Final EIR. The Final EIR addressed regional and area wide cumulative impacts and no further cumulative impacts analysis is required.

The City of Anaheim was contacted to identify projects within its jurisdiction in close proximity to the Added Territory and Existing Project Area that could, in conjunction with the Amendment, have cumulative environment impacts. The City of Anaheim evaluated the projects in the general vicinity of the City of Garden Grove with the following parameters; commercial and industrial projects of

10,000 square feet or more; residential development of 50 units or more; or, hotel/motel developments of 75 or more rooms. The City identified four projects that fit the parameters and include: the Walnut Grove Medical Center; Anaheim Resort Specific Plan No. 92-2; the Disneyland Resort Specific Plan No. 92-1; and the Hotel Circle Specific Plan No. 93-1. Appendix D includes information on these projects and a brief description of each project is listed below.

**Walnut Grove Medical Center:** This project is located at 947 S. Anaheim Boulevard and is presently under construction.

**The Anaheim Resort Specific Plan No. 92-2:** This specific plan permits a total of 27,100 hotel/motel rooms and 358,000 square feet of additional traffic generating square footage for the Anaheim Convention Center. Currently, 11,977 hotel/motel rooms are located in the specific plan area and 138,586 square feet of the additional Anaheim Convention Center square footage has been constructed. An additional 1,620 hotel rooms, with accessory uses, have been approved and not developed, the building plans have been submitted for plan check, or are currently under review by the City for approval. Of the 1,620 hotel rooms, all of the projects are located along Harbor Boulevard and generally south of Katella Avenue, with the exception of a proposed Comfort Suites located at 130 W. Katella Avenue.

**The Disneyland Resort Specific Plan No. 92-1:** This specific plan provides for the development of an international multi-day destination resort including the Disneyland Theme Park, California Adventure Theme Park, Downtown Disney, hotels (including the Disneyland Hotel and the Grand California Hotel and additional hotel rooms) and parking and transportation facilities within the Theme Park, hotel, parking and future expansion districts. It also provides for a maximum density of 4,235 hotel/motel rooms within the C-R Overlay and District A development areas (to date, 765 hotel rooms are located in these areas and an additional 72 hotel rooms were recently approved). The specific plan further provides for the development of the Pointe Anaheim Lifestyle Retail and Entertainment Complex in the Pointe Anaheim Overlay.

**Hotel Circle Specific Plan No. 93-1:** The 6.8-acre Hotel Circle Specific Plan is located within the Anaheim Resort, which is located north of Katella Avenue between Anaheim Boulevard and Clementine Street. The Hotel Circle Specific Plan permits the development of up to 969 hotel/motel rooms (393 hotel rooms currently exist and a development plan for up to 156 rooms is under review by the City of Anaheim).

The cumulative environmental effects associated with the development and build-out of the cumulative City of Anaheim projects in conjunction with development associated with the proposed Amendment could result in significant environmental effects to several disciplines. Although CEQA documents have been certified for the development of the specific plans, cumulative effects of the intensity of development allowed by the respective specific plans would occur. The cumulative effects include an increased need for public services and utilities including wastewater service, water service, police and fire protection services, increased generation of solid waste, etc. In addition, there would be cumulative impacts in both the City of Garden Grove and Anaheim due to increased traffic, noise, air emissions, etc. The potential cumulative environmental effects of the development of projects in both jurisdictions would not remain with and be solely isolated to the jurisdiction of the project, but rather would extend across city boundaries.

Some of the potential cumulative impacts would be short-term during project construction and include construction traffic congestion and delays, dust, noise, etc. Some of these short-term impacts would be focused within the city where the project is located while other impacts could extend into the adjoining city, especially with projects located in close proximity to the common city limit boundary.

There would be long-term impacts associated with the development of cumulative projects and include, but not limited to, traffic, noise, air emissions, aesthetics, population, housing, employment, etc. While the potential environmental effects of the disciplines have been addressed in previous certified CEQA documents, the long-term effects could be significant in conjunction with other growth and development that has and will continue to occur in both cities.

While it is speculative at this time to specifically identify and determine which environmental effects would or would not be significantly impacted due to cumulative project development (build-out of the City of Garden Grove General Plan and listed projects in the City of Anaheim), it can be stated with some certainty that both cities would be impacted to some degree. The level of impact and its significance would be based upon the existing conditions and environmental setting in and near each project at the time of development. At this point, since appropriate CEQA documents for the various projects have been certified by the respective agencies, it is anticipated that appropriate mitigation measures have been incorporated into the projects accordingly to reduce significant environmental effects, or proper overrides have been adopted.

10,000 square feet or more; residential development of 50 units or more; or, hotel/motel developments of 75 or more rooms. The City identified four projects that fit the parameters and include: the Walnut Grove Medical Center; Anaheim Resort Specific Plan No. 92-2; the Disneyland Resort Specific Plan No. 92-1; and the Hotel Circle Specific Plan No. 93-1. Appendix D includes information on these projects and a brief description of each project is listed below.

**Walnut Grove Medical Center:** This project is located at 947 S. Anaheim Boulevard and is presently under construction.

**The Anaheim Resort Specific Plan No. 92-2:** This specific plan permits a total of 27,100 hotel/motel rooms and 358,000 square feet of additional traffic generating square footage for the Anaheim Convention Center. Currently, 11,977 hotel/motel rooms are located in the specific plan area and 138,586 square feet of the additional Anaheim Convention Center square footage has been constructed. An additional 1,620 hotel rooms, with accessory uses, have been approved and not developed, the building plans have been submitted for plan check, or are currently under review by the City for approval. Of the 1,620 hotel rooms, all of the projects are located along Harbor Boulevard and generally south of Katella Avenue, with the exception of a proposed Comfort Suites located at 130 W. Katella Avenue.

**The Disneyland Resort Specific Plan No. 92-1:** This specific plan provides for the development of an international multi-day destination resort including the Disneyland Theme Park, California Adventure Theme Park, Downtown Disney, hotels (including the Disneyland Hotel and the Grand California Hotel and additional hotel rooms) and parking and transportation facilities within the Theme Park, hotel, parking and future expansion districts. It also provides for a maximum density of 4,235 hotel/motel rooms within the C-R Overlay and District A development areas (to date, 765 hotel rooms are located in these areas and an additional 72 hotel rooms were recently approved). The specific plan further provides for the development of the Pointe Anaheim Lifestyle Retail and Entertainment Complex in the Pointe Anaheim Overlay.

**Hotel Circle Specific Plan No. 93-1:** The 6.8-acre Hotel Circle Specific Plan is located within the Anaheim Resort, which is located north of Katella Avenue between Anaheim Boulevard and Clementine Street. The Hotel Circle Specific Plan permits the development of up to 969 hotel/motel rooms (393 hotel rooms currently exist and a development plan for up to 156 rooms is under review by the City of Anaheim).

The cumulative environmental effects associated with the development and build-out of the cumulative City of Anaheim projects in conjunction with development associated with the proposed Amendment could result in significant environmental effects to several disciplines. Although CEQA documents have been certified for the development of the specific plans, cumulative effects of the intensity of development allowed by the respective specific plans would occur. The cumulative effects include an increased need for public services and utilities including wastewater service, water service, police and fire protection services, increased generation of solid waste, etc. In addition, there would be cumulative impacts in both the City of Garden Grove and Anaheim due to increased traffic, noise, air emissions, etc. The potential cumulative environmental effects of the development of projects in both jurisdictions would not remain with and be solely isolated to the jurisdiction of the project, but rather would extend across city boundaries.



Some of the potential cumulative impacts would be short-term during project construction and include construction traffic congestion and delays, dust, noise, etc. Some of these short-term impacts would be focused within the city where the project is located while other impacts could extend into the adjoining city, especially with projects located in close proximity to the common city limit boundary.

There would be long-term impacts associated with the development of cumulative projects and include, but not limited to, traffic, noise, air emissions, aesthetics, population, housing, employment, etc. While the potential environmental effects of the disciplines have been addressed in previous certified CEQA documents, the long-term effects could be significant in conjunction with other growth and development that has and will continue to occur in both cities.

While it is speculative at this time to specifically identify and determine which environmental effects would or would not be significantly impacted due to cumulative project development (build-out of the City of Garden Grove General Plan and listed projects in the City of Anaheim), it can be stated with some certainty that both cities would be impacted to some degree. The level of impact and its significance would be based upon the existing conditions and environmental setting in and near each project at the time of development. At this point, since appropriate CEQA documents for the various projects have been certified by the respective agencies, it is anticipated that appropriate mitigation measures have been incorporated into the projects accordingly to reduce significant environmental effects, or proper overrides have been adopted.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

## 6.0 GROWTH-INDUCING IMPACTS

Adoption and implementation of the Amendment will be growth inducing. The objective of the Amendment is to reduce and eliminate blight in the Project Area, encourage new development and improve the economic stability of the city. The adoption and implementation of the Amendment will provide the Agency with the ability to assist both the City and the private sector financially to upgrade and improve properties in the Project Area that are blighted. ~~However, any growth induced by the adoption and implementation of the Amendment will not be any greater than the levels already established by local and regional planning studies and agencies (1995 Garden Grove General Plan Update and SCAG).~~

Upgrading and improving blighted properties not only includes remodeling and reconstruction, but also demolition and construction of new buildings. Through the Amendment there are ways the Agency, in conjunction with property owners and the private sector can reduce and eliminate blight for the good of the community. The adoption and implementation of the Amendment is anticipated to be the impetus to encourage new development in the Project Area since the Project Area has not been redeveloped by the private section to date. Therefore, the Amendment is considered growth inducing. However, any growth induced by the adoption and implementation of the Amendment will not be any greater than the levels already established by local and regional planning studies and agencies (1995 Garden Grove General Plan Update and SCAG).

While the adoption and implementation of the Amendment is considered growth inducing, future growth within the Project Area must be consistent in density and type of land use with current land use and zoning designations based on the General Plan and zoning ordinances as amended from time to time. The Amendment will not change the amount of development that can occur in the Project Area based on the 1995 Garden Grove General Plan Update. All development, whether assisted by the Agency or not, must be consistent with the General Plan that is in effect at the time projects are submitted to the City or Agency, as appropriate, for approval. The same amount of development can occur presently in the Project Area without adoption of the Amendment. The private sector can remove blighted buildings and construct new buildings in the Project Area without the Amendment. However, the adoption of the Amendment will allow the Agency to participate with the private sector and possibly redevelop properties sooner than may occur by the private sector acting alone.

~~Although the Amendment is considered growth inducing, it will not change the amount of development that can occur in the Project Area based on the 1995 Garden Grove General Plan Update. The Amendment will not increase or change the type or density of development that can occur in the Project Area. All development, whether assisted by the Agency or not, must be consistent with the General Plan that is in effect at the time projects are submitted to the City or Agency, as appropriate, for approval. The same amount of development can occur presently in the Project Area without adoption of the Amendment. The adoption and implementation of the Amendment will encourage new development to occur sooner.~~

The adoption and implementation of the Amendment will encourage new development and redevelopment of blighted and underutilized properties and foster economic and population growth. ~~While new and/or redevelopment of properties may increase economic and population growth, all~~

~~development will have to be consistent with the General Plan.~~ There could be impacts with new development and redevelopment of existing properties in the Project Area. For those impacts that can be identified and anticipated at this time, mitigation measures have been recommended in this Program EIR to reduce the impacts to levels of insignificance or otherwise address the impacts. Some impacts are speculative to identify at this time due to the lack of detailed project information. The City or Agency, as appropriate, will evaluate projects for potential impacts at the time they are submitted for approval and conduct further review when required to comply with CEQA. Mitigation measures are listed in this Program EIR to reduce to insignificant levels the environmental impacts that are identified with the adoption and implementation of the Amendment, where possible.

## 7.0 PROJECT ALTERNATIVES

### 7.1 NO PROJECT

The No Project alternative will preclude the Agency from adopting the Amendment, eliminating the opportunities and abilities of by the Agency to assist with the removal, and/or upgrading of blighted properties in both the Added and the Existing Project Area. The existing blighted conditions in the Added Territory will in all likelihood remain and continue well into the future if the Amendment is not adopted. Existing blighted property in the Existing Project Area may also remain blighted and not be redeveloped if the Agency is unable to provide the financial assistance needed to redevelop the property. Since existing blighted properties in the Project Area are currently slow to be remodeled and upgraded on their own, the trend for the slow improvement of the properties will probably continue well into the future. The opportunity for the Agency to participate with a property owner, or developer, in the rehabilitation and/or demolition of the blighted property and development of new projects will not be available with the No Project alternative.

This project alternative will eliminate and prevent the Agency from capturing tax increment generated from the Added Territory over the 45-year limit and prevent the Agency from increasing tax increment limits for the whole area, including the Existing Project Area. Should the Amendment be adopted, the tax increment generated from the Project Area could be used by the Agency to upgrade and improve existing blighted conditions, including assisting the City with the construction of needed public improvements in both Project Areas (“Original” and “Added”). The No Project alternative will prevent the Agency from increasing the tax increment and bonded indebtedness limits, possibly preventing the Agency from having the monies necessary to assist with the construction of needed public infrastructure improvements and assist the private sector with redeveloping blighted properties.

This No Project alternative will also eliminate the opportunity for the Agency to acquire and assemble property for redevelopment. The Amendment will give the Agency the authority to acquire and assemble property, including the use of eminent domain, if necessary, in the Added Territory. The Amendment will allow eminent domain authority in the Added Territory for 12 years from adoption and extend the Agency’s authority in the Existing Project Area for an additional 12 year period beyond the existing provisions in the Plan, which ends July 2004. Thus, if adopted, the Amendment will extend the authority to use eminent domain in the Existing Project Area to July 2016. The No Project alternative will prevent the Agency from acquiring and assembling non-residential property, when necessary for specific projects, to move forward. The inability of the Agency to use eminent authority could significantly restrict the Agency to achieve one of its key objectives, which is to remove and eliminate blight in the Project Area.

The proposed Amendment will be effective for the Added Territory for 30 years, or until the year 2031. The No Project alternative will prevent the Agency from having the tools and funding necessary to improve the Added Territory to eliminate and reduce blight during this period. Existing blighted conditions, lack of adequate public infrastructure, etc. will continue to exist well into the future making it more difficult for the City to upgrade and improve the economic and social climate within the Added Territory.

The Agency will collect tax increment from the Added Territory and is required by law to put at least 20% of the revenue into a fund to provide, preserve and construct low and moderate income housing. Since the City has not presently met its required low and moderate income housing requirements, the additional tax increment revenue from the Added Territory could allow the Agency the opportunity to provide additional revenue to assist the City in meeting its low and moderate income housing requirement of SCAG. The No Project alternative will prevent the Agency from assisting the City to meet its low and moderate income housing needs.

The No Project alternative will significantly reduce the ability of the City and Agency to improve properties that are blighted. There are numerous properties in the Project Area that need financial assistance in order to be redeveloped. The No Project alternative will prevent the Agency from assisting with the redevelopment of key properties in the Project Area that could provide jobs and increase the economic viability of the City.

## **7.2 ALTERNATIVE FINANCING**

One of the benefits of the Amendment is that it offers the Agency financing opportunities to reduce and eliminate blight in the Project Area that are not readily available to the City through other financing sources. Without the ability to secure revenue, acquire property, and fund remodeling and/or new projects, the Agency cannot reduce blight and improve the economic viability of the Project Area requiring the City to seek other non-redevelopment sources of financing to construct needed infrastructure improvements. Finding revenue to fund the construction of infrastructure improvements can be difficult in today's financing climate.

Alternative financing methods the City will have to find include private funding, selling bonds, obtaining federal and/or state loans, easement districts, etc. These sources of loans for redeveloping properties in the Project Area can be difficult to obtain, the funds can be expensive and cost prohibitive, and their availability can change with the market. Although alternative funding sources may be available today, the same funding sources may not be available many years from now when the City or the developer needs the money. The adoption and implementation of the Amendment will provide the Agency more consistent and reliable funding sources to reduce and eliminate blight in the Project Area throughout the life of the Amendment that are not available to the City.

## **7.3 CHANGE THE PROJECT AREA**

This project alternative evaluates eliminating and adding sub-areas. The proposed Amendment includes adding nine sub-areas to the Existing Project Area, thus increasing the size of the Existing Project Area by 195 acres. This alternative evaluates eliminating some of the proposed sub-areas as well as adding additional sub-areas.

The elimination of sub-areas from the Added Territory would not reduce or eliminate any significant environmental effects. The elimination of sub-areas from the Amendment would not preclude the sub-areas from being developed. They could still be developed consistent with the General Plan whether they are included in a redevelopment project area or not. Development of the sub-areas consistent with the General Plan would not eliminate potential environmental effects of the project. Any potential environmental effects that would be associated with a project would occur

independently of the site being in a redevelopment area. Thus, any significant impacts of the development of a specific sub-area would be the same whether it is in a redevelopment area or not.

The removal of sub-areas from the proposed Amendment could delay the development of those sub-areas well into the future. Because these sub-areas have not been able to be redeveloped by the private sector acting alone, the removal of sub-areas could further delay their development. Thus, any potential impacts of development of the sub-areas could be delayed until a future date.

The removal of sub-areas could have an economic impact on the success of the redevelopment plan by eliminating tax increment that would be generated. The loss of future tax increment from smaller areas may not have as much financial impact as removal of the larger areas. However, the removal of smaller sub-areas with development of significant appreciating real estate values compared to larger areas with less appreciating assets could overall, have a financial impact to the Plan over time.

The sub-areas that are included in the Amendment were added because there is a need to develop those areas in the future to eliminate blight. The removal of any of the proposed sub-areas with this project alternative would delay their development and eliminate long-term benefits to the City accordingly. Again, there are no benefits from an environmental standpoint of eliminating any of the proposed sub-areas because the potential environmental effects associated with their development would occur whether they are in the Added Territory or not.

There are other areas in the City outside of the Existing Project Area that could be included in the current Amendment. Areas in the City that could be included as part of this Amendment, include a variety of uses including residential, retail, commercial and industrial. Additional areas were not included, due to economic and political reasons, not environmental. Although other areas that may qualify for inclusion in the Amendment are not part of this project, those areas can still be developed and redeveloped in compliance with the General Plan. Any impacts that would have been associated with their development would be the same whether they are part of a redevelopment plan or not.

### **Project Alternative Summary**

This Program EIR provides a range of reasonable ~~viable~~ project alternatives to the proposed Amendment. The adoption and implementation of the Amendment would not directly have any significant adverse environmental effects. The Amendment would indirectly result in significant adverse environmental effects associated with the future development that is likely to occur in the Project Area based on the land uses allowed by the General Plan. The City of Garden Grove Updated General Plan EIR identified the significant adverse impacts that would occur with development consistent with the General Plan. Although future development in the Project Area would have significant adverse environmental impacts, those impacts would occur with or without the properties being placed in the Amendment and Added Territory.

The project alternatives addressed in this EIR would not eliminate the indirect adverse environmental impacts that could occur with adoption of the Amendment. The adoption of the Amendment would encourage development of the Project Area. Future development in the Project Area consistent with the General Plan would result in adverse environmental effects as identified in the General Plan Update EIR, which indirectly would be related to the Amendment. The only

alternative to eliminating all significant environmental effects associated indirectly with adoption of the Amendment would be no development within the Project Area, which is not practical.

The project alternatives have identified potential social and economic impacts associated with the alternative. None of the alternatives presented, however, have eliminated any significant adverse impacts. The No Project alternative could eliminate short-term impacts associated with the construction of improvement projects. The inability of the Agency to construct needed public improvements such as needed storm drains, upgrade streets, water system upgrades, etc. could have a greater impact if the improvements are not completed than the short-term impacts that could occur with their construction.

The City can construct all or some of the improvement projects listed in the Amendment if the City secures the funding sources necessary to construct the projects. The elimination of debt and time limits to incur debt for the construction of improvement projects will not prevent their construction and associated short-term impacts. The City can construct the projects now, but financial assistance by the Agency could result in their construction much sooner than the City acting alone.

In summary, none of the Project Alternatives presented and discussed in this Program EIR will eliminate any significant environmental impacts that have been identified with the adoption and implementation of the Amendment.



## **8.0 ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WILL BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED**

The adoption of the Amendment will not directly have any significant irreversible environmental changes since no development could occur directly upon the adoption of the Amendment. The adoption of the Amendment does not provide for any development directly. The Amendment will add nine sub-areas to the Garden Grove Community Project Area, allowing the Agency the authority to collect tax increment from nine new sub-areas and allow the Agency to assist the City with the construction of improvement projects as monies become available. Although public improvement projects are listed in the Amendment, the Agency is not required to fund the construction of those projects. Therefore, the adoption of the Amendment will not directly have any significant irreversible environmental changes. As projects, public and private, are implemented, further environmental review as may be required by CEQA will be undertaken.

In the long-term however, the adoption and implementation of the Amendment is anticipated to result in changes and improvements to existing land uses in the Project Area. The Amendment is anticipated to result in the elimination of existing blight in the Project Area due to participation by the Agency to upgrade and/or remove existing blighted buildings and infrastructure. The elimination of blighted conditions can be the result of either remodeling and rehabilitating existing buildings or the demolition of existing buildings and construction of new buildings. Eliminating blight also includes constructing needed infrastructure to provide adequate public services for development in the Project Area.

The constructions of projects that reduce or eliminate blight ~~may cause~~ ~~are anticipated to have~~ significant irreversible environmental changes which have been discussed in detail in this EIR consistent with the City's General Plan, as discussed above in this EIR. Some of the changes include the demolition of existing buildings and construction of new buildings in their place. The construction of the improvement projects listed in the Amendment will result in physical changes due to construction of public buildings and/or infrastructure. ~~It is speculative at this time, due to the unavailability of detailed project information, to determine the assistance needed from the Agency for private redevelopment, if any, and the potential irreversible environmental impacts that could be associated with the development. Therefore, it is speculative to identify any significant irreversible environmental changes that may occur with that future development.~~ Impacts have been identified above and measures suggested as appropriate to reduce potential impacts to a level of insignificance to comply with CEQA. Further environmental review for individual public and private projects will be undertaken in the implementation of the Amendment when information regarding such projects becomes available as required by CEQA.

~~Potential significant environmental effects that could be associated with new private development projects include traffic, air quality, noise, land use, aesthetics, and public services and utilities. Once a project is submitted for approval, the City or Agency, as appropriate, will review the project and make a determination whether or not the project could have significant environmental effects as defined by CEQA. Should the City or Agency, as appropriate, determine the project could have significant impacts subsequent environmental studies will be prepared and any identified impacts~~

~~mitigated as appropriate for the project and in compliance with CEQA. There is a potential for public and private redevelopment projects to have significant environmental impacts.~~

~~The construction of the improvement projects listed in the Amendment will correct existing deficiencies. The construction of needed public improvements could encourage new development that has been constrained due to the lack of adequate infrastructure. The construction of public improvement projects in the Project Area could encourage new private development. All development in the Project Area must be in compliance with the General Plan. Future development has been planned and the associated environmental changes identified. New or additional environmental impacts associated with new development will be further identified as required by CEQA prior to project approval.~~

~~The Amendment will not create or generate any adverse significant irreversible environmental changes that could not occur without the adoption and implementation of the Amendment. The Amendment adopts the General Plan by reference and any development that can presently occur throughout the Project Area can commence without the Amendment. The adoption and implementation of the Amendment allows the Agency to participate with the City in the construction of needed improvement projects, eliminate blight, and improve the economic viability of the community as a whole much sooner than either the City and/or the private sector can achieve on their own.~~

~~The adoption and implementation of the Amendment will not have any significant irreversible environmental changes that are unique or solely associated with the Amendment. The irreversible environmental changes that are associated with the Amendment can occur presently in the Project Area without the Amendment. The construction of improvement projects by the City and development by the private sector can occur without assistance by the Agency. It may take much longer for these events to happen without Agency assistance, but nonetheless, they can occur without any approvals or entitlements required by the Agency.~~

## **9.0 EFFECTS FOUND NOT TO BE SIGNIFICANT**

Based on completion of an Initial Study and Notice of Preparation the following environmental disciplines were identified as not having the potential to be impacted with adoption and implementation of the proposed Garden Grove Redevelopment Plan Amendment: energy; and mineral resources. A copy of the completed Initial Study and associated explanations as to why these environmental disciplines would not be impacted by the adoption and implementation of the Amendment is included as Appendix A of this document for review.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

## 10.0 ORGANIZATIONS AND PERSONS CONSULTED

The following persons and organizations were consulted and contacted during the preparation of this Program EIR:

Hall of Finance & Records/Auditor-Ctrl  
Neal Gruber, Supervisor  
12 Civic Center Plaza, Room 205  
Santa Ana, CA 92702-0567

Orange Unified School District  
Frank Remkiewicz  
370 N. Glassell Street  
Orange, CA 92666

County Sanitation Districts  
Gary Streed, Director of Finance  
P.O. Box 8127  
Fountain Valley, CA 92728-8127

Westminster Unified High School Dist.  
George J. Acton, Purchase/Fin. Svcs  
14121 Cedarwood Avenue  
Westminster, CA 92683

Garden Grove Unified School District  
Dr. Sue McCann, Asst. Superintendent  
10331 Stanford Avenue  
Garden Grove, CA 92840

Orange County Water District  
Shannon Huang, Finance Dept.  
10500 Ellis Avenue  
Fountain Valley, CA 92708

Garden Grove Sanitary District  
Anthony Andrade  
11222 Acacia Parkway  
Garden Grove, CA 92840

Rancho Santiago Community College District,  
Tax Sharing Administrator  
1530 W. 17<sup>th</sup> St.  
Santa Ana, CA 92706-3398

Huntington Beach Union High School Dist  
Susan J. Roper, Ed.D, Superintendent  
10251 Yorktown Avenue  
Huntington Beach, CA 92641

Coast Community College District  
Kim Allen, Director, Fiscal Affairs  
1370 Adams Ave.  
Costa Mesa, CA 92626-5429

Orange County Dept of Education  
Luella King, Fiscal Services  
200 Kalmus Drive  
Costa Mesa, CA 92628-9050

North Orange County Community College  
District  
Rodney Fleeman, Vice Chancellor  
1000 N. Lemon St.  
Fullerton, CA 92632-1318  
Clerk of the Board

Orange County Dept. of Education  
John Fogarity, Dist. Fiscal Svcs  
200 Kalmus Dr.  
Costa Mesa, CA 92628-9050

Clerk of the Board  
Attn: Darlene Bloom  
P.O. Box 687  
Santa Ana, CA 92702

Orange County Vector Control  
Dana K. Ohanesian, Admin/Fin. Manager  
13001 Garden Grove Blvd.  
Garden Grove, CA 92842

State Board of Equalization  
Attn: Mr. David Martin, Tax Area Services  
450 "N" St., MIC:59  
Sacramento, CA 95814-0001

County Clerk  
Attn: Gary Granville  
P.O. Box 238  
Santa Ana, CA 92702-0238

County Assessor  
Attn: Webster Guillory  
P.O. Box 149  
Santa Ana, CA 92702

County Tax Collector  
Attn: John Moorlach  
P.O. Box 1438  
Santa Ana, CA 92702

County Auditor-Controller  
Attn: David Sundstrom  
630 North Broadway, Room 202  
Santa Ana, CA 92701

County Administration Office  
Attn: George Britton  
P.O. Box 4048  
Santa Ana, CA 92702

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

Ms. Joan Golding  
Airport Land Use Commission/O.C.  
3160 Airway Avenue  
Costa Mesa, CA 92626

City of Garden Grove Water Department  
Terry Lane, Water Manager  
13802 Newhope Street  
Garden Grove, CA 92840

Garden Grove Chamber of Commerce  
12866 Main Street  
Garden Grove, CA 92840

Taorimina Industries  
Rick Collett  
P.O. Box 309  
Anaheim, CA 92815

Midway City Sanitary District  
14451 Cedarwood Avenue  
Westminster, CA 92683

O.C. Health Care Agency, Solid Waste  
Enforcement Agency  
Tom Uram, Director  
1009 East Edinger Avenue  
Santa Ana, CA 92705-4720

Anaheim City School District  
Attn: Administration/Finance  
1001 South East Street  
Anaheim, CA 92805-5749

Southern California Edison Company  
Planning Department  
1241 S. Grand Avenue  
Santa Ana, CA 92706

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

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

SCAQMD  
Environmental Review Section  
21865 E. Copley Drive  
Diamond Bar, CA 91765-4182

Archaeological Information Center  
UCLA Institute of Archaeology  
Fowler Museum of Cultural History  
Los Angeles, CA 90012

Integrated Waste Management  
County of Orange  
320 N. Flower Street  
Santa Ana, CA 92703

Santa Ana Central Library  
Reference Librarian  
26 Civic Center Plaza  
Santa Ana, CA 92701

Airport Land Use Commission  
P.O. Box 4048  
Santa Ana, CA 92702-4048

Orange County Sanitation District  
10844 Ellis Avenue  
Fountain Valley, CA 92708

Garden Grove Hospital and Medical Center,  
Mark Meyers  
12601 Garden Grove Blvd.  
Garden Grove, CA 92843

Orange County Water District  
10500 Ellis Avenue  
Fountain Valley, CA 92708

OCTA  
550 S. Main Street  
Orange, CA 92863

City of Cypress  
Ted Commingder  
5275 Orange Avenue  
Cypress, CA 90630

City of Stanton  
Mark D. Lloyd  
7800 Katella Avenue  
Stanton, CA 90680-3162

City of Los Alamitos  
John Godlewski  
3191 Katella Avenue  
Los Alamitos, CA 90720-5600

City of Seal Beach  
Lee Whittenberg, City Hall  
211 8<sup>th</sup> Street  
Seal Beach, CA 90740

City of Westminster  
Don Anderson  
8200 Westminster Blvd.  
Westminster, CA 92683

City of Anaheim  
Greg McCafferty, Planning Department  
P.O. Box 3222  
Anaheim, CA 92803

City of Orange  
Karen Sully  
300 E. Chapman Avenue  
Orange, CA 92866

City of Santa Ana  
Planning Division  
P.O. Box 1988  
Santa Ana, CA 92702

Orange County Clerk-Recorder  
P.O. Box 238  
Santa Ana, CA 92702

Orange County Cemetery District  
Finance Dept-Revenue  
25751 Trabuco Road  
El Toro, CA 92630

Orange County Flood/ O.C. Harbor  
Attn: Administration  
300 N. Flower  
Santa Ana, CA 92703-5000

Orange County Public Library  
Attn: Administration  
1501 East St. Andrew Place  
Santa Ana, CA 92705

Orange County Transportation Auth.  
Finance Dept-Revenue  
P.O. Box 14184  
Orange, CA 92613

Metropolitan Water District  
Attn: Controller's Branch  
P.O. Box 54153 Terminal Annex  
Los Angeles, CA 90054-0153

Anaheim Union School District  
Attn: Administration/Finance  
501 Crescent Way, / P.O. Box 3520  
Anaheim, Ca 92805-5749

Municipal Water District of Orange County  
10500 Ellis Ave./ P.O. Box 20895  
Fountain Valley, CA 92728  
Garden Grove Sanitary District  
Attn: Administration  
P.O. Box 309  
Anaheim, CA 92806

Orange Unified School District  
Attn: Paul Reed, Asst. Superintendent  
P.O. Box 11022  
Orange, CA 92856



## 11.0 RESPONSE TO COMMENTS

### 11.1 INTRODUCTION TO THE RESPONSES TO COMMENTS

Pursuant to Sections 15086, 15087, and 15105 of the California Environmental Quality Act (CEQA) Guidelines the Draft Program EIR on the proposed Garden Grove Agency Redevelopment Plan Amendment was publicly circulated or otherwise made available for public review and comment for a period of 45 days beginning on April 9, 2002 and ending May 23, 2002.

The Garden Grove Agency for Community Development Agency received eight (8) written comments to the Draft Program EIR within the CEQA mandated 45-day public review and comment period. In an effort to carry out CEQA Guideline Section 15088, the Agency has evaluated the written comments that were received during the 45-day public review period and prepared a written response to each environmental concern raised by the author of the written comments. Copies of the letters received by the Agency are provided at the end of this document as Appendix C.

### 11.2 INDEX OF WRITTEN COMMENTS RECEIVED ON THE DRAFT PROGRAM EIR

<u>Written Comment</u>	<u>Commenter</u>	<u>Affiliation</u>	<u>Date Received</u>
<u>1.</u>	<u>Karen Sully</u>	<u>City of Orange, Planning Manager</u>	<u>May 8, 2002</u>
<u>2.</u>		<u>Office of Planning and Research, State Clearinghouse</u>	<u>May 8, 2002</u>
<u>3.</u>	<u>Raymond Littrell</u>	<u>City of Garden Grove resident</u>	<u>April 30, 2002</u>
<u>4.</u>	<u>Robert Joseph</u>	<u>Department of Transportation (Caltrans), District 12</u>	<u>May 22, 2002</u>
<u>5.</u>	<u>Timothy Neely</u>	<u>County of Orange, Environmental Planning Services Division</u>	<u>May 22, 2002</u>
<u>6.</u>	<u>David Morgan</u>	<u>City of Anaheim, City Manager</u>	<u>May 23, 2002</u>
<u>7.</u>	<u>Terry Lane</u>	<u>City of Garden Grove Public Works Department</u>	<u>May 21, 2002</u>
<u>8.</u>	<u>Sue McCann</u>	<u>Garden Grove Unified School District</u>	<u>May 23, 2002</u>

### 11.3 RESPONSES TO COMMENTS

#### RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 1 – Karen Sully, Planning Manager, City of Orange

Comment 1-1 The City of Orange has reviewed the Draft Program EIR and determined that the project would not result in adverse impacts to areas or resources within our purview. Therefore, the City of Orange has no comments.

Response 1-1 The comment is noted and no response is required pursuant to Section 15088 of the CEQA Guidelines.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 2 – Office of Planning and Research**

**Comment 2-1** The State Clearinghouse submitted the above named Program Draft EIR to selected State agencies for review. The review period assigned by the State Clearinghouse started on April 9, 2002 and ended May 23, 2002. The State Clearinghouse will provide a closing letter with any state agency comments to the Agency's attention on the date following the close of the review period.

Response 2-1 The Agency acknowledges the comment from the Office of Planning and Research and no response is required pursuant to Section 15088 of the CEQA Guidelines.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 3 – Raymond Littrell – Resident of the City of Garden Grove**

**Comment 3-1** Raymond Littrell, residing at 12091 Blackmer in the City of Garden Grove, challenges the EIR for the proposed amendment to the redevelopment plan for the Garden Grove Community project.

The reason for Mr. Littrell's challenge is that nowhere in the EIR is there any mention of the impacts to the Garden Grove paramedics or its override tax. Mr. Littrell notes that the assessed value of the paramedic tax due will be impacted by the allocation of tax increment to the redevelopment agency.

Mr. Littrell also comments that Agency projects such as hotels and houses will put an increased demand on paramedic services, thus impacting those services. Mr. Littrell also states that adding the new area will put more demands on paramedic services while "freezing" revenues from the paramedic tax.

Mr. Littrell states that the only mitigation that will solve this problem is to continue to allocate taxes, including tax increment to the Garden Grove paramedics.

Response 3-1 The comment discusses both economic and physical impacts of the project on paramedic services. These are two separate issues and are discussed separately below beginning with physical impacts.

As with fire protection services, the Amended Redevelopment Plan would not directly impact paramedic services in the Amended Project Area because physical development is not directly proposed as part of, or in conjunction with the adoption of the proposed Amended Redevelopment Plan. However, the adoption and implementation of the Amendment could indirectly encourage physical development in the Amended Project Area that could indirectly increase calls for paramedic services.

Pursuant to CEQA Guideline section 15064(d)(3) "An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be

caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable". Although it is reasonable to assume that redevelopment will occur in the Amended Project Area over the life of the Amended Redevelopment Plan, it would be speculative to determine at this time the potential impact, if any, future development may have on paramedic services since development is not presently proposed as part of the Amendment.

Pursuant to CEQA Guideline section 15145, the definition of Speculation is "If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact". In the case of evaluating potential indirect physical impacts of future development on paramedic services in the Amended Project Area without detailed project information is speculative.

The Program EIR acknowledges that future development in the Amended Project Area could have impacts on fire protection services, including paramedic services. The Program EIR states on page 103, "The City and the Fire Department will review all development plans for potential significant fire protection impacts when submitted for approval and require all projects to meet the fire code improving the fire safety of building and reducing service calls". The Draft Program EIR goes on to provide a mitigation measure to ensure that future development within the Amended Project Area consistent with the General Plan does not impact fire protection services, including paramedic services. Mitigation Measure No. 2 on page 105 of the Draft Program EIR states, "The City shall continue to require developers, at the time of issuance of building permits, to participate in the City-wide fire protection developer impact fee program, including fire protection". Participation in the City-wide fire protection developer impact fee program, including fire protection, would ensure adequate paramedic staffing and equipment is available to serve the community because revenue collected from the fire protection developer impact fee is used as necessary to provide additional paramedic services and equipment.

Economic effects may be included in an EIR, but is not required pursuant to CEQA Guideline section 15131. Section 15131(a) states, "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical change". Thus, CEQA does not require or mandate that the EIR address any increase, decrease, or "freezing" of revenues from the paramedic tax. The pass through of any tax increment revenue from the Amended Project Area directly to support paramedic services is a decision that would be made by the Garden Grove Agency for Community Development.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 4 – Robert Joseph, Department of Transportation (Caltrans), District 12**

**Comment 4-1** Caltrans District 12 will be a responsible agency on this project and in addition to the comments provided for the NOP, Caltrans has the following added comments:

1. Freeway on-and off-ramp intersections with the City's streets shall be mitigated for LOS (Level of Service) F;
2. Lane closures impacting State facilities shall not be allowed during the following peak hours: 06:00 a.m. to 09:00 a.m.; 11:00 a.m. to 01:00 p.m.; and 03:00 p.m. to 06:00 p.m.
3. In the event that redevelopment construction activities infringe upon Caltrans' right-of-way, Agency should refer to Caltrans publication entitled, "Environmental Review Requirements for Encroachment Permits."

Caltrans District 12 also asked that the Agency continue to keep District 12 informed of this project and other future developments.

Response 4-1 The City and Agency acknowledge the comments regarding the minimum level of acceptable level of service for freeway on-and off-ramp intersections with City streets, no lane closures that impact State facilities during specific time periods, and Caltrans' information for "Environmental Review Requirements for Encroachment Permits." All notices, documents, approvals, permits, etc. required of Caltrans as a responsible agency will be legally obtained. Both the Agency and City, as appropriate, will continue to contact Caltrans in the future about projects that could affect Caltrans transportation facilities.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 5 – Timothy Neely, County of Orange, Environmental Planning Services Division**

**Comment 5-1** The County of Orange has reviewed the DPEIR and offers the following comment:

Our review of the subject DPEIR noted that our earlier comments we conveyed via the attached letter dated October 5, 2001 were not fully addressed in this submittal. The following comments are provided in addition to our previous comments to your consideration:

1. The DEIR should include exhibits identifying all Orange County Flood Control District (OCFCD) facilities that could be potentially affected as a result of the future adoption and implementation of the Project.

We also recommended verification of the flood control facilities information using the County's Drainage Facility Base maps that depict the local and regional drainage facilities throughout the County.

Response 5-1 The Draft Program EIR did not include the requested exhibits because: (a) no development is directly proposed as part of the Amendment; and (b) the County facilities were previously identified in the General Plan EIR, to which all development under the Plan Amendment must conform. Although it is anticipated that development will occur within the Amended Project Area it is purely speculative at this time to identify with any certainty the location and scale of future development. Therefore, providing exhibits of the locations of all OCFCD facilities is not relevant at this time. Verifying flood control facility information is also premature since development is not proposed as part of the Amendment.

The City or Agency, as appropriate, will identify all OCFCD facilities and the flood information associated with those facilities at the time individual projects are submitted to the City or Agency for approval. The City routinely consults with OCFCD as part of the permitting process for projects within the City, and will continue to do so for projects within the Plan Amendment. The City or Agency, as appropriate, would determine at that time whether or not surface water flows from the project would impact OCFCD facilities.

As requested by the County of Orange, the existing City and County storm drain facilities serving the City are shown in Exhibit 34, Master Plan of Drainage, on page 5.12.12 of the Garden Grove General Plan Update EIR. A copy of Exhibit 34 is attached.

Comment 5-2 The County of Orange further comments: "As redevelopment needs and opportunities evolve over the 30-year life of the redevelopment project, additional runoff could be generated that would significantly impact the capacity of OCFCD facilities.

The DEIR should discuss impacts to OCFCD facilities resulting from the proposal and how the impacts of the project are to be mitigated in consultation with the County's Flood Control Program Section. A phasing plan should be established to implement mitigation provisions needed to alleviate project impacts over the period of the proposed redevelopment project."

Response 5-2 The comment is correct that additional runoff due to redevelopment could be generated to OCFCD facilities. Additional runoff may be generated, but that does not necessarily equate to significant storm water capacity impacts to the receiving facilities. The City or Agency, as appropriate, will evaluate all future projects for potential runoff impacts to both City and OCFCD facilities at the time projects are submitted for approval. If it is determined that runoff from a particular project could impact OCFCD facilities, as normal City operating procedures OCFCD will be contacted to identify measures recommended by OCFCD to mitigate potential storm water impacts. Because no projects are proposed as part of the Amendment at this time it is speculative to develop a phasing plan to identify feasible mitigation measures for reducing storm water impacts without knowing and properly identifying the storm water impacts.

The City or Agency, as appropriate, will contact the County's Flood Control Program Section at the appropriate time in the future to discuss potential storm water impacts and identify appropriate mitigation measures once site specific project information and storm water impacts are known.

**Comment 5-3** The County also offered this comment: "We recommend the Redevelopment Agency be in consultation with the County's Flood Control Program Section to jointly fund the construction within the redevelopment area of needed deficient flood control improvements."

**Response 5-3** The City or Agency, as appropriate, will contact the County Flood Control Program Section when specific storm water runoff impacts are known to discuss and identify the construction of flood control improvements, if needed.

**Comment 5-4** The following errors were noted by the County of Orange:

- a. "Rancho Los Alamitos Channel" should be renamed "Los Alamitos City Channel (Facility No. C01)". The watershed of this channel is located generally west of the Bolsa Chica Channel (Facility No. C02). Also Los Alamitos Channel does not serve the area of the Garden Grove.
- b. "Belgrave Channel", which should be renamed "Belgrave Storm Drain (Facility No. CO2SO5)". This is a City of Garden Grove owned and operated facility.
- c. "Barber City Channel (Facility No. C03) should be renamed "Anaheim-Barber City Channel (Facility No. CO3)".
- d. "Rosalia Storm Drain" (Facility No. C02SO5)" should be renamed "Rosalia Storm Channel (Facility No. CO3SO4)".
- e. "Shannon Storm Drain" (Facility No. C03P17)" should be renamed "Shannon Storm Channel (Facility No. CO3SO5)".

**Response 5-4** The changes are noted and will be made in the Final Program EIR accordingly.

**Comment 5-5** The County's final comment is as follows: "Property located to the north of proposed new development of 5.29 acres identified as Sub-Area B in the Redevelopment Plan is the former #8 Cypress, Transfer Station #1. The Transfer Station is east of Knott, ¼ mile south of Katella, which appears to be 1000 feet or less from proposed development. The County of Orange closed the 13-acre site in 1955. The site was conditionally granted to the City of Stanton per OR85-022125. The County's Integrated Waste Management Department (IWMD) monitors the groundwater quality and reports to the regulators.

Although it ceased accepting waste in 1955 and is now inactive, the site must be maintained and monitored following closure, because buried refuse continues to decompose. Therefore, any potential impact by landfill gas (LFG) migration from the nearby closed site should be evaluated.

LFG contains significant concentrations of methane and carbon dioxide, and generally contains traces of toxic compounds and carcinogens. If methane accumulates in an enclosed space, and is in the range of 5% to 15% by volume, an explosion can occur. Above 15%, combustion can occur from a spark. It is recommended that the City consult with the Orange County Solid Waste Local Enforcement Agency (LEA)."

Response 5-5 The land use designation of property in the City of Garden Grove closest to the closed transfer station is industrial. The City of Garden Grove will consider the potential effects of migrating LFG from the former #8 Cypress Transfer Station #1 associated with future development in Sub-Area B as well as other property outside of the Amendment Project Area in the City of Garden Grove in the vicinity of the transfer station. As necessary the City or Agency, as appropriate, will contact LEA.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 6 – David Morgan, City Manager, City of Anaheim**

Comment 6-1 The City of Anaheim ("Anaheim"), in its capacity as a "responsible agency" under the California Environmental Quality Act (Public Resources Code §21000 et seq.: "CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, California Code of Regulations, § 15000 et seq.: "State CEQA Guidelines"), and as a substantially and adversely affected neighboring city, appreciates the opportunity to comment on the April, 2002, Draft Program Environmental Impact Report ("DPEIR") for the proposed amendment to the Redevelopment Plan for the Garden Grove Community Redevelopment Project.

Response 6-1 The City of Anaheim is not a Responsible Agency according to Section 15381 of the CEQA Guidelines. The City of Anaheim does not have any discretionary approval power over the project, thus the City of Anaheim is not a Responsible Agency. Rather, the City of Anaheim is a Local Agency as defined by CEQA Guideline Section 15368 which states: "Local agency" means any public agency other than a state agency, board, or commission. Local agency includes but is not limited to cities, counties, charter cities and counties, districts, school districts, special districts, redevelopment agencies, local agency formation commissions, and any board, commission, or organizational subdivision of a local agency when so designated by order or resolution of the governing legislative body of the local agency.

In addition, the City of Anaheim is not an adversely affected neighboring city as noted in the comment. The Draft EIR does not identify any impacts to the City of Anaheim at this time with the adoption and implementation of the proposed Amendment.

Comment 6-2: Initially, Anaheim would note that, in response to your agency's Notice of Preparation for the DPEIR, Anaheim submitted a response letter (attached hereto), which raised several issues that Anaheim requested that the DPEIR address. In spite

of the timely submittal of that letter, we were disappointed upon reviewing the DPEIR to find that several of the issues raised in our response letter were not addressed in the DPEIR. In view of that omission, we incorporate that letter by reference and request that your agency specifically respond to each of the issues raised therein as if fully set forth herein.

Response 6-2: This comment is noted by the Agency. The letter noted by the City of Anaheim was received by the Agency and was included within Appendix B – Notice of Preparation Responses of the Redevelopment Plan Amendment, Program EIR, dated April 2002.

**Comments referenced above from October 5, 2001 NOP Comment Letter – City of Anaheim**

Comment 6-2a: Anaheim has some serious concerns about the potential impacts of the Amendment. Marketing materials for the Grove entertainment and hotel district indicate that Garden Grove is contemplating intensive land uses such as hotel and entertainment uses in the added territory along Harbor Boulevard. If this is the case, these developments will likely pose significant strain on our existing infrastructure, e.g., streets, sewer and drainage, along Harbor Boulevard. Moreover, we believe shifting of land uses away from residential will exacerbate the affordable housing shortage in North and Central Orange County. In addition to these general concerns, City staff offers the following specific comments:

Response 6-2a: The Draft Program EIR, pages 33 – 36, clearly define the Plan Amendment components and further defines the implementation program of the Amendment Plan. The proposed redevelopment activities include: the Agency’s power to acquire property including by eminent domain, if necessary, to manage and operate property until resold, to relocate and provide replacement housing for displaced occupants, to demolish, remove building and improvements, to rehabilitate and preserve building/structures and to install, construct, expand, add, subsidize public improvement/facilities.

Moreover, the Plan Amendment includes a listing of improvement projects and programs in the Amended Project Area that could be funded should adequate revenue become available to the Agency. As noted in the Program EIR, page 33, the Agency is not required to fund the listed projects or programs; the list identifies projects and programs that appear at the time of adoption of the Amendment for the potential to achieve the goals and objective of the Amendment. The Agency may determine to undertake certain projects and programs listed or not undertake other projects and programs consistent with the Amendment that are not listed as permitted by law.

The proposed projects and programs for the Amended Project Area include the following: community facility improvements; traffic and circulation improvements; street widening and related public improvements; under grounding utilities; improving water systems; implementing the master plan for the Garden Grove Sanitary District; Street Improvements; facilitating transportation systems; business development programs; and housing programs.



Additionally, the Draft Program EIR indicates on page. 37 that, "While the Program EIR need only be as specific as the Amendment itself, the adequacy of the coverage of the Program EIR as to future public and private development activities and acquisition of property by eminent domain will determine the extent to which those future development activities may require further environmental assessment. Therefore, if the Agency contemplates intensifying uses along Harbor Boulevard, additional environmental review will be required by the Agency in compliance with CEQA. This would include all future Agency sponsored/assisted development project and/or acquisitions of property for development utilizing eminent domain.

#### COMMUNITY DEVELOPMENT

Comment 6-2b: 1. The conditions documented in the Preliminary Plan do not appear to exhibit physical and economic blight required by California Community Redevelopment Law. The blight justification for the sub areas generally along Harbor Boulevard, including deferred maintenance, "external obsolescence", aging infrastructure, adjacency to major commercial/hotel development, and small lot size, is questionable and appears to be legally insufficient.

Response 6-2b: As noted within the Preliminary Plan, dated July 2001, the Added Territory exhibits many of the characteristics of blight as defined in CCRL Sections 33030 and 33031. An extensive analysis of blight conditions was included within the Agency's Preliminary Report and subsequent Report to the City Council. In summary, the photographic depictions illustrated the following: poorly maintained buildings; poorly maintained vacant and/or underutilized parcels; deteriorating primary or support structures; presence of depreciated values and impaired investments; underutilized parcels; mixed and incompatible land uses; deficient or substandard public improvements and facilities; and abnormally high vacancy rates.

Specifically, within sub-area "I" an intensive field survey indicated that parcels located along Hoggan and Beck Avenue, Maypole and Tamerlane Drives, and Downing and Buaro Streets appear to have room additions or garage conversions that should be reviewed by the City's building department to determine adequate homeowner compliance with permitting and building code requirements. Maintenance problems, including peeling paint, cracked and chipped stucco, wood rot, site conditions, and deteriorated paving were observed in the northern half of Tamerlane Drive.

As further indicated within the Preliminary Plan, page 9, external obsolescence could be a condition affecting residential properties located along the northern edge of the sub area that abut the new multi-story hotels built in the vicinity of the corner of Chapman Avenue and Harbor Boulevard. As a result existing uses and development intensities occurring on these parcels may not now be capturing the parcels highest and best use potential. Similarly, residential properties located along the eastern edge of this sub-area abut the back-side of commercial and industrial properties that

front Harbor Boulevard. The land use situation also creates quality of life issues that are difficult to resolve in the short-term.

The Preliminary Plan recommended (page. 9) that the sub area north of Lampson Avenue, which is fully developed, appears to meet minimal blight requirements contained within the CCRL, and it was therefore recommended to include this area as Added Territory.

Section 33031 – Physical and Economic Conditions of Blight (CCRL), define the legal requirements of blighting conditions. As part of Section 33031(A)(2), “Factors that prevent or substantially hinder the economically viable use or capacity of building or lots. This condition can be caused by a substandard design, inadequate size given present standards and market conditions, lack of parking, or other similar factors.” Sub area “T” does meet the conditions as noted above.

Comment 6-2c: 2. The Draft Program Environmental Impact Report (the "DPEIR") checklist does not designate population/housing as an environmental factor potentially affected. Should Garden Grove pursue theme park/hotel developments, these developments will likely necessitate acquisition of several hundred housing units and the related relocation of several hundred people. In addition, such development is likely to create a large number of low paying jobs, which should be balanced by affordable housing developments. The DPEIR should address these impacts.

Response 6-2c: Refer to Response 6-2a above. Additionally, the Draft Program EIR indicates on page. 37 that, “While the Program EIR need only be as specific as the Amendment itself, the adequacy of the coverage of the Program EIR as to future public and private development activities and acquisition of property by eminent domain will determine the extent to which those future development activities may require further environmental assessment.

Additionally, as indicated within the Initial Study/Checklist, under Population and Housing, the implementation of the Amendment could encourage development within the Amended Project Area. The development of property in the Amended Project Area will increase the population of the City either directly with the construction of residential homes, or indirectly with construction of non-residential uses that generate jobs and a subsequent need for housing in Garden Grove by employees. All development must be consistent with the General Plan, thus the adoption and implementation of the Amendment will not exceed regional or local population projections

Comment 6-2d PLANNING DEPARTMENT

1. The DPEIR should indicate whether any land use and zoning changes are contemplated to implement the proposed amended Redevelopment Plan and analyze the impacts of any of such changes.

PUBLIC WORKS DEPARTMENT

Traffic and Transportation Division

1. The DPEIR should include a traffic analysis analyzing the peak hour traffic impacts at the following intersections:

- Orangewood/9th Street
- Orangewood/West Street
- Orangewood/Harbor Boulevard
- Katella Avenue/Euclid Street
- Katella Avenue/Brookhurst Street
- Chapman/Willowbrook Lane

Response 6-2d See Response to Comment No. 6-3, below.

Comment 6-2e: Design Services Division

1. A master plan of drainage needs to be completed that considers all tributary areas to determine existing and build-out drainage impacts.
2. A master plan of sanitary sewers needs to be prepared that includes all tributary areas to determine existing and built-out sewer impacts.

Response 6-2e: The City has master plans for sewer and drainage facilities to accommodate development within the City.

Comment 6-2f: 1. Staff recommends that the amended Redevelopment Plan provide for the upgrading of street lighting and under grounding of utilities along Katella Avenue between Euclid Street and Dale Street and that an analysis of these enhancements be provided in the DPEIR.

Response 6-2f: There is no evidence the City or Agency will have the funds available to upgrade street lighting or continue undergrounding utilities in the area, or whether these improvements are feasible. Including an analysis of these improvements at this time would be speculative. See Response to Comment 6-3 below.

Comment 6-3 The City of Anaheim states: "The DPEIR (Draft Program Environmental Impact Report) repeatedly implies that it is but an ordinary "first tier" EIR and that additional CEQA compliance will be undertaken on future projects. Typical of this are the following statements in the DPEIR:

"Additional environmental review will be conducted by the Agency in compliance with CEQA in conjunction with all future Agency sponsored/assisted development projects and/or acquisitions of property for development utilizing eminent domain." (DPEIR, page 37.)

“As part of the approval process of any mixed-use project for sub-area I in the future, the City would have to comply with CEQA and prepare the appropriate environmental document (Negative Declaration or Environmental Impact Report) to fully evaluate the potential environmental impacts of the project prior to project approval. The community at large would have an opportunity during the CEQA process to evaluate and comment on a mixed-use project proposal for sub-area I prior to any approvals.” (DPEIR, pages 48-49.)

The City goes on to state, “CEQA and the State CEQA Guidelines both contain specific provisions regarding EIRs prepare for redevelopment projects. Section 21090 of CEQA provides that “all public and private activities or undertakings, pursuant to, or in furtherance of, a redevelopment plan shall be deemed to be a single project.” Amplifying this, Section 15180 of the State CEQA Guidelines provides that this “single project” shall be deemed approved at the time of adoption of the redevelopment plan by the legislation body” and that “[a]n EIR on a redevelopment plan shall be treated as a program EIR with no subsequent EIRs required for individual components of the redevelopment plan unless a subsequent EIR or a supplement to an EIR would be required by section 15162 or 15163 of the State CEQA Guidelines.

Response 6-3 The Draft Program EIR does not specifically address potential environmental effects of the possible construction of public improvement projects, hotels, theme parks, etc. because project specific information is not known or knowable at this time. The public improvement projects listed in the Amendment are not specific as to location, scale of construction, timing, square footage, height, exterior elevations, etc. The list, by its very nature, must be general because the location, scale, timing, and other specification of such improvements is dependent in large part on the timing, intensity, location, and land uses implemented through private development within the Amended Project Area. Because specific project information is not available, it is speculative to evaluate with any certainty the potential environmental effects that could be associated with their construction.

CEQA Guideline Section 15145 defines speculation. Speculation is defined as follows: “If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact”. Keeping with the CEQA definition of speculation, the Draft Program EIR consistently evaluates and discusses potential environmental effects associated with the construction of the listed public improvement projects as much as feasible. Where it is not possible to present detailed analysis due to the lack of project information, the Draft Program EIR states that it is speculative to conduct proper analysis at this time and more analysis will be conducted in compliance with CEQA when development plans are submitted to the City or Agency, as appropriate, in the future for approval.

As the City of Anaheim notes, further environmental review of specific projects is required where significant new information, not known at the time the EIR is certified becomes available with respect to a subsequent activity or project. In the case of the private and public improvements, which may be undertaken pursuant to the Plan Amendment, information regarding the location, scope, and design of such improvements represent just such "significant new information." Therefore,, the City of Anaheim's concerns that future projects undertaken pursuant to the Amendment will not be subject to further CEQA review is unfounded. Although a subsequent or supplemental EIR may not be required in every case, some level of CEQA review will always be required once such specific project parameters are known.

Although the City of Garden Grove may be considering various types of commercial uses for sub-areas "T", "J", or "K" until formal project applications are submitted to the City, it is speculative to evaluate potential environmental impacts without specific project information. Since detailed project information is not available it is speculative to complete any meaningful and accurate environmental analysis at this time.

The City of Anaheim's suggestion that the Garden Grove Plan Amendment and EIR are analogous to the redevelopment plan and EIR overturned in the *Mammoth Lakes* case lacks factual support. The redevelopment plan in *Mammoth Lakes* included 72 very specific projects for which the redevelopment agency had detailed information regarding location, size, and design features. In the case of Garden Grove, the proposed projects must, by their nature, remain more general because unlike the Mammoth Lakes Redevelopment Agency, the Garden Grove Agency for Community Development does not have a specific plan for development of the Amended Area. The Plan Amendment EIR expressly notes that the list identifies projects that the Agency may or may not determine to undertake and the Agency may undertake projects not on the list. While the Agency has conducted feasibility and preliminary planning studies with respect to certain tourism-oriented projects within the Amended Project Area, the Agency has not itself determined whether, or when any such land uses may be developed. Such a determination is impossible without the participation of the private sector in conjunction with redevelopment activities of the Agency.

**Comment 6-4** As a practical matter, it would simply not be feasible for private hotel and entertainment projects to be developed along Harbor Boulevard unless Garden Grove's redevelopment agency obtains the power, via the proposed Amendment, to assemble these properties by using the power of eminent domain. As a legal matter, including the properties within Sub-Areas "T", "J", and "K" in the redevelopment plan is not legally allowed under the CRL, since they are simply not blighted. The City of Anaheim goes on to discuss blight, including reference to the *Barbara Beach Courchesene v. City of Diamond Bar*, *County of Riverside v. City of Murrieta*, and *Mammoth Lakes* cases.

Response 6-4 The comment regarding properties within sub-areas "I", "J", and "K" not legally allowed under the Community Redevelopment Law (CRL), since they are not blighted is not a CEQA issue, but rather a redevelopment law issue. Therefore, no further response pursuant to CEQA Guideline sections 15088 and 15132 is required.

Comment 6-5 Finally, Anaheim would note that CEQA section 21083.3, and section 15332 of the State CEQA Guidelines, also provide ways in which future public and private developments provided for in the DPEIR could elude further CEQA review. Accordingly, the DPEIR needs to be extensively revised in order to (1) correct this error, (2) fully analyze the significant adverse impacts that would result from those foreseeable public and private projects that would be facilitated by the Amendment's approval, and (3) identify feasible alternatives and/or mitigation measures to alleviate those impacts. Once this is done, the DPEIR would then have to be recirculated for public review.

Response 6-5 The application of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15332 to future projects in the Amended Project Area is unrelated to a project site being within a redevelopment project area. All projects within the Amended Project Area must be consistent with the City of Garden Grove General Plan; therefore, these CEQA provisions are available regardless of whether the Redevelopment Plan Amendment and Plan Amendment EIR are approved or not, under the Updated General Plan EIR. Whether or not a project meets the criteria of Sections 21083.3 or 15332 is not dependent upon the project being in a redevelopment project area.

The DEIR does not need to be revised. The DEIR has adequately evaluated the potential environmental effects of the construction of the public improvement projects listed in the Amended Plan to the extent information is available, without being speculative. The mitigation measures recommended in the Draft EIR are feasible to reduce potential environmental impacts, which can be currently identified in compliance with CEQA based on the project information available to date.

Comment 6-6 The DPEIR's analysis (pages 147-148) of the proposed Amendment's growth-inducing impacts is both cursory and insufficient. It states obvious non-specific generalizations and conclusions.

Response 6-6 The Growth-Inducing section on page 147 of the Draft EIR adequately discusses how the Amendment could foster economic or population growth. Future development and growth in the Amended Project Area that may occur due directly or indirectly with the adoption and implementation of the Amendment would have to be consistent with the Garden Grove Updated General Plan as stated in the Draft EIR.

The potential growth inducing impact of the Amendment could include development of the sub-areas added by the Amendment earlier than would otherwise occur. As stated on page 147 of the DPEIR, "However, the adoption of the Amendment will allow the Agency to participate with the private sector and possibly redevelop

properties sooner than may occur by the private sector acting alone”. Thus, impacts associated with projects may occur sooner than later due indirectly to the adoption and implementation of the Amendment. If the Amendment indirectly causes development to occur sooner, measures to mitigate potential impacts in compliance with CEQA will be required by the City or Agency accordingly.

**Comment 6-7** Moreover, the DPEIR repeatedly analyzes growth-inducing and other impacts by reference to claims that all such impacts will be within the parameters of the Garden Grove General Plan. However, “CEQA nowhere calls for evaluation of the impacts of a proposed project on an existing general plan; it concerns itself with the impacts of the project on the environment, defined as the existing physical conditions in the affected areas.”

**Response 6-7** The City of Anaheim mistakes the Plan Amendment EIR’s incorporation of the General Plan EIR as improperly using the General Plan build-out scenario as the baseline for the Plan Amendment EIR. The General Plan EIR, which the Agency has made available to the public as part of the public review process for the Plan Amendment EIR, fully discloses the impacts of development under the General Plan (the same maximum level of development as may be constructed under the Plan Amendment), and the growth-inducing impacts thereof. The Plan Amendment EIR further incorporates the General Plan EIR mitigation measures and monitoring program into the Plan Amendment EIR.

Although the comment is correct that “CEQA nowhere calls for evaluation of the impacts of a proposed project on an existing general plan”, the EIR is required to examine existing conditions as well as the future conditions envisioned in the general plan. 14 Cal. Code Regs 15125(e). In this case, the Agency has done that, by incorporating by reference the Updated General Plan EIR, which established a baseline for development under the General Plan, and by further evaluating the potential direct and indirect impacts of the adoption and implementation of the Plan Amendment on the City of Garden Grove General Plan.

**Comment 6-8** Like its discussion of growth-inducing impacts, the DPEIR’s 3½ page analysis (pages 149-152) of alternatives to the proposed Amendment is both cursory and insufficient. Simply stated, it does not “disclose information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.”

**Response 6-8** The project alternatives section of the Draft EIR adequately evaluates the feasible alternatives to the proposed Amendment.

The Draft EIR provides a range of feasible project alternatives as required by CEQA. Even the “No Project” alternative, which allows development of the Amended Project Area consistent with the Garden Grove General Plan will have unavoidable adverse impacts including air quality, recreation, and population and housing. Therefore, there is no feasible project alternative that can be implemented to eliminate environmental impacts unless no development occurs in the Amended

Project Area. This “no development” alternative shall be specifically set forth in the Final EIR; however, identifying this alternative pursuant to CEQA Guidelines Section 15126.6 will not render it feasible. As set forth in the CEQA Guidelines, the EIR need only analyze in detail those alternatives the lead agency determines could “feasibly attain most of the basic objectives of the project.” Clearly, the “no development” alternative would not meet even the most basic objectives, since it would halt any revitalization or productive use of property within the Amendment Project Area.

CEQA Guideline Section 15126.6 describes the consideration and discussion of alternatives that shall be provided to the proposed project. According to CEQA Guideline Section 15126.6(a): “Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible.”

The alternatives discussed in the DPEIR provide a range of reasonable project alternatives to the proposed Amendment.

Comment 6-9 An EIR should also explain the rationale for selecting the alternatives that are considered and identify those alternatives that were eliminated from further study. (State CEQA Guidelines Section 15126.6(c).)

Response 6-9 The project alternatives provided in the Draft EIR were selected based on the following criteria. First, the “No Project” alternative is required by CEQA Guideline Section 15126.6(e).

Second, the Alternative Financing alternative was selected because it would eliminate the need to amend the existing redevelopment plan and therefore mitigate impacts thereof. Securing alternative funding sources to construct needed public improvement projects and assist the private sector to redevelop properties would eliminate the need to amend the existing plan and add the nine sub-areas. This project alternative was deemed infeasible because the alternative financing methods the City will have to find to fund future public and private improvement projects include private funding, selling bonds, obtaining federal and/or state loans, easement districts, etc. are not reliable. These funding sources for constructing public improvement projects and redeveloping properties in the Project Area can be difficult to obtain, the funds can be expensive and cost prohibitive, and their availability can change with the market. Although some or all of these funding sources may be available today, they may not be available many years from now when the City needs the money to construct a public or private project. The adoption and implementation of the Amendment will provide the Agency more consistent and reliable funding



sources for reducing and eliminating blight in the Project Area throughout the life of the Amendment that are not presently available to the City for the added territory.

Changing the location of the Amended Project Area evaluated the elimination of the nine sub-areas proposed to be added to the Existing Redevelopment Plan. However, the Draft EIR states on pages 151 and 152 that even with the elimination of the nine sub-areas, future development in those areas consistent with the General Plan would have the same effects. Thus, the elimination of the nine sub-areas from the Amendment would not eliminate impacts.

As noted on page 152 of the Draft EIR, the only project alternative that could eliminate all significant environmental effects associated directly or indirectly with the adoption of the Amendment would be no development in the Project Area, which is not feasible as discussed above in the Response to Comment 6-7.

**Comment 6-10** It appears that there are (at least) two feasible alternatives that could potentially eliminate or significantly reduce certain of the proposed Amendment's environmental impacts, an Anaheim requests that your agency include an analysis of them in the DPEIR's revised alternative analysis. The City of Anaheim goes on to describe the two suggested project alternatives, which are a reduced scope alternative and adding additional territory, except sub-areas "I", "J", and "K".

**Response 6-10** The first suggested project alternative by the commenter is not superior to the Amendment or any of the project alternatives discussed in the Draft EIR. Under this alternative development within the sub-areas consistent with the General Plan could still result in potentially significant environmental impacts, as described in the General Plan EIR. Development of property in the sub-areas, although the sub-areas are not in Amended Project Area, could still result in impacts including, but not limited to, traffic, noise, air quality, recreation, etc. as identified and discussed in the Updated General Plan EIR. Thus, eliminating the sub-areas from the Amendment would not eliminate or reduce potential environmental impacts. The project alternative suggested by the City of Anaheim is essentially the same as Project Alternative 7.3 discussed in the Draft EIR, except the City of Anaheim suggested alternative includes extending the authority of using eminent domain for the Existing Project Area.

The second project alternative suggested by the City of Anaheim has the same weaknesses. It is not environmentally superior because development of the property in compliance with the City's General Plan would still occur. Further, this alternative is not feasible because as stated in the DPEIR, the elimination of sub areas, including "I", "J" and "K", would not preclude the sub-areas from being developed. They could still be developed consistent with the general plan whether they are included in the Amended Project Area or not. However, including sub areas "I", "J" and "K" in the Amended Project Area would provide the potential for the Agency and City to plan and develop a large area, rather than experiencing piece meal development. The incorporation of these three sub-areas does not require their

development, but allows the Agency and City to plan its future development more effectively under one plan rather than many separate development proposals.

Comment 6-11 The City of Anaheim states, "Page 1, Section 1.1, Overview, second paragraph, states:

"The City of Garden Grove General Plan Update, General Plan Update EIR, and the Riverwalk Entertainment/Retail Complex EIR are incorporated by reference the Draft Preliminary Report dated March 2002 for information regarding the Plan."

Section 15150 of the State CEQA Guidelines encourages "incorporation by reference" as a means of reducing redundancy and length of environmental reports. However, it also specifically sets forth how incorporation "shall" be carried out. The DPEIR needs to be revised to comply with subdivisions (b), (c), and (d) of section 15150.

Response 6-11 The referenced documents are all on file with the City of Garden Grove Planning Department, 11222 Acacia Parkway, Garden Grove, California during normal business hours. The General Plan EIR is identified by State Clearinghouse Number 93051015.

The Updated Garden Grove General Plan and the Updated Garden Grove General Plan EIR are incorporated by reference. These documents identify and discuss the future land uses and development planned for the City and the potential environmental effects associated with the development, respectively.

The setting sections of the Riverwalk EIR are incorporated by reference and provide updated setting information to the information presented in the Updated General Plan EIR because the Riverwalk EIR was prepared after the certification of the Updated General Plan EIR. Thus, the Riverwalk EIR provides more specific information regarding the existing environmental setting within that portion of the Amended Project Area.

Comment 6-12 The City of Anaheim states, "Pages 1-3, Section 1.2, Definitions. Some capitalized terms are either not defined or are inconsistently used.

Response 6-12 The "Project Area" is defined as the existing Garden Grove Redevelopment Project Area. The "Existing Project Area" is the same as the "Project Area".

Comment 6-13 The City of Anaheim states, "Page 3 Section 1.3, Brief Project Description, second paragraph, states that 'The Amendment will also eliminate (sic) the existing time limits to incur indebtedness provided in the Existing Plan, pursuant to authority provided under SB211.' However, on page 33, Section 3.3 under Time to Collect tax increment and Repay Debt, the DPEIR states:

“The Amendment will allow the Agency to repay indebtedness to collect tax increment from the Added Territory for up to 45 years from the date of adoption of the Amendment. These limits for the Existing Project Area will not be changed by the Amendment.” (Emphasis added).

Response 6-13 This error is noted and will be corrected. The Plan Amendment will eliminate the existing time limit on incurring debt within the Existing Project Area; no other plan limitations with respect to the Existing Project Area will be altered.

Comment 6-14 The City of Anaheim states, “Page 10, Section 3.0, Hydrology/Drainage and Water Quality, Project Impacts, first paragraph, states that this project could significantly effect the ability of the existing storm drain system to handle the increased surface water flows due to this project. It appears that existing storm drain deficiencies are known and therefore, these deficiencies need to be properly addressed and delineated in this DPEIR. Appropriate mitigation measures need to be identified and required.”

Response 6-14 Development consistent with the General Plan could create some localized flooding in the immediate vicinity of such development. Depending upon the amount of surface water increase due to such development, if any, improvements and upgrades to the existing City storm drain collection system may be required. It is not feasible at this time to identify the extent of needed storm drain improvements, if any, because development plans are not available for any specific development projects to conduct the necessary hydrology study to determine the amount of runoff and whether or not the local or County storm drain collection system has capacity to handle the flow or if upgrades and improvements to either the City or County storm drain system would be required.

The Updated Garden Grove General Plan EIR states that the existing City and County storm drain facilities have capacity to handle surface water flows generated by development in the City consistent with the General Plan. However, development downstream of the County’s facilities that serve the City of Garden Grove could be impacted by future development in Garden Grove. In order to mitigate impacts of future development in the Project Area on either City or County storm drain facilities, the Draft EIR imposes mitigation measures on pages 10 and 11 that will reduce potential hydrology impacts to less than significant levels.

Comment 6-15 The City of Anaheim states, “Page 16, Section 8.0, Public Services, Wastewater Service, Project Impacts, first paragraph, fourth and fifth sentences, state that this project could significantly effect the existing wastewater collection system requiring the need for upgrades or replacements of sewer lines. Therefore, all sewer deficiencies need to be properly addressed and delineated in this DPEIR. Also, in conjunction with existing sanitary sewer Agreements approved in 1970 and 1986 with the Garden Grove Sanitary District, the City of Anaheim is requesting that all deficiencies be addressed and delineated in those areas that affect the terms and conditions of those Agreements. Appropriate mitigation measures need to be identified and required.”

Response 6-15 Generally, see Response to Comment 6-13 above. The EIR will be revised to add as a mitigation measure an analysis of sewer agreements with the City of Anaheim to determine if deficiencies will be caused by development in the Amended Project Area, and requiring such deficiencies to be rectified as a condition of approval of development.

Comment 6-16 The City of Anaheim states, Pages 25-26, Section 2.3, Areas of Controversy/Issues to be Resolved. Although this section lists Anaheim's prior letter, and goes on to claim that the DPEIR "presents as much information as possible regarding the issues sited (sic) by the public agencies listed above," the DPEIR completely avoids any discussion of the Grove entertainment and hotel district that Garden Grove's own marketing materials reveal as currently being planned for Harbor Boulevard."

Response 6-16 See Response to Comment 6-2.

Comment 6-17 The City of Anaheim states, Page 33, Section 3.2, Environmental Setting, last paragraph, notes that the Amendment provides "a list of improvement projects the Agency may fund throughout the life of the Amendment." The DPEIR goes on to identify the Amendment's list of the public improvement projects and repeatedly notes that the Agency may "assist in the construction of private and public development projects." However, the DPEIR does not identify or discuss these private projects (such as the Grove and Riverwalk) other than by way of oblique references to "public parking structures . . . ancillary to commercial, recreational, or tourist attraction projects (page 34) and "the redevelopment of the Harbor Corridor as an attraction for tourists and visitors while protecting adjoining residential areas from the impacts of that development."

Response 6-17 There are no private development projects proposed as part of the Amendment. As noted in the comment, the Agency may assist with the construction of private projects. At this time the Agency has not identified any specific development projects that it may assist with development. It is highly speculative to evaluate potential environmental effects of a private development project the Agency may participate in until such project is formally submitted to the City for approval.

The *Mammoth* case related to specific private development projects, whereas the proposed Garden Grove Amendment does not include any private development projects as part of the Amendment.

See generally Response to Comment 6-2.

Comment 6-18 The City of Anaheim states, Page 33 and 35, Section 3.3, Plan Amendment Components, Public Improvement Projects, refers to the Garden Grove Sanitary District's areas of influence that identifies in general sewer and storm facilities to be constructed but does not indicate any specific locations. These areas must be identified and addressed.

Response 6-18 Specific locations and a description of upgrades and/or improvements can not be identified at this time because the Agency does not know at this time if it will have adequate revenue available to assist in the construction of master plan storm drain improvements. Secondly, if the Agency should have funds available for master plan storm drain improvements, the improvements needed today may be different than the improvements needed in the future when funds become available and as development occurs. Therefore, the Agency cannot predict with any certainty today the specific storm drain improvements it may fund throughout the life of Amendment. Subsequent or supplemental CEQA documentation will be prepared, when required by CEQA, once specific project information for the storm drain improvement projects are known.

Comment 6-19 The City of Anaheim states, Page 34, Section 3.3, Plan Amendment Components, Public Improvement Projects, indicates that the proposed Amendment authorizes the agency to construct “public parking structures including, without limitation, facilities near or adjacent to transportation corridors or public buildings and/or facilities ancillary to commercial, recreational, or tourist attraction projects.” Similarly, the agency is authorized to “[c]onstruct or participate in the development of a convention center.” Pursuant to the Mammoth court’s holding, the DPEIR must address in as much detail as possible the likely location(s) for, and impacts of, these specified projects.

Response 6-19 The Draft EIR has provided as much information as possible of all of the listed public improvement projects. The Draft EIR has evaluated to the level of detail possible the potential environmental effects associated with the possible development of the listed public improvement projects without being speculative. As information becomes available with respect to location, timing, scope, and design features of such projects, this “significant new information” will trigger further CEQA review. See also Response to Comment 6-2, contrasting the Garden Grove Plan Amendment and EIR to the *Mammoth Lakes* plan amendment and EIR.

Comment 6-20 The City of Anaheim states, Page 50, Section 4.2.1, Project Impacts. The reference to “Appendix C” should instead be to “Appendix D.”

Response 6-20 The comment is noted.

Comment 6-21 The City of Anaheim states, Page 65, Section 4.3.1, Hydrology/Drainage and Water Quality, Environmental Setting, third paragraph references Garden Grove’s Master Plan of Drainage completed in September 1991 that delineated proposed storm drain improvements. However, the September 1991 master plan fails to properly address off-site storm water flows from tributary areas such as in Areas G & H tributary to the East Garden Grove Wintersburg Channel where in Area H at the northeast corner of the City of Garden Grove (Chapman Avenue and Spinnaker Street) has off-site flows from tributary areas in the Cities of Orange and Anaheim, and Area G has a tributary area from the City of Anaheim north of West Street/Orangewood Avenue.

Response 6-21 The City of Garden Grove routinely contacts and works with the City of Anaheim to properly size storm drain facilities downstream of Anaheim that also serve the City of Garden Grove. The City of Garden Grove will continue to contact and work with the City of Anaheim to address proper sizing of storm drain facilities in the tributary areas identified in the comment as development occurs in the future that are tributary to the Wintersburg Channel as well as other downstream facilities.

Comment 6-22 The City of Anaheim states, Page 67, Section 4.3.2, Project Impacts, first paragraph under "County Flood Control Facilities" states that:

"There is no development proposed directly within either the Existing or Added Territory with adoption of the Amendment. Therefore, there would not be any potential impacts directly to existing OCFCD and/or County flood control facilities."

The statement that no development is proposed in these areas is contradicted by the DPEIR's own discussion (pages 48-49) of Mixed Use development in sub-area "T" and other readily available information regarding Garden Grove's plans for redevelopment of the Harbor Boulevard corridor.

Response 6-22 The Draft EIR makes reference to Mixed Use, which is the land use designation for sub-areas "I", and "J" as designated by the Garden Grove General Plan. The Garden Grove General Plan Update EIR evaluated the potential environmental effects of mixed-use development in these areas. The statement referred to indicates that there are no *direct* impacts of approving the Plan Amendment. The EIR discusses *indirect* impacts of the Plan Amendment throughout the EIR document to the extent such information is available at this time.

Comment 6-23 The City of Anaheim states; Page 70, Section 4.3.2, Project Impacts, final paragraph before "Conclusion" states: "The City or Agency, as appropriate, will review all private projects for potential hydrology and water quality impacts as required by CEQA when submitted to the City or Agency for approval." In fact, if such projects are located on five acres or less and otherwise meet certain requirements, they may be categorically exempt from CEQA under a "Class 32" exemption and no further review or mitigation will be imposed. (State CEQA Guidelines Section 15332.)

Response 6-23 The comment is correct that projects that meet the criteria of CEQA Guidelines Section 15332 can be categorically exempt from CEQA. However, because a project is exempt from CEQA does not eliminate or deny the legal authority of the ability of the City, as part of its design review process, to require a hydrology report to assure the surface water runoff from a project will not impact the local storm drain system. If the hydrology report identifies a need for storm drain upgrades or improvements, the City continues to have the legal right to require conditions of approval to provide the needed improvements.

Further, it should be noted that CEQA Section 21083.3 only affords an exemption for future projects to the extent such projects will not involve any impacts “peculiar to the parcel or the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report” (Public Resources Code Section 21083.3). Further, CEQA Guidelines Section 15332 is inapplicable to projects when the “cumulative impact of successive projects of the same type . . . is significant” or when “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” These conditions, as well as other conditions set forth in CEQA Section 21084 regarding scenic resources, hazardous waste sites, and historic resources, ensure that each project will be reviewed to determine if there are particular impacts which require additional CEQA analysis.

Comment 6-24 The City of Anaheim states; Page 94, Section 4.7.2, Project Impacts, second paragraph under “Added Territory/Existing Project Area” again references the planned convention center. Page 108, Section 4.8.5.1, Public Services, Wastewater Service, Environmental Setting, third paragraph, refers to the GGSD’s master plan of sewers that depicts existing deficiencies.

Response 6-24 The comment is not clear regarding reference to a convention center. As to the reference to Section 4.6.5.1, see Response to Comments 6-13 and 6-14.

Comment 6-25 The City of Anaheim states; Page 120, Section 4.10.1, Environmental Setting, “Garden Grove Agency for Community Development Five Year Implementation Plan” is referenced here, yet the DPEIR fails to identify or analyze any of the “potential projects” described in that plan, including “how the Agency will implement the requirement to increase, improve, and preserve low and moderate-income housing, and the inclusionary and replacement housing requirements.

Response 6-25 The Garden Grove Agency for Community Development Five Year Implementation Plan includes the three different, but interrelated requirements, imposed on the Agency by California law to increase and improve the community’s supply of low- and moderate-income housing. The three requirements are:

- Twenty percent (20%) of tax increment revenue must be expended to increase, improve and preserve the supply of low- and moderate-income housing in the community – Health and Safety Code Section 33334.2.
- The Agency must replace low- and moderate-income which is removed as a result of a redevelopment project, the replacement rule – Health and Safety Code Section 33413 (a).
- A fixed percentage of all housing constructed in a redevelopment project area must be affordable to low- and moderate-income persons and families, the inclusionary rule – Health and Safety Code Section 33413 (b).

The Garden Grove Agency for Community Development Five Year Implementation Plan does not list or propose any specific projects for improving or providing low- and moderate-income housing. Therefore, there are no specific housing projects that can be evaluated in this Program EIR.

The Five Year Implementation Plan lists goals and policies and describes various programs that are available for providing low- and moderate-income housing in the City.

The Agency will continue to meet and comply with the sections of the Health and Safety code that require the Agency to increase and improve the supply of low- and moderate-income housing in the City of Garden Grove in conjunction with future redevelopment activity. When specific housing projects are submitted to the Agency or City, as appropriate, the proper environmental analysis in compliance with CEQA will be conducted accordingly. It is speculative at this time to evaluate future low- and moderate-income housing projects since plans are not available.

Comment 6-26 The City of Anaheim states; Page 127, Section 4.10.1, Environmental Setting, under "Redevelopment Law" refers to the 20% set-aside requirement. This percentage may be more than 20% of the proposed Amendment is, in fact, using SB211 to extend plan time limits.

Response 6-26 The comment is correct. The 20% set-aside is the minimum amount of money that is set-aside for low and moderate housing. An increased amount of tax increment (30% total) must be contributed to the affordable housing fund once the former time limit on incurring indebtedness as to the Existing Project Area is reached.

Comment 6-27 The City of Anaheim states; Page 128, Section 4.10.1, Environmental Setting, under "Added Territory" epitomized the type of nonspecific statements seen throughout the DPEIR: "There are residential units in the Added Territory. Sub-areas I, J, and K include single-family detached units." The DPEIR's failure to quantify the number of housing units in these sub-areas prevents the public from comprehending the enormous magnitude of displacement that would occur with the development of the planned hotel, tourist and convention center in these sub-areas.

Response 6-27 The Plan Amendment specifically describes these neighborhoods, which includes single-family detached homes. Future displacement of any residents in the three sub areas, as with any of the Amended Project Area, would be further evaluated by the City and Agency, as appropriate, in compliance with CEQA. If any residents are displaced, the Agency would have to provide relocation assistance for the residents in compliance with all applicable laws.

Comment 6-28 The City of Anaheim states; Page 128, Section 4.10.2, Project Impacts. The thresholds do not include the following two new thresholds from Part XII ("Population and Housing") of the State CEQA Guidelines current CEQA Checklist form (Appendix G): Would the project:



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

Response 6-28 The CEQA Guidelines Checklist is an example of a format, which can be used for an initial study but is not required. So long as each issue area listed in the CEQA Guidelines Checklist is included, each lead agency is free to adopt its own guidelines procedures and formats for conducted the initial study. The thresholds listed in the Draft EIR have been selected by the City of Garden Grove to reflect a reasonable assessment of impacts on Population and Housing.

Comment 6-29 The City of Anaheim states; Page 131, Section 4.10.2, Project Impacts, under "Conclusions" states that, "The build out of the City based per the General Plan is expected to exceed the Southern California Association of Governments (SCAG) housing, employment and population projections." However, according to the fourth paragraph on page 129, "SCAG population projection for the year 2020 is 174,272 people, which is greater than the estimate of the 1995 General Plan Update." The fifth paragraph states, "therefore, any increase in the number of residential units constructed in the City has been projected by SCAG. Which statements are correct?

Response 6-29 The Garden Grove General Plan is projected to be built-out by the year 2020. At the time the General Plan Update was prepared, SCAG had not projected population, household or employment estimates for the year 2020. SCAG has since completed projections for population, households and employment up to 2025.

Based on SCAG's projections, the City of Garden Grove is estimated to have a population of 172,700, 52,800 employees, and 46,100 households by 2020. The 174,272 population estimate stated on page 129 of the DPEIR is incorrect and should be 172,700. The build-out of the General Plan is estimated to result in a population of 166,838, which is less than the 172,700 people estimated by SCAG.

The adoption and implementation of the Amendment would not change the existing land use designations of the General Plan for the Amended Project Area. As such, the Amendment would not change or impact future population, housing or employment estimates based on development consistent with the General Plan. Although build-out of the General Plan may exceed SCAG projections for households and employment, the Amendment would not impact those numbers one way or the other.

Comment 6-30 The City of Anaheim states; The DPEIR WILL NEED TO BE RECIRCULATED Section 21092.1 of CEQA requires an EIR to be recirculated when significant new information is added to the document after the public comment period but prior to its certification.

Given the DPEIRs numerous serious deficiencies, the correction of those deficiencies will inevitably result in "significant new information" being adduced. Anaheim assumes that your agency will want to recirculate the DPEIR once you have rectified its deficiencies.

Response 6-30 The Draft EIR is not deficient and does not need to be recirculated. The Draft EIR provides as much information as possible at this time without being speculative. CEQA Guideline Section 15146 Degree of Specificity discusses the degree of specificity required in an EIR. Pursuant to Section 15146, "The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. (b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption, or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow".

Based on the definition of CEQA Guideline Section 15146, the level of detail provided in the Draft EIR is adequate for the Redevelopment Plan Amendment. The City will review project applications in the future and require supplemental environmental documentation as required by CEQA to evaluate potential environmental effects of private and public projects.

The additional information provided in these Responses to Comments does not require the recirculation of the Draft EIR, but provides clarification of the existing information in the Draft EIR. There is no new information or mitigation measures that would change the conclusions of the Draft EIR.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 7 – Terry Lane, City of Garden Grove Public Works Department**

Comment 7-1 The City of Garden Grove is the water purveyor within our City limits. The Garden Grove water system has adequate capacity to serve proposed development consistent with the City's adopted General Plan for land use.

Response 7-1 The comment has been noted.

**RESPONSES TO COMMENTS CONTAINED IN LETTER NO. 8 – Sue McCann, Garden Grove Unified School District**

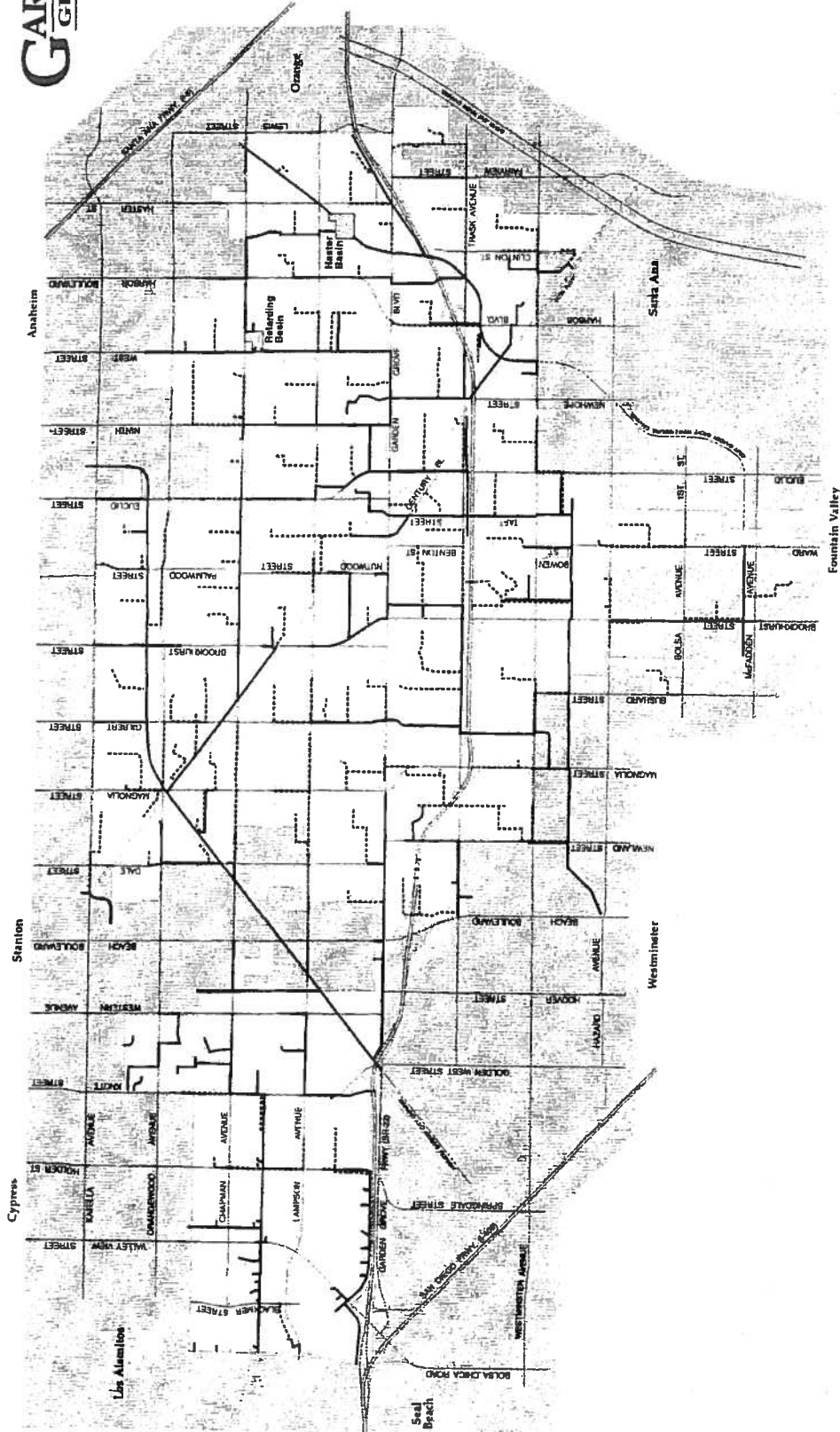
**Comment 8-1** Thank you for the opportunity to review and comment on the Garden Grove Agency for Community Development's Draft Program Environmental Impact Report for the Amendment to the Redevelopment Plan.

The school district reviewed added territory and existing project areas. The district has received questions from community members regarding the number of students located within each added area. I have enclosed information that was provided to the interested parties. In reference to the student enrollment information provided, I have explained that the district tabulates student enrollment counts by defined "quarter section" areas rather than street addresses. As a professional courtesy, I am providing your agency a copy of the information.

Response 8-1. The comment is noted.

***THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.***

# GARDEN GROVE GENERAL PLAN E



Existing Storm Drain  
Proposed Storm Drain

Source: City of Garden Grove, Master Plan of Drainage, Proposed Storm Drains

## Master Plan of Drainage

## **12.0 MITIGATION MONITORING AND REPORTING PROGRAM**

### **12.1 Introduction**

This document constitutes the Mitigation Monitoring and Reporting Program (MMRP) for the proposed Garden Grove Redevelopment Plan Amendment (the "Plan Amendment" or "Amendment"). It has been prepared pursuant to the requirements of Public Resources Code §21081.6 which, among other things, states that when a governmental agency makes certain findings pursuant to CEQA with respect to a proposed project for which an EIR has been prepared, "The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

The Garden Grove Agency for Community Development is the lead agency for the proposed Plan Amendment, and is therefore, responsible for administering and implementing the MMRP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

### **12.2 Project Overview**

The project involves the proposed amendment to the Redevelopment Plan for the Garden Grove Community Project Area to add 195 acres of additional territory (the "Added Territory", as defined in the EIR) identify public improvement projects, the construction of which the Agency could fund, should funds become available, allow the Agency to collect tax increment from the Added Territory for a period of 45 years from the effective date of the Amendment adoption, provide the Agency the authority to use eminent domain when necessary to acquire property in the Added Territory during the first twelve years after the adoption of the Amendment until the year 2014, and extend the time for the Agency to acquire property by eminent domain in the Existing Project Area for an additional twelve years from the date commencing from July 2004, to July 2016. The Amendment will also eliminate the existing time limits to incur indebtedness provided in the Existing Plan, pursuant to authority provided under SB211, which became effective on January 1, 2002 (Health and Safety Code § 33333.6).

### **12.3 Monitoring and Reporting Procedures**

The MMRP is designed to ensure compliance of the mitigation measures during project implementation. Mitigation measures can be implemented through a variety of means, including permit conditions of approval, agreements, or other measures. Each of these can take a variety of forms as well. Mitigation measures can be included as conditions of approvals for individual projects, or in the case of a plan, policy, regulation, or other public project, incorporated into the plan, policy, regulation, or project design.

The mitigation measures listed in the MMRP shall be incorporated into projects that are approved for development within the Project Area as applicable at the time the individual project is approved by the City, or Agency as appropriate. The City, or Agency as appropriate, will review each individual project independently for compliance with CEQA at the time of project submittal for approval and

incorporate the mitigation measures listed in the MMRP that are applicable. In addition, the City, or Agency as appropriate, may also approve additional mitigation measures that are not listed in this MMRP as warranted to comply with CEQA. Should the City, or Agency as appropriate, adopt additional mitigation measures in conjunction with the approval of future projects the City, or Agency as appropriate, shall adopt a separate MMRP for that project.

This MMRP includes the following information in a matrix format: (1) mitigation measures that would either eliminate or lessen the potential impact from the project; (2) the monitoring milestone or phase during which the measure should be complied with or carried out; (3) the enforcement agency responsible for monitoring mitigation measure compliance; and (4) the initials of the person verifying the mitigation measure was completed and the date of verification.

The MMRP will be in place through all phases of a project including project design (preconstruction), project approval, project construction, and operation (both prior to and post-occupancy). The Agency will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Each mitigation measure is listed and categorized by impact area, with an accompanying discussion of:

- The phase of the project during which the measure should be monitored;
- Project review and prior to project approval
- During grading or building plan check review and prior to issuance of a grading or building permit
- On-going during construction
- Throughout the life of the project
- The enforcement agency; and
- The initials of the person verifying completion of the mitigation measure and date.

The MMRP is provided as Table 1 (Mitigation and Monitoring Reporting Program).

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<u>1.</u>	<u>Residential uses should only be developed in locations where residents will not be exposed to substantial hazards, nuisances, and other land use incompatibilities. The City shall use the environment review process to ensure the compatibility of uses within Mixed Use areas, through the environmental review process, mitigation, if necessary, shall be required.</u>	During project review and prior to project approval.	Community Development Department	Initial  Date
<u>2.</u>	<u>Decision to approve or deny an application for a development application permit or conditional use permit, the City shall consider the proposed use's potential to cause land use conflicts or compatibilities with nearby sensitive uses. Uses can be considered to have the potential to cause land use conflicts if their operation would result in the generation of excessive noise, odors, hazards, light and glare, late-night activities, high traffic levels, or other undesirable effects or activities. Sensitive uses include residential, schools, childcare, hospitals and medical facilities, congregate care, convalescent homes, libraries and similar facilities.</u>	During project review and prior to project approval.	Community Development Department	Initial  Date
<u>3.</u>	<u>If it is determined that a proposed use has the potential to cause land use conflicts or incompatibilities, measures shall be taken to reduce or eliminate any potential nuisances or hazards in order to protect sensitive uses. Possible design measures include increased setbacks, perimeter barriers and buffers, adequate landscaping for screening, and cut-off exterior lighting fixtures. Other possible measures include limited hours of operation, limitation of activities, which present a potential nuisance or hazard, and limitations on the type and quantity of materials used or stored at the site. Proposed site plans and building plans should be examined to determine if the physical arrangement of facilities could be altered to reduce or eliminate potential problems. Items to be examined should include setbacks, landscaping, signs, site access and parking, exterior lighting, perimeter walls and fences, location of loading areas, building orientation, and location of equipment and storage. In some cases, minimum distance requirements may need to be established between incompatible uses.</u>	During project review and prior to project approval.	Community Development Department	Initial  Date

**Garden Grove Redevelopment Plan Amendment**



<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<b><u>Geology/Soils</u></b>				
4.	<p>The City or Agency, as appropriate, shall require all projects to provide soil erosion measures to reduce and minimize wind and water erosion. The City or Agency, as appropriate, shall require the incorporation of all applicable soil and water erosion measures into both private and public projects to reduce potential wind and water erosion impacts. The incorporation of soil erosion control measures will minimize wind and water erosion impacts.</p>	<p>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first and on going during construction.</p>	Public Works Department	<p>Final Verification of compliance shall mean that all applicable ongoing monitoring was performed and completed during construction, as required.</p> <p>_____ Initial _____ Date</p>
5.	<p>A soils and geotechnical report shall be approved by the City for all public and private projects prior to the issuance of grading or building permits, whichever is issued first. The soils and geotechnical report will identify the types of soil on the site and determine if the soil can safely support the proposed development.</p>	<p>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first.</p>	Public Works Department	<p>_____ Initial _____ Date</p>
	<b><u>Hydrology/Drainage and Water Quality</u></b>			
6.	<p>All development projects as determined by the City's Public Works Department shall prepare a preliminary hydrology study to determine whether or not the existing storm drain system serving the project has capacity to handle the runoff from the proposed development project on the subject site.</p>	<p>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first.</p>	Public Works Department	<p>_____ Initial _____ Date</p>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
7.	All projects shall comply with all applicable State NPDES requirements including the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies the Best Management Practices (BMP's) that must be incorporated into the project to reduce or eliminate urban pollutants from entering local surface waters.	During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first and on-going during construction and throughout the life of the project.	Public Works Department	Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.  Initial _____  Date _____
8.	Construction in Caltrans, County, or Orange County Flood Control District rights-of-way shall be required to obtain an encroachment permit prior to the start of construction.	During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first.	Public Works Department	Initial _____  Date _____
<b><u>Traffic and Circulation</u></b>				
9.	The City or Agency, as appropriate, shall review all projects for potential traffic and circulation impacts, including safety and congestion, when submitted for approval. A traffic analysis shall be prepared to evaluate the potential traffic and circulation impacts when the City or Agency, as appropriate, determines a project could have significant traffic or circulation impacts.	During project review and prior to project approval.	Community Development/Traffic Engineering	Initial _____  Date _____

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<u>10.</u>	The City or Agency, as appropriate, shall require all projects to change, modify or incorporate measures accordingly to reduce identified significant traffic and circulation impacts to a level of less than significant.	During project review and prior to project approval.	Community Development Department/Traffic Engineering	Initial _____ Date _____
<b><u>Aesthetics</u></b>				
<u>11.</u>	As part of the review process for new projects, the City shall continue to evaluate projects for conformance with the policies, guidelines, and regulations contained in the Open Space/Conservation Element, Land Use Element, Community Design Element, and Zoning Ordinance.	During project review and prior to project approval.	Community Development Department	Initial _____ Date _____
<b><u>Noise</u></b>				
<u>12.</u>	The City or Agency, as appropriate, shall review all projects for potential noise impacts to determine if a project could have noise impacts that do not comply with the City's Noise Ordinance. If significant noise impacts are identified, proper measures as suggested by the City or Agency, as appropriate, to reduce noise levels in compliance with the City's Noise Ordinance shall be incorporated into the project.	During project review and prior to project approval.	Community Development Department	Initial _____ Date _____
<b><u>Air Quality</u></b>				
<u>13.</u>	Adherence to SCAQMD Rule 403, Fugitive Dust, as revised, which includes dust minimization measures such as daily watering of soils, application of non-toxic soils stabilizers, replacement of ground cover in disturbed areas as soon as possible, suspension of excavating and grading operations when wind speeds (or instantaneous gusts) exceed 25 miles per hour, and maintenance of a minimum two feet of freeboard on all trucks hauling dirt, sand, soil or other loose material.	On-going during construction.	Public Works Department	Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u> <u>Initial</u> <u>Date</u>
14.	<u>Sweeping of local streets near the construction area.</u>	<u>On-going during construction.</u>	<u>Public Works Department</u>	<u>Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.</u> <u>Initial</u> <u>Date</u>
15.	<u>Rinsing of wheels on construction vehicles prior to leaving construction area.</u>	<u>On-going during construction.</u>	<u>Public Works Department</u>	<u>Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.</u> <u>Initial</u> <u>Date</u>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<u>16.</u>	<u>Paving of all construction access roads at least 100 feet onto the site from the main road.</u>	<u>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first and on going during construction.</u>	<u>Public Works Department</u>	<u>Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.</u>  <u>Initial</u>  <u>Date</u>
<u>17.</u>	<u>Use of electricity from power poles rather than temporary diesel or gasoline powered generators.</u>	<u>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is issued first and on going during construction.</u>	<u>Public Works Department</u>	<u>Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.</u>  <u>Initial</u>  <u>Date</u>
<u>18.</u>	<u>Use of methanol, natural gas, propane, or butane powered on site mobile equipment rather than diesel or gasoline-powered equipment.</u>	<u>During grading or building plan check review and prior to issuance of a grading or building permit, whichever is</u>	<u>Public Works Department</u>	<u>Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during</u>

**Garden Grove Redevelopment Plan Amendment**

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
		issued first and on going during construction.		construction, _____ as required.  _____ <u>Initial</u>  _____ <u>Date</u>
<u>19.</u>	Encourage that all developments within the City with 100 employees or more develop a rideshare program as required under SCAQMD Regulation XV.	During project review and prior to project approval.	Community Development Department	_____ <u>Initial</u>  _____ <u>Date</u>
<u>20.</u>	Encourage trip reduction plans to achieve 1.5 average vehicle ridership for businesses with less than 100 employees or multi-tenant worksites.	During project review and prior to project approval.	Community Development Department	_____ <u>Initial</u>  _____ <u>Date</u>
<u>21.</u>	Encourage the use of low-emission fleet vehicles.	During project review and prior to project approval.	Community Development Department	_____ <u>Initial</u>  _____ <u>Date</u>
<u>22.</u>	Encourage the use of satellite offices rather than regular worksites to reduce vehicle miles traveled.	During project review and prior to project approval.	Community Development Department	_____ <u>Initial</u>  _____ <u>Date</u>

Garden Grove Redevelopment Plan Amendment

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
23.	<u>Encourage on-site employee services such as cafeterias, banks, etc.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
24.	<u>Construct additional bus turnouts, passenger benches, or shelters as appropriate.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development and Public Works Department</u>	<u>Initial</u> <u>Date</u>
25.	<u>Require the construction of on-site bicycle facilities for all new non-residential developments.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
26.	<u>Require on-site truck loading zones for all new commercial and industrial developments.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<u>27.</u>	<u>Use of solar or low-emission water heaters in all new developments.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<u>28.</u>	<u>Use of energy efficient low-sodium parking lot lights in all new parking areas.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<u>29.</u>	<u>Use of lighting controls and energy-efficient lighting in all new developments.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<u>30.</u>	<u>Require the increase of wall and attic insulation beyond Title 24 requirements in all new developments.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development and Public Works Department</u>	<u>Initial</u> <u>Date</u>
<u>31.</u>	<u>The City shall coordinate with SCAG to update and refine future population and housing projections to ensure consistency in air quality planning.</u>	<u>On-going as the City updates its Housing Element.</u>	<u>Community Development Department</u>	<u>Verification of compliance shall mean the City has coordinated with SCAG to update and refine future population and housing projects each time the Housing Element is</u>

**Garden Grove Redevelopment Plan Amendment**



<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date) updated by the City.</u>
32.	All projects shall be reviewed by the City or Agency, as appropriate, for potential air quality impacts.	During project review and prior to project approval.	Community Development Department	<u>Initial</u> <u>Date</u>
33.	The City or Agency, as appropriate, shall incorporate into each project all applicable air emission reduction measures to reduce air emissions to comply with air emission thresholds adopted by the SCAQMD. In addition, the City or Agency, as appropriate, shall incorporate new short and long-term air emission reduction measures in the future as applicable to further reduce project air emissions.	During project review and prior to project approval.	Community Development Department	<u>Initial</u> <u>Date</u>
<b><u>Police Protection</u></b>				
34.	The need for additional police services such as personnel and facilities shall be monitored and mitigated during the discretionary review process for future development projects.	During project review and prior to project approval.	Community Development and Police Department	<u>Initial</u> <u>Date</u>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<b><u>Fire Protection</u></b>				
<u>35.</u>	<u>Ongoing coordination with the Fire Department during review of development proposals shall be required to ensure that adequate fire protection, facilities, staffing and equipment are available to meet anticipated needs.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department and Fire Department</u>	<u>Initial</u> <u>Date</u>
<u>36.</u>	<u>The City shall continue to require developers, at the time of issuance of building permits, to participate in the city wide developer impact fee program, including fire protection.</u>	<u>Prior to the issuance of building permits.</u>	<u>Public Works Department</u>	<u>Initial</u> <u>Date</u>
<b><u>School Facilities</u></b>				
<u>37.</u>	<u>The City shall continue to include the appropriate school districts in the State mandated review of tentative tract maps to help ensure that adequate school facilities and services are planned and provided.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<u>38.</u>	<u>The City shall continue to require developers to contribute their fair share of State mandated school impact fees.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<u>39.</u>	<u>The City shall continue to work with the school districts and developers to facilitate the development of school facilities to accommodate growth and ensure that the districts can meet future needs; to this end, facilitate the re-opening of schools (which have been closed and used for other purposes) as necessary to accommodate increases in student populations.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
40.	The Agency shall continue to make pass-through payments pursuant to the existing tax sharing agreements and shall make all additional statutory payments required by Section 33607.5 due to the Amendment.	During project review and prior to project approval.	Garden Grove Redevelopment Agency	Initial  Date
<b>Wastewater Service</b>				
41.	The City shall require that all applicable state and local water conservation measures be incorporated into all projects to reduce wastewater flows as much as feasible.	During building plan check review and prior to issuance of building permits.	Public Works Department	Initial  Date
42.	The City shall require the incorporation of all applicable and feasible measures into commercial and industrial projects to reduce the strength of wastewater equal to required standards, or less when feasible.	During building plan check review and prior to issuance of building permits.	Public Works Department	Initial  Date
43.	The City or Agency, as appropriate, shall evaluate whether or not existing wastewater facilities are available when development plans are submitted for approval. If adequate facilities are not available the City or Agency, as appropriate, will require the developer to construct the wastewater facilities necessary to serve the project.	During building plan check review and prior to issuance of building permits.	Public Works Department	Initial  Date

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
<b><u>Hazards and Hazardous Materials</u></b>				
<u>44.</u>	<u>The Agency shall use the Polanco Act, when necessary to facilitate the clean-up and remediation of a contaminated site when no alternative cleanup options are available.</u>	<u>During project review and prior to project approval.</u>	<u>Garden Grove Redevelopment Agency</u>	<u>Initial</u> <u>Date</u>
<u>45</u>	<u>The City or Agency, as appropriate, will review development plans to assess if hazardous materials are present that could impact workers constructing the project, employees or area residents. If contaminated soils or groundwater are present the soils or groundwater will be required to be removed and remediated in conformance with the law before construction can begin.</u>	<u>During project review and prior to project approval.</u>	<u>Community Development Department</u>	<u>Initial</u> <u>Date</u>
<b><u>Population, Housing and Employment</u></b>				
<u>46.</u>	<u>The City shall coordinate with SCAG to update and refine future populations, housing and employment projections.</u>	<u>On-going as the City updates its Housing Element.</u>	<u>Community Development Department</u>	<u>Verification of compliance shall mean the City has coordinated with SCAG to update and refine future population, housing and employment projections each time the Housing Element is updated by the City.</u> <u>Initial</u> <u>Date</u>

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u>
47.	The City shall evaluate projects for potential incorporation of an affordable housing component and consider compliance and implementation of affordable housing goals, programs, and objectives set forth in the City's Housing Element, Agency's Implementation Plan and Replacement Housing Plan.	During project review and prior to project approval.	Garden Grove Redevelopment Agency and Community Development Department	Initial  Date
<b>Recreation</b>				
48.	The need for additional park and recreational facilities shall be monitored as growth occurs and the need for additional parkland shall be mitigated during the discretionary review process for future development projects. Mitigation may be in the form of land dedicated for public park purposes or the payment of in-lieu fees. The need for the provision of private recreational facilities to serve the needs of individual development projects shall also be examined.	During project review and prior to project approval.	Community Development Department	Initial  Date
49.	The City shall coordinate with the Manager, EMA/Harbors, Beaches, and Parks/Program Planning, in efforts to provide additional parks and recreation opportunities.	During project review and prior to project approval.	Community Development Department	Initial  Date
<b>Cultural Resources</b>				
50.	Phase 1: Phase 1 shall consist of a qualified archaeologist doing a literature and records search, surface study, subsurface testing if necessary, the recordation of any sites, and a recommendation regarding the need for further work.  Phase 2: If it is determined during Phase 1 that further work is necessary, it shall consist of the following:  A. A qualified archaeological monitor shall be present at a pre-grading conference with the developer, grading contractor, and	During project review and prior to project approval and on-going during construction if resources are suspected to be present.	Community Development Department	Final Verification of compliance shall mean that all applicable on-going monitoring was performed and completed during construction, as required.

<u>Mitigation Measure No.</u>	<u>Mitigation Measure</u>	<u>Monitoring Milestone</u>	<u>Enforcement Agency</u>	<u>Verification of Compliance (Responsible Monitor to Initial and Date)</u> <u>Initial</u>  <u>Date</u>
	<p><u>the environmental review coordinator. The purpose of this meeting will be to consult and coordinate the role of the archaeologist in the grading of the site.</u></p> <p>B. <u>An archaeologist or designate shall be present during those relative phases of grading as determined at the pre-grading conference. The monitor shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains. The developer shall authorize the deposit of any resources found on the project site in an institution staffed by qualified archaeologist as may be determined by the Planning Director. The contractor shall be aware of the random nature of archaeological resource occurrences and the possibility of a discovery of such scientific and/or educational importance that might warrant a long-term salvage operation or preservation. The Planning Director shall resolve any conflicts regarding the role of the archaeologist and/or recovery times.</u></p>			

*THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.*

## **APPENDICES**



**APPENDIX A**  
**INITIAL STUDY/NOTICE OF PREPARATION**

**NOTICE OF PREPARATION  
DRAFT ENVIRONMENTAL IMPACT REPORT**

**TO:** All Interested Taxing Agencies, Organizations, and Individuals

**FROM:** City of Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, CA 92842

**Subject: Notice of Preparation of a Draft Program Environmental Impact Report**

The Garden Grove Agency for Community Development will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

Due to time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to:

Mr. Paul Wernquist  
Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842  
(714) 741-5312

**Project Title:** Redevelopment Plan Amendment

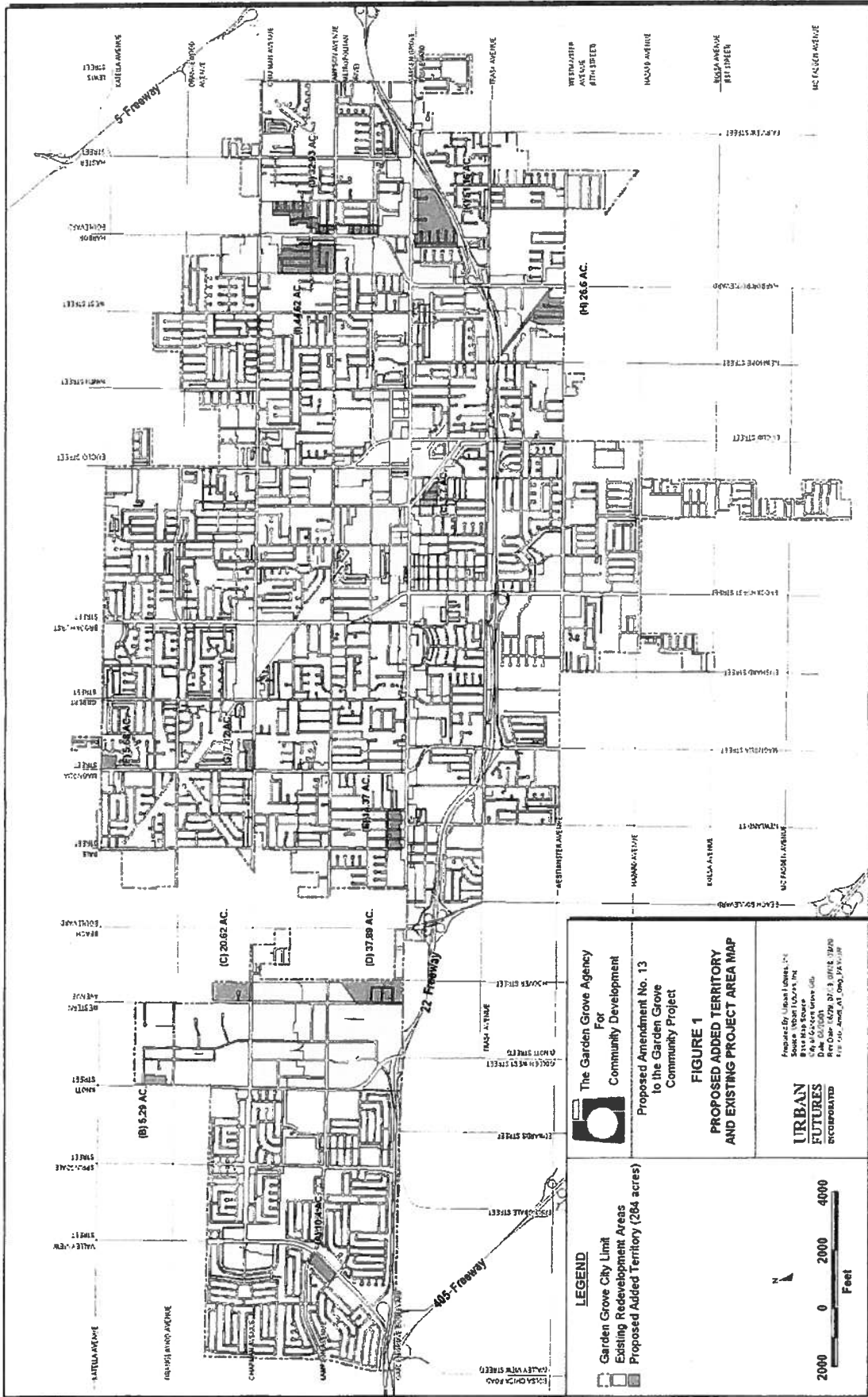
**Project Applicant:** Garden Grove Agency for Community Development

**Date:** September 7, 2001

Signature: *Paul Wernquist* by P.M.  
Title: Urban Planner  
Telephone: (714) 741-5312

## Initial Study

1. **Project Title:** Amendment to the Redevelopment Plan for the Garden Grove Community Project Area
2. **Lead Agency:** Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, CA 92840  
(714) 741-5000
3. **Project Contact:** Paul Wernquist  
Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842  
(714) 741-5312
4. **Project Location:** The Redevelopment Plan Amendment (Amendment) Project Area is located throughout the City with areas along Garden Grove Boulevard, Harbor Boulevard, Trask Avenue, Chapman Avenue, Westminster Avenue, Brookhurst Avenue, Knott Avenue and Western Avenue. The eleven non-contiguous sub-areas proposed to be added to the Project Area includes property generally west of Haster Street to Valley View Street and from Katella Avenue to south of Westminster Avenue. The boundaries of the Project Area are shown in Figure 1, including both the existing and proposed redevelopment Project Area.
5. **Project Sponsor:** Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, CA 92842  
(714) 741-5000
6. **General Plan Designation:** The City of Garden Grove General Plan land use designations of the properties (sub-areas) to be added to the Project Area include light commercial, industrial, open space, mixed use, residential, and office professional.
7. **Zoning Designation:** The zoning designations of the properties to be added include neighbor commercial, industrial planned unit development, open space, limited industrial, industrial park, multiple-family residential, single family residential, Community Center Specific Plan, Harbor Corridor Specific Plan.
8. **Description Of Project:** The Garden Grove Agency for Community Development (Agency) proposes to amend the Redevelopment Plan to: a) add new territory to the existing Project Area and include the authority to acquire property by eminent domain in such Added Area (Added Area); b) increase the existing time limit the Redevelopment Plan (Plan) can incur indebtedness affecting each part of the existing Plan; and c) extend the authority of the Agency to use eminent domain in the existing Project Area for an additional twelve (12) years from the date of adoption. Amending the Plan to add the twelve non-contiguous sub-areas totaling approximately 264 acres will facilitate implementation of redevelopment projects and programs within the Project Area to: a) upgrade public facilities and infrastructure, b) promote and facilitate economic



development and job growth, c) remedy the deterioration of structures, d) implement the updated General Plan, and e) generally improve the quality of life for residents, businesses and property owners within the limits of the existing Project Area, Added Area and the City of Garden Grove overall.

9. **Other Agencies Whose Approval (And Permits) Is Required:** The Garden Grove Planning Commission, Garden Grove Agency for Community Development and City of Garden Grove are the public agency's whose approval is required for the proposed Amendment.

10. **Requested Entitlements:** The proposed Redevelopment Plan Amendment will require the following discretionary actions:

- Approval of Finding of Consistency of the Plan with the City General Plan by the Garden Grove Planning Commission.
- Approval of the Amendment by the City of Garden Grove.
- Approval of the Amendment by the Garden Grove Agency for Community Development.

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

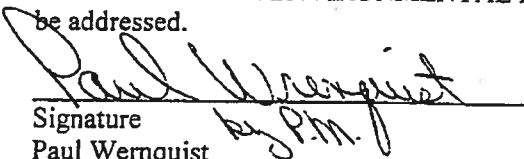
The environmental factors checked below will be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics         | <input type="checkbox"/> Hazards & Hazardous Materials      | <input checked="" type="checkbox"/> Public Services           |
| <input type="checkbox"/> Agriculture Resources         | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation                           |
| <input checked="" type="checkbox"/> Air Quality        | <input type="checkbox"/> Land Use/Planning                  | <input checked="" type="checkbox"/> Transportation/Traffic    |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Mineral Resources                  | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise                              | <input checked="" type="checkbox"/> Mandatory Findings        |
| <input checked="" type="checkbox"/> Geology/Soils      | <input type="checkbox"/> Population/Housing                 |   |

#### DETERMINATION:

On the basis of this evaluation:

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

  
Signature  
Paul Wernquist

September 7, 2001

Date

For: Garden Grove Agency for Community Development

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

**I. AESTHETICS: Will the project:**

- a) Affect on a scenic vista or scenic highway?

**Response:** The Amendment will not directly have any substantial adverse effects on scenic vistas because no development is proposed in conjunction with the adoption of the Plan Amendment.

The implementation of the Amendment could encourage development within the Project Area. The Garden Grove General Plan does not identify any scenic vistas in the City. Therefore, future development in the Project Area will not impact any scenic vistas or highways since none exist in the City.

- b) Have a demonstrable aesthetic effect?

**Response:** The Amendment will not directly have a demonstrable aesthetic effect because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development of both public and private projects and have significant aesthetic effects. The Community Design Element of the General Plan identifies community landmarks and other aesthetic resources the City wishes to maintain and protect. Future development in the Project Area could significantly impact these community landmarks and other open space resources if not protected.

- c) Create light or glare?

**Response:** The Amendment will not directly create new sources of light or glare that will adversely affect day or nighttime views because no development is proposed in conjunction with the adoption of the Plan Amendment.

The implementation of the Amendment could encourage development within the Project Area that will increase the amount of light and glare. Depending upon the types of uses constructed, intensity of the lighting, type of building materials, etc. the impacts of light and glare could be significant to any light and glare sensitive land uses that exist in the immediate area of the project. The incorporation of measures into projects to reduce light and glare impacts will reduce impacts. Project compliance with city lighting requirements will minimize the amount of light generated by future projects and mitigate potential light and glare impacts.

**II. AIR QUALITY: Will the project:**

- a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Response:** The Amendment will not directly violate any air quality standards or contribute substantially to an existing or projected air quality violation because no development is proposed in conjunction with the adoption of the Plan Amendment.

The implementation of the Amendment could encourage development within the Project Area. The development of property in the Project Area could result in indirect short and long-term violations of air quality standards. The short-term violations will be associated with air emissions during project grading and construction. Long-term air emission violations could be associated with automobile exhaust emissions, emissions from space heating systems to heat buildings, etc. throughout the life of the project. Measures acceptable to the South Coast Air Quality Management District (SCAQMD) will be incorporated into future development within the Project Area to reduce air emissions.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Amendment will not directly expose sensitive receptors to substantial pollutant concentrations because no development is proposed in conjunction with the adoption of the Amendment.</p> <p>The implementation of the Amendment could encourage development within the Project Area that could expose sensitive receptors to substantial pollutant concentrations depending upon the project and the potential air emissions associated with the development of the project. Measures will be incorporated into future projects to reduce air emissions to sensitive receptors in the Project Area.</p>				
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Amendment will not directly alter air movement, moisture, temperature, or cause any change in climate because no development is proposed in conjunction with the adoption of the Amendment.</p> <p>The implementation of the Amendment could encourage development within the Project Area. While some future development may cause some alteration of air movement at a micro scale, the scale of the development allowed in the Project Area by the General Plan is not anticipated to alter air movement, moisture, temperature, etc. on a macro scale.</p>				
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Amendment will not create any objectionable odors affecting a substantial number of people because no development is proposed directly in conjunction with the adoption of the Amendment.</p> <p>The implementation of the Amendment could encourage development within the Project Area that could create objectionable odors such as those associated with restaurants, some manufacturing facilities, etc. For new development, the City will require the installation of specific mechanical equipment to filter odors pursuant with the permits necessary from the SCAQCB for that project. The incorporation of all applicable required mechanical equipment by both the City and SCAQMD into projects that emit odors will reduce significant odor impacts.</p>				

#### IV. BIOLOGICAL RESOURCES: Will the project:

- a) Endangered, threatened or rare species of their habitats (including but not limited to plants, fish, insects, animals, and birds)?
- 

Response: The Amendment will not directly have any substantial effects on endangered, threatened, or rare species because no development is proposed directly in conjunction with the adoption of the Amendment.

The adoption and implementation of the Amendment could encourage development within the Project Area. The Project Area is highly urbanized and includes properties that are either developed or have been developed in the past. Based on the City of Garden Grove General Plan, there are no endangered, threatened, or rare species in the City that will be impacted by the adoption and implementation of the Amendment.

- b) Locally designated species (e.g. heritage trees)?
- 

Response: There are no locally designated species in the City that will be impacted by the Amendment.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>c) Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?</p> <p>Response: There are no locally designated natural communities in the City that will be impacted by the Amendment.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Wetland habitat (e.g. marsh, riparian and vernal pool)?</p> <p>Response: There are no wetland habitat areas in the City that will be impacted by the Amendment.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Wildlife dispersal or migration corridors?</p> <p>Response: Based on information in the Garden Grove General Plan there are no dispersal or migration corridors in the City that will be impacted by the Amendment.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>V. CULTURAL RESOURCES: Will the project:</b></p>				
<p>a) Disturb paleontological resources?</p> <p>Response: There are no known paleontological resources in the City. Therefore, the Amendment will not have any impact on paleontological resources.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Disturb archaeological resources?</p> <p>Response: The Amendment will not directly have any impacts on existing archaeological resource because no developer is proposed in conjunction with the adoption of the Amendment.</p> <p>The implementation of the Amendment could encourage development within the Project Area. Upon review of the City of Garden Grove General Plan, there are twelve known historic archaeological sites within the City. Future development in the Project Area in the vicinity of known archaeological sites could impact known as well as other unknown archaeological resources.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Affect historical resources?</p> <p>Response: The Amendment will not directly impact historical resources because development is not directly proposed in conjunction with the adoption of the Amendment.</p> <p>There are three existing buildings in the City that are considered to be candidates for nomination to the National Register of Historic Places. However, none of the buildings are not located in the Project Area. There may be other structures in the Project Area that could be considered historical buildings that could be impacted with future development in the Project Area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Have the potential to cause physical change that will affect unique ethnic cultural values?</p> <p>Response: The Amendment will not directly cause any physical change that will affect unique ethnic cultural values because development is not proposed in conjunction with the adoption of the Amendment.</p> <p>There are no known areas within the Project Area that, if developed, will impact unique ethnic cultural values.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

- e) Restrict existing religious or sacred uses within the potential impact area?

**Response:** There are no existing religious or sacred uses in the Project Area that will be impacted by the adoption and implementation of the Amendment.

**VI. GEOLOGY AND SOILS:** Will the project:

- a) Seismicity: Fault rupture?

**Response:** The Amendment will not directly expose people or structures to earthquake faults because no development is proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. There are no Alquist-Priolo Special Study Zones within the City. The closest fault to the Project Area that could impact future development is the Newport-Inglewood Fault, located west of Dana Point and extends through Newport Beach into south Los Angeles County. The seismic parameters of the Project Area are similar to many areas throughout the City of Garden Grove and Orange County. Therefore, a maximum credible event along the Newport-Inglewood Fault zone that is estimated to be 7.5 magnitude could impact property in the Project Area. No fault rupture is expected in the Project Area. Development within the Project Area will be subject to seismic-related hazards, but the impacts to development will be mitigated.

- b) Seismicity: ground shaking or liquefaction?

**Response:** The Amendment will not directly expose people or property to strong seismic ground shaking or liquefaction because development is not proposed directly in conjunction with the adoption of the Amendment.

The adoption and implementation of the Amendment could encourage development within the Project Area. The significance and potential damage to development in the Project Area due to seismic ground shaking from active and potentially active faults in the region will depend upon the type of development, the quality of construction and the soil characteristics of each project site. Future development within the Project Area will be subject to the same intensity of ground shaking from faults as other development in the City as well as Orange County.

The City of Garden Grove is located in an area that is susceptible to liquefaction as shown in Exhibit 15 of the Garden Grove General Plan. As a result, future development in the Project Area could be impacted by liquefaction. All development within the Project Area will have to be studied for potential liquefaction impacts prior to the issuance of grading or building permits and measures incorporated accordingly to mitigate and protect both people and property against liquefaction.

- c) Seismicity: Seiche or tsunami?

**Response:** The Project Area is not susceptible to seiches or tsunamis due to the distance of the City from the ocean and the absence of large water bodies in the City or adjacent cities that could impact development.

- d) Landslides or mudslides?

**Response:** The Amendment will not directly have any landslide or mudslide impacts because no development is proposed in conjunction with the adoption of the Amendment.

There are no slopes over 5% either in or adjacent to the Project Area. Therefore, future development in the Project Area will not be exposed to landslides or mudslides.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

- e) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?

**Response:** The Amendment will not directly have any impacts on soil erosion because no development is proposed in conjunction with the adoption of the Amendment.

Soil erosion due to rainfall and/or wind could occur during both the construction of projects and throughout the life of projects. The incorporation of accepted erosion control measures by the City into future projects will reduce and minimize soil erosion impacts and the loss of topsoil due to rainfall and wind. Because the existing topography in the Project Area is generally flat, no significant changes in the existing topography is anticipated.

- f) Subsidence of the land?

**Response:** The Amendment will not directly have any adverse effects on future development projects due to subsidence because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. There are areas of low, moderate and high dynamic settlement in the Project Area that could impact future development. The City will require that all projects within the Project Area are studied for potential dynamic settlement and measures designed into projects to mitigate and protect against settlement, when required.

- g) Expansive soils?

**Response:** The Amendment will not directly have any impact on or be impacted by expansive soils because development not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development in the Project Area. Since there are no expansive soils known to exist in the Project Area, development will not be impacted by expansive soil.

- h) Unique geologic or physical features?

**Response:** There are no unique geologic or physical features in the Project Area based on the Garden Grove General Plan that will be impacted by the adoption and implementation of the Amendment.

**VII. HAZARDS:** Will the project:

- a) A risk of accidental explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, and radiation)?

**Response:** The Amendment will not directly have any risks of accidental explosion or release of hazardous substances because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. There is no development anticipated to occur in the Project Area based on the types of uses allowed by the General Plan that could result in the explosion or release of hazardous substances.

- b) Possible interference with an emergency response plan or emergency evacuation plan?

**Response:** The Amendment will not directly interfere with an adopted emergency response plan or emergency evacuation plan because no development is proposed in conjunction with the adoption of the Amendment.

Issues & Supporting Information Sources

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

The adoption and implementation of the Amendment could encourage development within the Project Area. The City will review all future projects for compatibility with the City of Garden Grove Emergency Plan. The adoption and implementation of the Amendment is not anticipated to have any impacts on City emergency evacuation plans.

- c) The creation of any health hazard or potential health hazard?

**Response:** The Amendment will not directly create any health hazards or potential health hazards because development is not directly proposed in conjunction with the adoption of the Amendment.

The adoption and implementation of the Amendment could encourage development within the Project Area. There is not any development that is anticipated to occur in the Project Area at this time that will create any health hazards or potential health hazards. The City will review all development projects for potential health hazards and require changes or alterations to the project accordingly to prohibit or eliminate potential health hazards. The adoption and implementation of the Amendment is not anticipated to create any health hazards.

- d) Exposure of people to existing sources of potential health hazards?

**Response:** The Amendment will not expose people to existing sources of potential health hazards because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. Future development is not anticipated to expose people to existing sources of potential health hazards. The Amendment could have positive impacts on health hazards if the Agency is able to remediate existing properties in the Project Area that have health hazards due to the presence of hazardous materials. The remediation of contaminated properties will have positive impacts if the Agency will reduce the exposure of people to health hazards.

- e) Increased fire hazard in area with flammable brush, grass or trees?

**Response:** The Amendment will not directly emit increase fire hazards in areas with flammable brush, grass or trees because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. There are no areas within the Project Area where fire hazards due to flammable brush, grass or trees will increase with adoption and implementation of the Amendment.

**VIII. HYDROLOGY/WATER QUALITY:** Will the project:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

**Response:** The Amendment will not directly change absorption rates, drainage patterns, or the rate and amount of surface runoff because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. The development of property will generate water runoff both during and after project construction. New development could change existing absorption rates and drainage patterns that could impact the amount of surface water runoff downstream of the projects.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response:</b> The Amendment will not directly expose people or property to water related hazards such as flooding because development is not proposed in conjunction with the adoption of the Amendment.</p>				
<p>The implementation of the Amendment could encourage development within the Project Area and expose people and/or property in the eastern third of the City to flooding. The updated FEMA map dated June 14, 2000 shows the eastern part of the City is subject to flooding by a 100-year storm. Several sub-areas of the Project Area are within the 100-year flood plain and development of the sub-areas will expose people and property to flooding.</p>				
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response:</b> The Amendment will not directly alter surface water quality because development is not proposed in conjunction with the adoption of the Amendment.</p>				
<p>The implementation of the Amendment could encourage development within the Project Area that could impact surface water quality and violate water quality standards. The City has requirements as mandated by State and Federal law to control the quality of all surface water runoff both during and after project construction. The City will require the incorporation of Best Management Practices into all applicable projects to reduce water quality impacts.</p>				
d) Changes in the amount of surface water in any water body?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Response:</b> The Amendment will not directly change the amount of surface water in any water body because development is not directly proposed in conjunction with the adoption of the Amendment.</p>				
<p>The implementation of the Amendment could encourage development within the Project Area that could increase surface water runoff and change the amount of surface water in receiving water bodies. Additional development may increase the amount of impermeable soil and subsequently increase the amount of surface water generated to the local storm drain system and the amount of surface water in receiving water bodies that are located downstream of the City.</p>				
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Response:</b> The Amendment will not directly change currents or the course or direction of water movements because development is not proposed in conjunction with the adoption of the Amendment.</p>				
<p>The implementation of the Amendment could encourage development within the Project Area. Since the Project Area is highly developed the existing watercourses and movement of water will not be changed for new development.</p>				
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Response:</b> The Amendment will not directly change ground waters through direct additions or withdrawals or through interception of an aquifer by cuts or excavations because development is not proposed directly with the adoption of the Amendment.</p>				

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

The implementation of the Amendment could encourage development within the Project Area. Although new development will incrementally increase the need for water, including groundwater, the City has an adequate source of water for development. Due to the depth of groundwater in the City, no interception of an aquifer due cuts or excavations is anticipated.

- g) Altered direction or rate of flow of groundwater?

**Response:** The Amendment will not alter the direction or rate of flow of groundwater because development is not proposed directly in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. There is no development that is anticipated to occur in the Project Area based on the land uses allowed by the General Plan that will alter the direction or rate of flow of groundwater.

- h) Impacts to groundwater quality?

**Response:** The Amendment will not have any adverse impacts on groundwater quality because development is not proposed directly in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area, including vacant parcels and the redevelopment of underutilized and/or blighted properties that could generate runoff that percolates into the soil and impact groundwater quality. The City has storm water pollution measures that must be incorporated into projects, when applicable, to reduce and minimize the amount of pollutants generated during both project construction and throughout the life of the project. The incorporation of all applicable storm water pollution prevention measures into projects will substantially reduce local sources of polluted runoff that could percolate into the soil and impact groundwater. All development will have to comply with City surface water discharge requirements and the Regional Water Quality Control Board. Development that is anticipated to occur within the Project Area is not anticipated to significantly impact groundwater quality.

- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

**Response:** The Amendment will not directly reduce groundwater supplies because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area increasing the need for potable water. Development of the Project Area consistent with the General Plan will not result in any significant reduction in the public water supply.

**IX. LAND USE AND PLANNING: Will the project:**

- a) Conflict with General Plan designation or zoning?

**Response:** The Amendment will not directly have any conflicts with the General Plan or zoning designations because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. The Amendment will not change the existing land use or zoning designations of any property in the Project Area, thus the Amendment will not have any conflicts with the General Plan or zoning designations of property within the Project Area. The Amendment incorporates the General Plan by reference and implements the General Plan as amended from time to time.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Response: The Amendment will not directly have any conflicts with any applicable environmental plans or policies adopted by agencies with jurisdiction over the project because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. All development within the Project Area must by law implement and be consistent with the General Plan as amended from time to time. The proposed Amendment does not propose any development or uses that will conflict with the General Plan or its adopted environmental plans and policies.

- c) Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible uses)?

Response: There are no existing agricultural resources in the Project Area. Therefore, the Amendment will not have any impacts to agricultural resources.

- d) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

Response: The Amendment will not directly disrupt or divide the physical arrangement of an established community because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. All development within the Project Area must by law implement and be consistent with the General Plan as amended from time to time. The proposed Amendment does not propose any development or uses that will conflict with the General Plan resulting in the disruption or division of any established communities in the Project Area.

**X. ENERGY AND MINERAL RESOURCES:** Will the project:

- a) Conflict with adopted energy conservation plans?

Response: The Amendment will not directly conflict with any adopted energy conservation plans because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. All development within the Project Area must be consistent with the General Plan and incorporate all applicable State mandated energy conservation measures. The Amendment will not have any conflicts with adopted energy conservation plans.

- b) Use non-renewable resources in a wasteful and inefficient manner?

Response: The Amendment will not directly use non-renewable resources in a wasteful and inefficient manner because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. All development in the Project Area must be consistent with the General Plan. Development consistent with the General Plan will not use non-renewable resources in a wasteful or inefficient manner. The Amendment will not result in any impacts to non-renewable resources.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

**XI. NOISE:** Will the project result in:

- a) Increase in existing noise levels?

Response: The Amendment will not directly increase noise levels because development is not proposed in conjunction with adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. The development of property in the Project Area could increase existing noise levels during both the construction of projects and the long-term operation of projects. All projects, including the construction and operation, will have to comply with the noise standards in the Municipal Code. However, additional development could increase the ambient noise level in the Project Area.

- b) Exposure of people to extreme noise levels?

Response: Please refer to Response a) above.

**XII. POPULATION AND HOUSING:** Will the project:

- a) Cumulatively exceed official regional or local population projections?

Response: The Amendment will not directly exceed official regional or local population projections because development is not proposed in conjunction with or as part of the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. The development of property in the Project Area will increase the population of the City either directly with the construction of residential homes, or indirectly with construction of non-residential uses that generate jobs and a subsequent need for housing in Garden Grove by employees. All development must be consistent with the General Plan, thus the adoption and implementation of the Amendment will not exceed regional or local population projections.

- b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?

Response: The Amendment will not directly induce substantial growth because development is not proposed in conjunction with the adoption of the Amendment.

The adoption and implementation of the Amendment is anticipated to encourage growth in the Project Area to eliminate blight, upgrade existing deteriorated and underutilized buildings, etc. Although the Amendment may encourage development to occur sooner than the private sector acting alone, all development must be consistent with the General Plan. Thus any substantial growth that may directly or indirectly occur in the Project Area must be consistent with the General Plan. The Amendment will not induce any growth in the Project Area that has not been anticipated by the General Plan.

**XIII. PUBLIC SERVICES:**

- a) Fire protection?

Response: The Amendment will not directly have any significant impacts associated with the need for or provisions of new or physically altered fire protection facilities to maintain acceptable response times or other performance objectives on fire protection services because no development is proposed in conjunction with the adoption of the Amendment.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

The implementation of the Amendment could encourage development within the Project Area. Depending upon the type of new development, density, and the ability of the fire department to serve new development, etc. the fire department may have to provide additional equipment and/or manpower.

- b) Police protection?

**Response:** The Amendment will not directly have any substantial physical impacts associated with the need for or provisions of new police protection facilities to maintain acceptable response times or other performance objectives on police protection services because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. Depending upon the type of development, density, and the ability of the police department to serve new development, etc. the police department may have to provide additional equipment and/or manpower.

- c) Schools?

**Response:** The Amendment will not directly have any substantial adverse physical impacts on schools because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. New development could generate new students to area schools either directly from residential development or indirectly by commercial/industrial development and impact school capacity. New development is required to pay school impact fees that are used to offset potential student capacity impacts. The payment of all required school impact fees will mitigate potential school impacts.

- d) Maintenance of public facilities, including roads?

**Response:** The Amendment will not directly have any substantial impact on public facilities, including roads, because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area that could increase the maintenance of public facilities, including road maintenance.

**XIV. RECREATION:**

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?

**Response:** The Amendment will not directly increase the use of existing neighborhood and regional parks or other recreational facilities because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area creating additional use and demand of existing park and recreational facilities. Depending upon the type of development, the increased use of park and recreational facilities could demand new and/or expanded park and recreational facilities. All new residential development will be required to provide park and/or recreational facilities at the rate of 5 acres per 1,000 people to meet the demand for park and recreational facilities.

- b) Affect existing recreation facilities?

**Response:** Please refer to Response a) above.



Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

**XV. TRANSPORTATION:** Will the project:

- a) Increase vehicle trips or traffic congestion?

**Response:** The Amendment will not directly cause an increase in traffic because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area. Additional development will generate traffic that could impact the ability of the existing street infrastructure to handle the increased traffic. If the roads and transportation system serving new development in the Project Area does not have the capacity to handle the traffic there could be significant traffic delays, congestion and capacity impacts, etc. An increase in development in the Project Area could cause area roadways to exceed their design capacity.

- b) Hazards to safety from design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Response:** The Amendment will not directly increase hazards due to a design feature because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. If additional development occurs in the Project Area due to implementation of the Plan, the construction of new streets may be required to accommodate the additional traffic. All new streets or modifications to existing roadways to serve new development will have to be approved by the City of Garden Grove Public Works Department and in compliance with the City Master Plan of Highways. It is not anticipated that any new or redesigned streets approved by the City will have sharp curves or dangerous intersections.

- c) Inadequate emergency access to nearby uses?

**Response:** The Amendment will not directly cause an inadequate emergency access to nearby uses because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area. All development will be reviewed by the City for proper emergency access. The City will require changes to any development plan that will block, impact or cause a delay for emergency vehicles. The Amendment will not change or impact the City's current requirement for all projects to provide adequate emergency access.

- d) Insufficient parking capacity on-site or off-site?

**Response:** The Amendment will not directly have any parking capacity impacts because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area. All development will be reviewed by the City for compliance with the parking code and adequate parking provided. The Amendment will not have any impacts directly or indirectly on parking capacity.

- e) Hazards or barriers for pedestrian or bicyclists?

**Response:** The Amendment will not directly result in any hazards or barriers for pedestrian or bicyclists because development is not proposed in conjunction with the adoption of the Amendment.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impac.
---	--------------------------------	--	------------------------------	-----------

The implementation of the Amendment could encourage development within the Project Area. All development in the Project Area will be reviewed by the City for hazards to pedestrians or bicyclists. Changes to the project will be made accordingly to reduce and/or eliminate hazards. Since all development must comply with the General Plan it is not anticipated that any development that occurs in the Project Area due indirectly or directly with adoption of the Amendment will have any hazards to pedestrians or bicyclists.

- f) Conflict with adopted policies supporting alternative transportation?

**Response:** The Amendment will not directly conflict with any adopted policies supporting alternative transportation because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. All development must comply with the General Plan, therefore projects will not conflict with adopted City policies supporting alternative transportation.

- g) Rail, waterborne or air traffic impacts?

**Response:** The Amendment will not directly have any impact to rail, waterborne or air traffic because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area. There are not any waterborne or airport facilities in the City that could be impacted with development in the Project Area. The closest airport to the Project Area is the Los Alamitos Naval Reserve Air Base located in the City of Los Alamitos. The closest sub-area to the Los Alamitos Naval Reserve Air Base is approximately one mile (Sub-area A). It is not anticipated that future development in either Sub-area A or any other sub-area will impact flight operations at the Los Alamitos Naval Reserve Air Base. There are rail lines in the western portion of the City that could be affected by development in the Project Area. Sub-area D at the northeast corner of Garden Grove Boulevard and Western Avenue is located adjacent to the Southern Pacific Railroad tracks and development plans for Sub-area D will be reviewed by the City and Southern Pacific Railroad for potential impacts to the rail line. Changes to the project will be made accordingly to reduce or eliminate impact to the rail line.

**XVI. UTILITIES AND SERVICE SYSTEMS: Will the project:**

- a) Power or natural gas?

**Response:** The Amendment will not directly consume electricity or natural gas because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage new development within the Project Area that will consume electricity and natural gas. Based on information in the Garden Grove General Plan EIR the increased demand for electricity and natural gas pursuant to development of the General Plan will have impacts on electricity and natural gas supplies. Future development projects will have to incorporate energy conservation measures to reduce the consumption of electricity and natural gas.

- b) Communication systems?

**Response:** The Amendment will not directly have any impacts to existing communication systems because development is not proposed in conjunction with the adoption of the Amendment.

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The implementation of the Amendment is anticipated to encourage development within the Project Area that will require communication services. The communication companies serving the City will provide additional communication facilities as required to serve new development without any significant impacts.</p>				

- c) Local or regional water treatment or distribution facilities?

**Response:** The Amendment will not directly increase the consumption of water requiring new water treatment or distribution facilities because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area. Additional development will increase the consumption of water for drinking and fire flow. Based on the Garden Grove General Plan EIR the City has an adequate water supply to meet the future demand based on development consistent with the General Plan. New or upgraded water distribution facilities will be provided when required to serve new development.

- d) Sewer or septic tanks?

**Response:** The Amendment will not directly increase the need for sewer treatment and/or collection facilities because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment is anticipated to encourage development within the Project Area and generate wastewater. The General Plan EIR indicates the City expects a reduction in wastewater generation citywide due to the reallocation of land uses and an increase of development that generates less wastewater than existing uses. Therefore, the adoption and implementation of the Amendment will not have any significant impacts to wastewater. The City requires that all development connect to the public wastewater treatment systems, thus septic tanks are not allowed. The Amendment will not change the current City policy that does not allow septic tanks.

- e) Storm water drainage?

**Response:** The Amendment will not directly impact existing storm drain facilities or require the construction of new storm water facilities because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area. New development could increase the amount of impervious surfaces reducing the amount of water that could percolate into the soil. Thus, increased quantities of surface water could be generated to the area storm drain collection system due to development. The Garden Grove General Plan EIR indicates that future development will require the appropriate flood control/drainage facilities reducing storm water and drainage impacts to less than significant.

- f) Solid waste disposal?

**Response:** The Amendment will not directly generate solid waste that will have to be disposed at area landfills because development is not proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area that will generate solid waste. The City has a source reduction element (1992 Source Reduction and Recycling Element) that has been effective to reduce the amount of solid waste generated within the City and taken to area landfills. Continued enforcement of the 1992 Source Reduction and Recycling Element will help reduce solid waste volume from new development.

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------	--	------------------------------	-----------

wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

**Response:** The adoption and implementation of the Amendment is anticipated to encourage development within the Project Area. Because the Project Area does not have any biologically sensitive plant or animal species that could be impacted by development, no impacts to fish or wildlife species or populations will occur.

- b) Does the project have the potential to achieve short-term to the disadvantage of long-term goals?

**Response:** The adoption and implementation of the Amendment will allow the Agency to continue to assist the City to eliminate existing blight and redevelop the Project Area to meet the goals of the General Plan to improve the City of Garden Grove. The Amendment has the potential to have long-term benefits for the community by eliminating blight and improving the physical and economic condition of the City.

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

**Response:** The adoption and implementation of the Amendment indirectly will encourage development within the Project Area. Development in the Project Area could have individual impacts that could cumulatively be considered significant. For instance, individual projects may not have significant impacts associated with traffic, noise, air emissions, aesthetics, etc., but the cumulative effects could be significant. Although development in the Project Area must be consistent with and comply with the land uses designated by the General Plan, the increased development could result in cumulative impacts that could be potentially significant. The Amendment, on the other hand, could have positive cumulative impacts by eliminating existing blighted conditions on a project-by-project basis that cumulatively throughout the life of the Plan improves the economic and visual characteristics of the Project Area and the City of Garden Grove.

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

**Response:** The Amendment will not cause substantial adverse effects on human beings directly because no development is proposed in conjunction with the adoption of the Amendment.

The implementation of the Amendment could encourage development within the Project Area that could cause adverse effects on human beings. The indirect impacts on humans due to new development include noise, air quality and traffic impacts. The indirect effects on human beings could be potentially significant however, measures will be recommended to reduce the impacts.

**APPENDIX B**

**NOTICE OF PREPARATION RESPONSES**



**County of Orange**  
*Planning & Development Services Department*

THOMAS B. MATHEWS  
DIRECTOR

300 N. FLOWER ST.  
SANTA ANA, CALIFORNIA

MAILING ADDRESS:  
P.O. BOX 4048  
SANTA ANA, CA 92702-4048

NCL 01-90

October 5, 2001

Mr. Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

SUBJECT: NOP for Redevelopment Plan Amendment

Dear Mr. Wernquist:

The above referenced project is a Notice of Preparation of a Draft EIR to facilitate the subject project located in City of Garden Grove. The County of Orange has reviewed the NOP and offers the following comments on flood:

1. The Redevelopment Plan Amendment (Project) proposed by the Garden Grove Agency for Community Development (Agency) is adding 12 non-contiguous sub-areas (Project Area), totaling approximately 264 acres, throughout the City of Garden Grove (City) for redevelopment. The Orange County Flood Control District's (OCFCD) share of the incremental increase in property taxes generated from the redevelopment needs to be passed through to OCFCD.
2. The proposed Project Area for redevelopment, as indicated in Figure 1 'Proposed added Territory & Existing Project Area Map', seems to be tributary either directly or indirectly to a number of OCFCD and/or County of Orange flood control facilities. These include, but are not limited to:

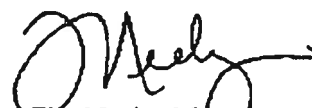
Bolsa Chica Channel (Facility No. C02),  
 Anaheim-Barber City Channel (Facility No C03),  
 Garden Grove Storm Drain (Facility No C03P17),  
 Rosalia Storm Drain (Facility No C03S04),  
 Shannon Storm Drain (Facility No C03S05),  
 Westminster Channel (Facility No C04),  
 Taft Storm Drain (Facility No C04P12),  
 Bolsa Grande Storm Channel (Facility No C04S02),  
 East Garden Grove-Wintersburg Channel (Facility No C05),  
 Haster Retarding Basin (Facility No C05B02),  
 Oertley Storm Drain (Facility No C05P19),  
 Newhobo Storm Channel (Facility No C05S10),  
 Lewis Storm Channel (Facility No C05S11), and  
 Santa Ana River (Facility No E01).

The EIR should identify and depict on maps or exhibits, all facilities that could be potentially affected as result of the future adoption and implementation of the Project. PFRD's Central Files section has Drainage Facility Basemaps which depict local and regional drainage facilities throughout the County. These basemaps are available for review or purchase from Central Files' office located on the 2<sup>nd</sup> floor, 300 N. Flower Street in Santa Ana. Contral Files can be reached at (714)-834-3568.

3. The proposed project has the potential to adversely impact existing floodplains, and drainage facilities. Runoff increases resulting from the implomentation of the redevelopment should be identified. Intensification of land uses and the resulting increase in impermeable areas beyond current levels when combined with improved local drainage facilities will result in higher discharges being delivered to downstream drainage facilities. The EIR needs to address these issues and propose appropriate mitigation measures in consultation with PFRD/Flood Program Section to alleviate the resulting conditions.
4. The "Description of Project" on Page 1 indicates that the Project will facilitate projects and programs to "upgrade public facilities and infrastructure." Some reaches of the potentially impacted flood control facilities such as Anaheim-Barber City Channel, Westminster Channel, East Garden Grove-Wintersburg Channel, etc, are deficient and inadequate to carry the 100-year or lesser frequency storm runoff. The EIR should include the necessary hydrologic and hydraulic studies to identify these areas and the Agency should contribute funds to upgrade and improve such deficient impacted facilities.
5. If any work in connection with the redevelopment encroaches upon OCFCD right-of-way, encroachment permits from PFRD's Real Property Division will be required.
6. Any changes to the floodplain and work conducted within the existing 100-year floodplain should require a Letter of Map Revision per FEMA design guidelines and regulations and be processed through the City, which is the administrator of floodplains within its municipal boundaries.

Thank you for the opportunity to respond the NOP. Please send one complete set of the DEIR to me at the above address when it becomes available. If you have any questions, please contact Grace Fong at (714) 834-2708.

Sincerely,



Tim Neely, Manager  
Environmental Planning  
Services Division

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 12  
3337 Michelson Drive Suite 380  
Irvine, CA. 92612-8894



Post-it® Fax Note		7671	Date 10-10-01	# of pages ▶ 6
To	P. Wernquist		From	B. Shumway
Co./Dept	G.G. Agency		Co.	Caltrans
Phone	714-744-5312	Phone	714-440-4461	
Fax #	714-741-5518	Fax #		

October 10, 2001

Mr. Paul Wernquist, Urban Planner  
Garden Grove Agency for Community Development  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

File: IGR/CEQA  
SCH#: 2001091038  
Log #: 970  
SR-22

**Subject: Notice of Preparation for a Draft Environmental Impact Report for Redevelopment Plan Amendments**

Dear Mr. Wernquist;

Thank you for the opportunity to review and comment on the **Notice of Preparation for the Draft Environmental Impact Report for the Redevelopment Plan Amendments**. These amendments propose to revise the existing Redevelopment Plan to add new public improvement projects in selected areas throughout the city of Garden Grove.

Caltrans is appreciative of the opportunity for early input to your redevelopment plan amendment. Our main concern pertains to improved areas that may require freeway or ramp improvements to accommodate an increase in traffic demands. Also, redevelopment and a build-out within the project area may become great enough to impact State transportation facilities (State Route 22 in general, and the Harbor Blvd and SR22 interchange in particular).

If it is determined that the improvements will impact State facilities, then the improvement activities should be discussed in detail. Depending upon the impact, traffic mitigation measures should be incorporated within the DEIR in order to 'balance' the impact to State facilities (refer to the attachment entitled Traffic Mitigation Measures). Lastly, a monitoring program would be required to ensure compliance with approved specifications and mitigation measures.

Caltrans District 12 will be a responsible agency on this project and has the following additional comments:

1. Post-construction surface run-off from the proposed areas for development should be less than or equal to pre-construction conditions with respect to the State transportation drainage facilities;



October 10, 2001

Page 2

2. The DEIR should include the scope of drainage work involved with this redevelopment project. All drainage work must fully comply with Caltrans' Statewide NPDES Permit No. CAS000003 (Order No 99-06-DWQ);
3. The DEIR should include discussion of various possible scenarios including the highest density development or "worst case" conditions under current and proposed land use provisions;
4. Caltrans will be a responsible agency if the redevelopment improvements require modification and construction to a State facility, or infringe upon Caltrans' right-of-way. Should this be the case, the City will be required to file an application for an encroachment permit. Prior to finalization of the plans, we would like to review and comment on the City's construction plans and schedule;
5. If it is determined that an encroachment permit is required, environmental requirements will need to be fulfilled. They are summarized as follows: (a) a completed formal cultural assessment, unless it is already included in the environmental document. (Please coordinate with the Caltrans' District Archaeologist for the specific requirements); (b) all work within the State right-of-way must conform to Caltrans' Standard Plans and Standard Specifications for Water Pollution Control. The applicant will need to follow the requirements described in the attached Water Pollution Control Provisions; (c) a plant and wildlife survey will need to be completed by a qualified biologist;
6. In the *Initial Study Environmental Checklist*, under *Section V b, Cultural Resources*, the City of Garden Grove General Plan was referenced in regard to the historic archeological sites within the city. We recommend including the date that the General Plan was prepared.
7. Any runoff draining into Caltrans Right of Way from construction operations, or from the resulting project, must fully conform to the current discharge requirements of the Regional Water Quality Control Board to avoid impacting water quality. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials, which may fall or blow onto Caltrans roadways or facilities;
8. Please note that all projects involving soil disturbance activities should pay extra attention to storm water pollution control during the "Rainy Season" (October 1<sup>st</sup> - April 30<sup>th</sup>) and follow the Water Pollution Control BMPs to minimize impact to the receiving waters;
9. Please include policy in the Redevelopment Plan that Caltrans will become a discretionary agency if it is determined that development activities will infringe upon Caltrans' right-of-way;

October 10, 2001

Page 3

10. Please include policy in the Redevelopment Plan that the City will coordinate with Caltrans on all plans, activities and projects that may affect State facilities;
11. In the environmental document, please list all necessary permits and public approvals that will be required for project activities;
12. Please state in the environmental document that the project is administrative in nature and is considered a single action. Also, please state in the document that it will not affect the City's existing land use and development policies. This will allow Caltrans the ability to further review and comment on future projects that will be submitted through the CEQA process or the City's discretionary permit process;
13. In the environmental document, please state that any impacts that affect waterways and drainages and/or open space during construction, or that occur indirectly as a result of the project must be coordinated with the appropriate resource agencies.

Please continue to keep us informed of this project and other future developments. We appreciate opportunities to partner with local governments regarding any project that could potentially impact our transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Becky Shumway at (949) 440-4461.

Sincerely,



Robert F. Joseph, Chief  
Advanced Planning Branch

Attachments

cc: Terry Roberts, OPR  
Ron Helgeson, HDQRTRS Planning  
L. Manderscheid, Environmental Planning  
S. Hashemi, Traffic Operations  
R. Kao, Hydraulics

## **TRAFFIC MITIGATION MEASURES**

### **NEW CONSTRUCTION**

1. Adopt measures that require developer contributions for transportation improvements. These funds could be used for building new freeways, widening freeways and major arterials, construction separate mass transit and car/van pool lanes, and park-and-ride facilities.
2. Computerize traffic signals and freeway ramp meters.
3. Coordinate surface street traffic signals with freeway traffic flow (pre-emptive traffic signals).
4. Construct separate car/van pool lanes on freeway access ramps.
5. Improve the metering system on freeway ramps.
6. Improve transit stop locations and facilities (security, fare policies, maintenance, etc.)

### **TRANSIT MANAGEMENT EFFICIENCY MEASURES**

1. Improve the incident response system.
2. Improve the highway surveillance system (install video cameras and other electronic devices).
3. Improve the driver information system.
4. Improve the enforcement of current traffic regulations.

### **DEMAND MANAGEMENT - Alternatives to Single Occupancy Vehicles**

1. Encourage ride-sharing.
2. Set-up an independent areas wide ride-coordination office.
3. Encourage the use of mass transit.
4. Expand mass transit to include dial-a-ride and other shuttle/express services.
5. Adopt ride-sharing policies that encourage employers to raise their person-per-vehicle average.

### **PARKING**

1. Construct park-and-ride facilities near major existing and new residential developments.
2. Construct fewer on-site parking spaces and provide car/van pool vehicles preferential parking.
3. Discontinue providing free or low-cost employee parking.
4. Adopt a parking-pricing scheme which varies with the number of passengers, i.e. the higher the number of passengers, the larger the rate reduction.

### **BICYCLES**

1. Provide functional bicycle facilities.

### **REDUCE PEAK-PERIOD TRAVEL**

1. Encourage work hour rescheduling (staggered hours, flex-time, 4-day week).
2. Adopt measures which minimize truck travel during peak travel periods.

## LAND USE CONTROLS

1. Promote policies that encourage the simultaneous development of industrial, commercial and entertainment centers with residential communities.
2. Promote policies that encourage mixed-uses and discourage urban sprawl.
3. Adopt policies that allow new development only when transportation facilities can handle the additional capacity.

**ATTACHMENT  
CALTRANS DISTRICT 12  
ENCROACHMENT PERMIT**

**WATER POLLUTION CONTROL PROVISIONS**

Any runoff draining into Caltrans Right of Way must fully conform to the current discharge requirements of the Regional Water Quality Control Board (RWQCB) to avoid impacting water quality. Permittee shall fully conform to the requirements of the Caltrans Statewide National Pollutant Discharge Elimination System (NPDES) Storm Water Permit, Order No. 99-06-DWQ, NPDES No. CAS000003, adopted by the State Water Resources Control Board on July 15, 1999, in addition to the BMPs specified in the Caltrans Storm Water Management Plan (SWMP). When applicable, the Permittee will also conform to the requirements of the General NPDES Permit for Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002, and any subsequent General Permit in effect at the time of issuance of this Encroachment Permit. These permits regulate storm water and non-storm water discharges associated with year-round construction activities.

Please note that project activities should pay extra attention to storm water pollution control during the "Rainy Season" (October 1<sup>st</sup> - May 1<sup>st</sup>) and follow the Water Pollution Control BMPs to minimize impact to receiving waters. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials, which may fall or blow onto Caltrans Right of Way.

For all projects resulting in 2 hectares (5 acres) or more of soil disturbance or otherwise subject to the NPDES program, the Contractor will develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) conforming to the requirements of the Caltrans Specification Section 7-1.01G "Water Pollution Control", Caltrans Statewide NPDES Permit, the General NPDES Permit for Construction Activities, and the Caltrans Storm Water Quality Handbooks "Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual", and "Construction Site Best Management Practices (BMPs) Manual" effective November 2000, and subsequent revisions.

For all projects resulting in less than 2 hectares (5 acres) of soil disturbance or not otherwise subject to the requirements of the NPDES program, the Contractor will develop, implement, and maintain a Water Pollution Control Program (WPCP) conforming to the requirements of Caltrans Specifications Section 7-1-.01G, "Water Pollution Control", and the Caltrans Storm Water Quality Handbooks "Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual", and "Construction Site Best Management Practices (BMPs) Manual" effective November 2000, and subsequent revisions.

Copies of the Permits and the Construction Contractor's Guide and Specifications of the Caltrans Storm Water Quality Handbook may be obtained from the Department of Transportation, Material Operations Branch, Publication Distribution Unit, 1900 Royal Oaks Drive, Sacramento, California 95815, Telephone: (916) 445-3520. Copies of the Permits and Handbook are also available for review at Caltrans District 12, 3347 Michelson Drive, Suite 100, Irvine, California 92612, Telephone: (949) 724-2260. Electronic copies can be found at <http://www.dot.ca.gov/hq/construc/stormwater.html>

Revised 3/08/01



# CITY OF ORANGE

---

DEPARTMENT OF COMMUNITY DEVELOPMENT

FAX (714) 744-7222

ADMINISTRATION  
(714) 744-7240

PLANNING DIVISION  
(714) 744-7220

BUILDING DIVISION  
(714) 744-7200

October 4, 2001

Mr. Paul Wernquist  
Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

Dear Mr. Wernquist,

**Subject: Response to the Notice of Preparation (NOP) for the Proposed  
Redevelopment Plan Amendment Program EIR-City of Garden Grove**

The City of Orange has received and reviewed the NOP for the City of Garden Grove's Redevelopment Plan Amendment Program EIR. The City of Orange feels that the NOP has appropriately defined the scope of work for the Program EIR and has no specific comments at this time.

The City of Orange appreciates the opportunity to comment on the above-referenced project and looks forward to reviewing the Draft Program EIR.

Sincerely,

Karen Sully  
Planning Manager  
Community Development Department



## Department of Toxic Substances Control



Winston H. Hickox  
Agency Secretary  
California Environmental  
Protection Agency

Edwin F. Lowry, Director  
5796 Corporate Avenue  
Cypress, California 90630

Gray Davis  
Governor

September 21, 2001

Mr. Paul Wernquist  
Garden Grove Agency for Community Development  
11222 Acacia Parkway  
P.O. Box 3070  
Garden Grove, California 92842

### NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE GARDEN GROVE REDEVELOPMENT PLAN AMENDMENT - (SCH # 2001091038)

Dear Mr. Wernquist:

The Department of Toxic Substances Control (DTSC) has received your Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the above-mentioned Project. In the event that implementation of the Amendment would encourage the development within the project area, DTSC has provided the following comments:

- 1) The draft EIR needs to identify and determine whether current or historic uses have resulted in any release of hazardous wastes/substances at the site.
- 2) The draft EIR needs to identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the draft EIR needs to evaluate whether conditions at the site pose a threat to human health or the environment.
- 3) The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation and the government agency to provide appropriate regulatory oversight.
- 4) An environmental assessment should be conducted in the project area to evaluate whether the project area is contaminated with hazardous substances from the potential past and current uses including storage, transport, generation, and disposal of toxic and hazardous waste/materials. Potential hazard to the

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).*

public or the environment through routine transportation, use, disposal or release of hazardous materials should be discussed in the draft EIR.

- 5) A hazardous materials storage permit may be required from an appropriate regulatory agency that has jurisdiction to regulate hazardous substances handling, storage, treatment and/or disposal. Contact the Certified Unified Program Agency (CUPA) to evaluate the permit requirements.
- 6) The project construction may require soil excavation and soil filling in certain 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 is planning to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 7) The NOP fails to address the remainder of the Hazards section checklist of the California Environmental Quality Act (CEQA) which includes the following questions:
  - Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
  - Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
  - For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
  - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
  - Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?



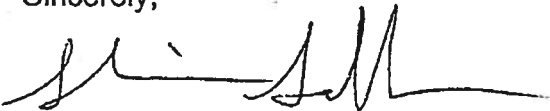
Mr. Paul Wernquist  
September 21, 2001  
Page 3

- 8) If during construction of the project, soil and/or groundwater contamination is suspected, suspend construction in the area and implement appropriate Health and Safety procedures. If it is determined that contaminated soil and/or groundwater exist, the draft EIR should identify how any required investigation and/or remediation will be conducted and which government agency will provide appropriate regulatory oversight.

DTSC provides guidance for Preliminary Endangerment Assessment (PEA) preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). Also, DTSC is administering the \$85 million Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN), which provides low-interest loans to investigate and clean up hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. The CLEAN program is comprised of two main components: low interest loans of up to \$100,000 to conduct PEAs of underutilized properties, and loans of up to \$2.5 million for the cleanup or removal of hazardous materials also at underutilized urban properties. These loans are available to developers, businesses, schools, and local governments.

For additional information on the VCP or CLEAN program, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to meet and discuss this matter further, please contact Ms. Rania A. Zabaneh, Project Manager at (714) 484-5479.

Sincerely,



Haissam Y. Salloum, P.E.  
Unit Chief  
Southern California Cleanup Operations Branch  
Cypress Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section  
CEQA Tracking Center  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806



# California Regional Water Quality Control Board

## Santa Ana Region



Ston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>  
3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis  
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8).*

October 5, 2001

Paul Wernquist  
Garden Grove Agency for Community Development  
11222 Acacia Parkway  
P.O. Box 3070  
Garden Grove, CA 92842

### RESPONSE TO NOTICE OF PREPARATION FOR THE GARDEN GROVE REDEVELOPMENT PLAN AMENDEMENT DRAFT ENVIRONMENTAL IMPACT REPORT / STATE CLEARING HOUSE NUMBER 2001091038

Dear Mr. Wernquist:

Staff of the Regional Water Quality Control Board, Santa Ana Region (RWQCB), has reviewed the Notice of Preparation for the above referenced project. The project includes amending the existing redevelopment plan to add new area public improvement projects.

If any construction activity will occur in an area over five acres, a General Construction Activity Storm Water Permit must be obtained prior to any construction. A notice of intent (NOI), with the appropriate fees for coverage under the General Construction Activity Storm Water Permit must be submitted to the State Water Resources Control Board at least 30-days prior to initiation of construction activity at the site. Contact Mark Smythe at (909) 782-4998 or review the permit page on the SWRCB website at [www.swrcb.ca.gov/](http://www.swrcb.ca.gov/) for information.

There is widespread experience that urban development impacts water quality. Urban runoff has been found to contain substantial concentrations of pathogens, nutrients, sediments, pesticides, hydrocarbons, and toxic metals. Runoff from the City of Garden Grove flows into several drainage channels including the East Garden Grove Wintersburg and the Westminster Channels. These channels drain into biologically sensitive coastal marsh areas such as the Bolsa Chica Wetlands and the Seal Beach National Wildlife Refuge and then to the ocean. It is important to keep the urban runoff from impacting these channels and ultimately the wetland areas and the adjacent ocean/beach areas.

A goal of the project is to facilitate the implementation of upgrading public facilities and infrastructure, and generally improve the quality of life for residents, businesses and property owners within the project area. As a result, there is the opportunity to add water quality enhancement features to the project which would provide benefit to the water quality of the area and to the residents and City. Therefore, to lessen impacts and improve water quality and to protect and enhance beneficial uses the following principals and policies should be considered for the project:

1. Urban areas covered with pavement or structures alter the rate and volumes of groundwater recharge and surface water runoff. We encourage the use of pervious materials to retain absorption and allow more percolation of storm water into the ground within the site. Consider

*California Environmental Protection Agency*



the use of pervious materials, such as permeable/porous pavement, etc., for parking areas and grassed swales in lieu of hard surfaced drainage channels.

Grassed swales reduce the pollutants in storm or urban water runoff by filtering the runoff through the vegetation and the subsoil matrix and/or allowing infiltration into the underlying soils. Studies have shown that grassed swales remove nutrients, total suspended solids, and metals from impacted runoff.

Consider retaining or developing substantial areas of open space as natural, landscaped, or in agriculture, to aid in the recharge and retention of runoff.

2. Consider replacing existing concrete drainage channels with more natural drainage systems. Natural drainage systems reduce impacts to water quality and improve impacted waters. In addition, they provide beneficial uses for wildlife and recreation. Encourage native riparian vegetation in the drainage areas. Provide adequate vegetated buffer areas, conserve and/or develop natural areas, and protect slopes to capture storm flows, to lessen erosion, and protect water quality.
3. Consider the construction of water quality enhancing detention basins or holding ponds to capture dry weather urban runoff and the first flush of rainfall runoff. These structures are designed to detain runoff for a minimum time (e.g., 24 hours) to allow particles and associated pollutants to settle and/or to be treated.
4. The feasibility and effectiveness of constructed/water quality wetlands for treatment of runoff from the project should be considered. Constructed wetlands throughout the Santa Ana River Watershed have been found to be very effective in removing pollutants from urban runoff and stormwater. In addition, they provide habitat for wildlife and recreational benefits.
5. If any fill or dredge material is proposed to be discharged into surface waters of the State including ephemeral waterways, vernal pools or wetlands, Clean Water Act Section 401 certification is required. In addition, an U.S. Army Corps of Engineers Section 404 permit will likely be required. Contact Kelly Schmoker at (909) 782-4990 or review the Regional Board's website [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) for Section 401 information.
6. Appropriate best management practices (BMPs) must be developed and implemented during construction to control the discharge of pollutants, prevent sewage spills, and to avoid discharge of sediments into the streets, storm water conveyance channels, or waterways.
7. A National Pollutant Discharge Elimination System (NPDES) permit for any discharge of wastes to surface waters, or Waste Discharge Requirements for any discharge of wastes to land, is required by the California Water Code.



Paul Wernquist  
Garden Grove Agency for Community Development

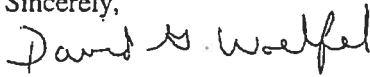
October 5, 2001

3

For more information on the construction of the Best Management Practices (BMPs) mentioned above (grassed swales, porous pavement, constructed wetlands, and dry/wet detention ponds please review the EPA website [www.epa.gov/npdes/menuofbmps/post.htm](http://www.epa.gov/npdes/menuofbmps/post.htm).

If you should have any questions, please call me at (909) 782-7960 or Mark Adelson at (909) 782-3234.

Sincerely,



David G. Woelfel  
Planning Section

cc: Scott Morgan – State Clearinghouse

**California Environmental Protection Agency**



Recycled Paper



# ORANGE COUNTY SANITATION DISTRICT

October 5, 2001

Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

phone:  
(714) 962-2411  
fax:  
(714) 962-0356  
www.ocsd.com

mailing address:  
P.O. Box 8127  
Fountain Valley, CA  
92728-8127

street address:  
10844 Ellis Avenue  
Fountain Valley, CA  
92708-7018

**SUBJECT:** Notice of Preparation (NOP) for a Draft Environmental Impact Report for City of Garden Grove Community Development Agency, Redevelopment Plan Amendment Project Areas

This letter is in response to the above referenced Environmental Impact Report (EIR) for the City of Garden Grove (City). The project area is located throughout the City in areas along Garden Grove Boulevard, Harbor Boulevard, and Trask, Chapman, Westminster, Brookhurst, Knott, and Western Avenues. The proposed plan will add twelve non-contiguous sub-areas totaling approximately 264-acres to facilitate implementation of redevelopment projects and programs; upgrade public facilities and infrastructures, and acquire property by eminent domain.

The area is within the jurisdiction of the Orange County Sanitation District (District). The District's 1999 Strategic Plan (Master Plan) and Capital Improvement Program sets forth the increases in sewer system improvements for conveying wastewater flows to the District's treatment plants through year 2020. The sewer system improvements are based on land use planning information received from the City in 1995/1996. If significant increases in the land use density occurs, the sewer system could experience deficiencies that were not identified in the Strategic Plan.

However, the NOP states that the adoption and implementation of the amendments will not have any significant impacts to wastewater. To confirm that there will be no impacts to the District's regional sewer facilities, the EIR should analyze wastewater flow and net land use increases.

Thank you for the opportunity to comment on the NOP. If you have any questions regarding this project, please contact Jim Herberg or Angie Anderson at (714) 593-7310 or 593-7305, respectively.

David A. Ludwin, P.E.  
Director of Engineering

DAL:AA:jak

\\lead\data1\wp.dataleng\EIRS\2001\Garden Grove Redevelopment Plan Amendment.doc

- Member Agencies**
- 
- Cities**
- Anaheim
- Brea
- Buena Park
- Cypress
- Fountain Valley
- Fullerton
- Garden Grove
- Huntington Beach
- Irvine
- La Habra
- La Palma
- Los Alamitos
- Newport Beach
- Orange
- Placentia
- Santa Ana
- Seal Beach
- Stanton
- Tustin
- Villa Park
- Yorba Linda
- County of Orange**
- Sanitary Districts**
- Costa Mesa
- Midway City
- Water Districts**
- Irvine Ranch



BOARD OF DIRECTORS

Michael Ward  
Chairman

Todd Spitzer  
Vice-Chairman

Arthur C. Brown  
Director

Saran L. Katz  
Director

Laurann Cook  
Director

Tim Keenan  
Director

Miguel Pulido  
Director

James W. Silva  
Director

Charles V. Smith  
Director

Thomas W. Wilson  
Director

Susan Withrow  
Director

Cynthia P. Coad  
Alternate

Shirley McCracken  
Alternate

Gregory T. Winterbottom  
Alternate

Cindy Quon  
Governor's  
Ex-Officio Member

October 1, 2001

Mr. Paul Wernquist  
Urban Planner, Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

**Subject: Redevelopment Plan Amendment Notice of Preparation of a Draft Program Environmental Impact Report**

Dear Mr. Wernquist:

The Orange County Transportation Authority (OCTA) has reviewed the above referenced document and has the following comments:

One of the Added Areas in the draft Redevelopment Plan Amendment is along the former Pacific Electric Rail Corridor, now owned by OCTA. This stretch of right of way between State Route 22 and Harbor Boulevard is to be used for long-term transportation purposes. The OCTA Board-adopted policy states that no other permanent uses may be developed in this corridor. Redesignating the land use or changing the zoning along this corridor is opposed by OCTA and its deletion from the Redevelopment Plan Amendment is requested.

Thank you for the opportunity to review this document. Please include OCTA in any further mailings of documents related to this project.

Please direct questions or comments to me at 714-560-5751 or [cdolan@octa.net](mailto:cdolan@octa.net).

Sincerely,

Christine Dolan  
Assistant Transportation Analyst



CITY OF ANAHEIM, CALIFORNIA

Office of the City Manager

October 5, 2001

Mr. Paul Wernquist  
Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

**Subject: Comments in Response to Notice of Preparation of a Draft  
Program Environmental Impact Report**

Dear Mr. Wernquist:

Thank you for the opportunity to comment on the above-referenced document. City staff have reviewed the document as well as the preliminary plan for the proposed amendment (the "Amendment") to the Redevelopment Plan for the Garden Grove Community Project Area.

Anaheim has some serious concerns about the potential impacts of the Amendment. Marketing materials for the Grove entertainment and hotel district indicate that Garden Grove is contemplating intensive land uses such as hotel and entertainment uses in the added territory along Harbor Boulevard. If this is the case, these developments will likely pose significant strain on our existing infrastructure, e.g., streets, sewer and drainage, along Harbor Boulevard. Moreover, we believe shifting of land uses away from residential will exacerbate the affordable housing shortage in North and Central Orange County.

In addition to these general concerns, City staff offer the following specific comments:

**COMMUNITY DEVELOPMENT**

1. The conditions documented in the Preliminary Plan do not appear to exhibit physical and economic blight required by California Community Redevelopment Law. The blight justification for the sub-areas generally along Harbor Boulevard, including deferred maintenance, "external obsolescence", aging infrastructure, adjacency to major commercial/hotel development, and small lot size, is questionable and appears to be legally insufficient.

2. The Draft Program Environmental Impact Report (the "DPEIR") checklist does not designate population/housing as an environmental factor potentially affected. Should Garden Grove pursue theme park/hotel developments, these developments will likely necessitate acquisition of several hundred housing units and the related relocation of several hundred people. In addition, such development is likely to create a large number of low paying jobs which should be balanced by affordable housing developments. The DPEIR should address these impacts.

#### **PLANNING DEPARTMENT**

1. The DPEIR should indicate whether any land use and zoning changes are contemplated to implement the proposed amended Redevelopment Plan and analyze the impacts of any of such changes.

#### **PUBLIC WORKS DEPARTMENT**

##### **Traffic and Transportation Division**

1. The DPEIR should include a traffic analysis analyzing the peak hour traffic impacts at the following intersections:
  - Oranewood/9<sup>th</sup> Street
  - Oranewood/West Street
  - Oranewood/Harbor Boulevard
  - Katella Avenue/Euclid Street
  - Katella Avenue/Brookhurst Street
  - Chapman/Willowbrook Lane

##### **Design Services Division**

1. A master plan of drainage needs to be completed that considers all tributary areas to determine existing and build-out drainage impacts.
2. A master plan of sanitary sewers needs to be prepared that includes all tributary areas to determine existing and built-out sewer impacts.

#### **UTILITIES DEPARTMENT (ELECTRICAL DIVISION)**

1. Staff recommends that the amended Redevelopment Plan provide for the upgrading of street lighting and undergrounding of utilities along



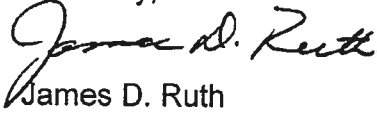
Page 3

Comments in Response to Notice of Preparation of a  
Draft Program Environmental Impact Report  
October 5, 2001

Katella Avenue between Euclid Street and Dale Street and that an  
analysis of these enhancements be provided in the DPEIR.

City staff look forward to receiving the DPEIR and preparing additional  
comments at that time. Again, thank you for this opportunity to comment on the  
preparation of the DPEIR. If you have any questions about this response,  
please contact Brad Hobson at (714) 765-4319.

Sincerely,



James D. Ruth  
City Manager

- c. Tom Wood, Assistant City Manager, Development  
Dave Morgan, Assistant City Manager  
Joel Fick, Planning Director  
Elisa Stipkovich, Community Development, Executive Director  
Gary Johnson, Public Works, Director  
Marcie Edwards, Public Utilities, General Manager



Southern California  
Gas Company  
Orange Coast Region  
PO Box 3334  
Anaheim, CA 92803-3334

A  Sempra Energy™ company

September 25, 2001

City of Garden Grove  
11222 Acacia Ave.  
Garden Grove, CA. 92842

Attention: Mr. Paul Wernquist  
Urban Planner,  
Community Development Dept.

**Subject: Southeast Coastal Redevelopment Project**

This letter is not to be interpreted as a contractual commitment to serve the proposed project but only as an information service. Its intent is to notify you that the Southern California Gas Company has facilities in the area where the above named project is proposed. Gas service to the project could be served without any significant impact on the environment. Gas facility additions for the expansion would be in accordance with the company's policies and extension rules on file with the California Public Utilities Commission at the time contractual arrangements are made.

The availability of natural gas service, as set forth in this letter, is based upon present conditions of gas supply and regulatory policies. As a public utility, the Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. We can also be affected by actions of gas supply or the condition under which service is available, gas service will be provided in accordance with revised conditions.

Estimates of gas usage for non-residential and residential projects are developed on an individual basis and are obtained from the Commercial-Industrial/Residential Market Services Staff by calling (800) 427-2000. We have developed several programs, which are available upon request to provide assistance in selecting the most energy efficient appliances or systems for a particular project. If you desire further information on any of our energy conservation programs, please contact this office for assistance.

Sincerely,

Robert S. Warth  
Technical Supervisor  
Orange Coast Region



**DAVID E. SUNDSTROM, CPA**  
AUDITOR -CONTROLLER

Hall Of Finance & Records  
12 Civic Center Plaza  
P.O. Box 567  
Santa Ana, California 92702-0567

(714) 834-2450 FAX: (714) 834-2569

**AUDITOR-CONTROLLER**

September 10, 2001

City of Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, CA 92842

Attention: Paul Wernquist, Urban Planner

We have received notice of your intent to adopt the Garden Grove Community Project.

Our office will be compiling a Fiscal Impact Report for this project pursuant to the requirements of Health and Safety Code Sections 33328 and 33328.3. We want to state our intention to bill your agency for the cost of preparing this report as authorized by Health and Safety Code Section 33328.7.

If you have any questions, please contact us at (714) 834-4437.

A handwritten signature in cursive script that reads "Neal G. Gruber".

Neal G. Gruber  
Supervisor, Property Tax Unit

NGG:lb

cc: Bill Mahoney, County Executive Office  
George Eachus, Assessor's Office -- Mapping  
City Manager, City of Garden Grove

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-4082  
(916) 657-5390 - Fax



September 17, 2001

Paul Wernquist  
Garden Grove Agency for Community Development  
P.O. Box 3070  
Garden Grove, CA 92842

RE: SCH# 2001091038 – Garden Grove Redevelopment Amendment

Dear Mr. Wernquist:

The Native American Heritage Commission has reviewed the above mentioned NOP. To adequately assess the project-related impact on archaeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate Information Center for a record search. The record search will determine:
  - Whether a part or all of the project area has been previously surveyed for cultural resources.
  - Whether any known cultural resources have already been recorded on or adjacent to the project area.
  - Whether the probability is low, moderate, or high that cultural resources are located within the project area.
  - Whether a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The report containing site significance and mitigation measures should be submitted immediately to the planning department.
  - The site forms and final written report should be submitted within 3 months after work has been completed to the Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check.
  - A list of appropriate Native American Contacts for consultation concerning the project site and assist in the mitigation measures.
- Provisions for accidental discovery of archeological resources:
  - Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per California Environmental Quality Act (CEQA) §15064.5 (f).
- ✓ Provisions for discovery of Native American human remains
  - Health and Safety Code §7050.5, CEQA §15064.5 (e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents.

If you have any questions, please contact me at (916) 653-4040.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Wood".

Rob Wood  
Associate Governmental Program Analyst

CC: State Clearinghouse



Gray Davis  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
State Clearinghouse



Steven A. Nissen  
DIRECTOR

Notice of Preparation

September 10, 2001

To: Reviewing Agencies  
Re: Garden Grove Redevelopment Plan Amendment  
SCH# 2001091038

Attached for your review and comment is the Notice of Preparation (NOP) for the Garden Grove Redevelopment Plan Amendment draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Paul Wernquist  
Garden Grove Agency for Community Development  
11222 Acacia Parkway  
P.o Box 3070  
Garden Grove, CA 92842**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Project Analyst, State Clearinghouse

Attachments  
cc: Lead Agency



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2001091038  
**Project Title** Garden Grove Redevelopment Plan Amendment  
**Lead Agency** Garden Grove, City of

---

**Type** NOP Notice of Preparation  
**Description** The project includes amending the existing redevelopment plan to add new area public improvement projects.

---

**Lead Agency Contact**

**Name** Paul Wernquist  
**Agency** Garden Grove Agency for Community Development  
**Phone** 714 741 5312 **Fax**  
**email**  
**Address** 11222 Acacia Parkway  
P.o Box 3070  
**City** Garden Grove **State** CA **Zip** 92842

---

**Project Location**

**County** Orange  
**City** Garden Grove  
**Region**

**Cross Streets**

**Parcel No.**

**Township**

**Range**

**Section**

**Base**

---

**Proximity to:**

**Highways** 22

**Airports**

**Railways** Southern Pacific

**Waterways** Santa Ana River

**Schools**

**Land Use** The area proposed to be added to the existing redevelopment plan consists of commercial, industrial and residential properties that are blighted or underutilized. The properties are zoned and designated by the Garden Grove General Plan as neighborhood commercial, industrial planned unit development, open space, limited industrial, industrial park, multiple family residential, and single family residential.

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Forest Land/Fire Hazard; Flood Plain/Flooding; Drainage/Absorption; Geologic/Seismic; Minerals; Noise; Public Services; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Cumulative Effects; Landuse; Recreation/Parks; Other Issues

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Fish and Game, Region 5; Native American Heritage Commission; State Lands Commission; Public Utilities Commission; Caltrans, District 12; Department of Housing and Community Development; California Highway Patrol; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8

---

**Date Received** 09/10/2001 **Start of Review** 09/10/2001 **End of Review** 10/09/2001

---

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

County: Orange

NOP Distribution List

<input checked="" type="checkbox"/> <u>Resources Agency</u> Nadell Gayou	<input type="checkbox"/> <u>State Water Resources Contn Board</u> Greg Frantz Division of Water Quality
<input type="checkbox"/> <u>Dept. of Boating &amp; Waterways</u> Bill Curry	<input type="checkbox"/> <u>State Water Resources Contr Board</u> Mike Falkenstein Division of Water Rights
<input type="checkbox"/> <u>California Coastal Commission</u> Elizabeth A. Fuchs	<input checked="" type="checkbox"/> <u>Dept. of Toxic Substances C</u> CEQA Tracking Center
<input checked="" type="checkbox"/> <u>Dept. of Conservation</u> Ken Trott	<u>Regional Water Quality Contri Board (RWQCB)</u>
<input type="checkbox"/> <u>Dept. of Forestry &amp; Fire Protection</u> Allen Robertson	<input type="checkbox"/> <u>RWQCB</u> Cathleen Hudson North Coast Region (1)
<input checked="" type="checkbox"/> <u>Office of Historic Preservation</u> Hans Kreuzberg	<input type="checkbox"/> <u>RWQCB</u> Environmental Document Coordinator San Francisco Bay Region (2)
<input checked="" type="checkbox"/> <u>Dept. of Parks &amp; Recreation Resource Mgmt. Division</u>	<input type="checkbox"/> <u>RWQCB</u> Central Coast Region (3)
<input type="checkbox"/> <u>Reclamation Board</u> Pam Bruner	<input type="checkbox"/> <u>RWQCB</u> Jonathan Bishop Los Angeles Region (4)
<input type="checkbox"/> <u>S.F. Bay Conservation &amp; Dev't. Comm.</u> Steve McAdam	<input type="checkbox"/> <u>RWQCB</u> Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> <u>Resources Agency</u> Nadell Gayou	<input type="checkbox"/> <u>RWQCB</u> Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> <u>Dept. of Water Resources</u>	<input type="checkbox"/> <u>RWQCB</u> Lahontan Region (6)
<u>Health &amp; Welfare</u>	<input type="checkbox"/> <u>RWQCB</u> Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> <u>Health &amp; Welfare</u> Wayne Hubbard Dept. of Health/Drinking Water	<input type="checkbox"/> <u>RWQCB</u> Colorado River Basin Region
<u>Food &amp; Agriculture</u>	<input type="checkbox"/> <u>RWQCB</u> Santa Ana Region (8)
<input type="checkbox"/> <u>Food &amp; Agriculture</u> Tad Bell Dept. of Food and Agriculture	<input type="checkbox"/> <u>RWQCB</u> San Diego Region (9)
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Scott Flint Environmental Services Division	<input type="checkbox"/> <u>Dept. of Transportation</u> Chris Sayre District 10
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Donald Koch Region 1	<input type="checkbox"/> <u>Dept. of Transportation</u> Lou Salazar District 11
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Banky Curtis Region 2	<input checked="" type="checkbox"/> <u>Dept. of Transportation</u> Alleen Kennedy District 12
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Robert Floerke Region 3	<u>Business, Trans. &amp; Housing</u>
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> William Laudemilk Region 4	<input checked="" type="checkbox"/> <u>Housing &amp; Community Development</u> Cathy Creswell Housing Policy Division
<input checked="" type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Sandy Peterson Region 5; Habitat Conservation Program	<input type="checkbox"/> <u>Caltrans - Division of Aeronautics</u> Sandy Heenard
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Gabrina Gatchel Region 6; Habitat Conservation Program	<input checked="" type="checkbox"/> <u>California Highway Patrol</u> Lt. Dennis Brunette Office of Special Projects
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Tammy Allen Region 6; Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> <u>Dept. of Transportation</u> Ron Heigeson Caltrans - Planning
<input type="checkbox"/> <u>Dept. of Fish &amp; Game</u> Tom Napoli Marine Region	<input type="checkbox"/> <u>Dept. of General Services</u> Robert Sleppy Environmental Services Section
<u>Independent Commissions</u>	<u>Air Resources Board</u>
<input type="checkbox"/> <u>California Energy Commission Environmental Office</u>	<input type="checkbox"/> <u>Airport Projects</u> Jim Lerner
<input checked="" type="checkbox"/> <u>Native American Heritage Comm.</u> Debbie Treadway	<input type="checkbox"/> <u>Transportation Projects</u> Ann Geraghty
<input checked="" type="checkbox"/> <u>Public Utilities Commission</u> Andrew Barnsdale	<input type="checkbox"/> <u>Industrial Projects</u> Mike Tollstrup
<input checked="" type="checkbox"/> <u>State Lands Commission</u> Betty Silva	<input type="checkbox"/> <u>California Integrated Waste Management Board</u> Sue O'Leary
<input type="checkbox"/> <u>Governor's Office of Planning &amp; Research</u> State Clearinghouse Planner	<input type="checkbox"/> <u>State Water Resources Control Board</u> Diane Edwards Division of Clean Water Programs
	<input type="checkbox"/> <u>Delta Protection Commission</u> Debby Eddy
	<input type="checkbox"/> <u>Santa Monica Mountains Conservancy</u> Paul Edelman
	<u>Dept. of Transportation</u>
	<input type="checkbox"/> <u>Dept. of Transportation</u> IGRP/Planning District 1
	<input type="checkbox"/> <u>Dept. of Transportation</u> Vicki Roe Local, Development Review, District 2
	<input type="checkbox"/> <u>Dept. of Transportation</u> Jeff Pulverman District 3
	<input type="checkbox"/> <u>Dept. of Transportation</u> Jean Finney District 4
	<input type="checkbox"/> <u>Dept. of Transportation</u> Lawrence Newland District 5
	<input type="checkbox"/> <u>Dept. of Transportation</u> Marc Blimbaum District 6
	<input type="checkbox"/> <u>Dept. of Transportation</u> Stephen J. Buswell District 7
	<input type="checkbox"/> <u>Dept. of Transportation</u> Mike Sirm District 8
	<input type="checkbox"/> <u>Dept. of Transportation</u> Caroline Yee for Kate Walton District 9
	<input type="checkbox"/> <u>Colorado River Board</u> Gerald R. Zimmerman
	<input type="checkbox"/> <u>Tahoe Regional Planning Agency (TRPA)</u> Lyn Barnett
	<input type="checkbox"/> <u>Office of Emergency Services</u> John Rowden, Manager

**APPENDIX C**

**AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY  
LETTER DATED OCTOBER 10, 2001**





# AIRPORT LAND USE COMMISSION

---

FOR ORANGE COUNTY

---

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

October 10, 2001

Mr. Jon D. Huffman  
Executive Vice President  
Urban Futures Inc.  
Crestview Corporate Center  
3111 North Tustin Avenue, Suite 230  
Orange, CA 92865-1753

Subject: Amendment to the Garden Grove Redevelopment Plan

Dear Mr. Huffman:

We have reviewed your letter of September 7, 2001, regarding the proposed Amendment. Our analysis showed that areas intended for addition to the Redevelopment Plan appear to fall within the purview of this Commission. Specifically, those areas appear to be within the Height Restriction Zone for AFRC (JFTB) Los Alamitos as adopted by the Commission, and published in the *Airport Environs Land Use Plan (AELUP)*.

Consequently, we are requesting herewith to be included in the distribution of the CEQA document to be prepared for the Amendment project. That environmental information should enable us to determine whether the proposed changes to the Redevelopment Plan, in fact, meet the AELUP criteria for protecting the navigable airspace surrounding the airbase.

By copy of this letter, we are informing the City of our desire to review the CEQA information, as well.

Thank you for this opportunity to comment on your project. Should you have any questions, please contact me at (949) 252-5170.

Sincerely,

Joan S. Golding  
Executive Director

JSG:AB:st

cc: Director of Community Development, City of Garden Grove

**APPENDIX D**

**CITY OF GARDEN GROVE  
AGENCY FOR COMMUNITY DEVELOPMENT  
RELOCATION GUIDELINES**

City of Garden Grove  
Agency for Community Development  
Relocation Guidelines

## **INTRODUCTION**

This booklet describes many of the important features of the City of Garden Grove's ("City") and Garden Grove Agency for Community Development's ("Agency") Relocation Assistance Guidelines ("Guidelines"). It also gives general information about the relocation processes that should be useful to you. The City and Agency are referred to collectively as the "Agency" throughout this booklet. Relocation procedures followed by the Agency are covered by the Guidelines. The Guidelines conform to the California Relocation Assistance Law ("Law"). If you are notified that you are required to move, it is important that you learn your rights under the Law. This is a general information booklet only and is not intended to give a detailed description of either the Law or the Agency's Guidelines.

Agency staff or a qualified professional relocation consultant, representing the Agency, will assist those displaced by Agency projects. The Agency representative is available to explain the Guidelines and benefits outlined in this booklet. You may secure assistance by telephoning the representative listed at the back of this booklet. The Agency will accept collect calls, if necessary.

## **SOME GENERAL INFORMATION, QUESTIONS, AND ANSWERS**

The Agency has two programs to aid individuals and families who must relocate as a result of Agency projects. These are:

1. The Relocation Advisory Assistance Program which provides assistance in locating suitable replacement property; and
2. The Relocation Payments Program which provides reimbursement for the costs involved in relocating.

Both programs are briefly described in this booklet so that you may become acquainted with the benefits which you may be entitled to receive and how they are obtained. Throughout this booklet a person or family which is being relocated will be known as a "Displacee."

### **What is Relocation Advisory Assistance?**

When the Agency makes an offer to purchase occupied property, it assumes the obligation to provide assistance to those persons that may be required to move due to Agency activities. The primary goal of relocation advisory assistance is to find comparable replacement housing which is: a) decent, safe and sanitary; b) adequate in size and suitable located, and; c) within the Displacee's ability-to-pay. The Agency representative will provide referral listings and assist in the preparation of all relocation claims.

### **What kind of Relocation Payments are there?**

There are five categories of relocation payments which may apply in different circumstances to homeowners and tenants. These five categories are highlighted below and described in further detail elsewhere in this booklet:

1. Moving Expenses:

The cost of moving personal, movable property is paid for by the Agency in the form of a Fixed Moving Payment, by reimbursement of approved moving expenses, or by direct payment to a professional moving service agreed on between the Agency and Displacee.

2. Purchase Supplement:

Qualified owner-occupants may be eligible to receive a supplemental payment for eligible costs incurred in the purchase of a comparable replacement home to a maximum of \$22,500. This type of payment covers purchase price differential, nonrecurring closing costs, and increased debt service costs.

3. Rental Assistance:

Displacee's unable to rent suitable housing at price levels equal to the actual or market rent on the property purchased by the Agency may qualify to receive payments to help them with the higher rent.

4. Downpayment Assistance:

Tenants and "short-term" owners may use the full amount of their rental assistance calculation to a maximum of \$5,250 towards the purchase of a replacement dwelling.

5. Last Resort Housing:

In order to obtain comparable housing, if a Displacee qualifies and the computed total of the purchase supplement or rental assistance payments would exceed the maximum of \$22,500 or \$5,250 respectively, additional funds may be available.

**What kind of Moving Cost Payments are available?**

Two types of payments are available: a Fixed Moving Payment or reimbursement for Actual Moving Expenses.

1. Fixed Moving Payment:

A Fixed Moving Payment is paid to Displacee's choosing to move themselves. This payment varies depending on the number of rooms you occupy and whether or not you own your furniture. If the landlord owns the furniture and you furnish none, or only a small amount of your household equipment, payment will be as follows:

First Room	\$	375.00
Each Additional Room		+60.00

If you own the furniture, the room count and payment is as follows:

One Room	\$	585.00
Two Rooms		750.00
Three Rooms		925.00

Four Rooms	1,100.00
Five Rooms	1,325.00
Six Rooms	1,550.00
Seven Rooms	1,775.00
Eight Rooms	1,800.00
Each Additional Room	200.00

Occupied rooms are considered living rooms, bedrooms, kitchens, and dining rooms and do not include bathrooms, closets, hallways or laundry rooms.

If you choose the Fixed Moving Payment, you must arrange for your own move. The above schedules represent rates established 1 September 2001 and are subject to change and to certain limited exceptions. You should discuss current figures and exceptions with the Agency representative.

2. Actual Moving Expenses:

If you do not select the Fixed Moving payment, then you may be paid your actual reasonable moving expenses. You must receive prior approval before moving and have paid, receipted and itemized bills from the moving company performing the move unless you have made arrangements with the Agency to have direct payments made to the moving company. If you choose the "Actual Moving Expense" method, you do not get the Fixed Moving Payment mentioned above.

**Am I eligible for a Purchase Supplement Payment if I buy a Replacement Home and, if so, what does it cover?**

If you are a Displacee who is an owner-occupant of a dwelling, you may be eligible to receive a supplemental payment not to exceed \$22,500.

You are eligible for such a payment if: 1) you are an owner and have occupied your home for 180 days or more immediately prior to the initiation of negotiations for the acquisition of your property; 2) the property you occupy is ultimately purchased by the Agency; and 3) you purchase and occupy, a decent, safe and sanitary dwelling within one year after you receive final payment for your property from the Agency or within one year from the date on which you move, whichever is later.

This payment covers: 1) the additional cost to purchase a replacement housing; 2) compensation to the owner for the loss of favorable financing on the existing mortgage(s); and 3) reimbursement to the owner for some of the incidental expenses related to his purchase of a replacement dwelling.

The price differential payment is the amount which, when added to the amount for which the Agency purchased the property, equals the actual cost you are required to pay for a comparable, decent, safe and sanitary dwelling; or the amount determined by the Agency as necessary to purchase a comparable replacement dwelling, whichever is less. The Agency representative will inform you of the amount necessary to purchase a comparable replacement dwelling if you were to move immediately.

In the purchase of a replacement dwelling, reimbursement is provided for reasonable expenses incurred for evidence of title, recording fees and other one-time closing costs, but not including prepaid expenses. The amount of the down payment shall be determined by the Agency on the basis of that which would otherwise be required as a down payment on a comparable property if such property was financed with a conventional loan. Consult the relocation representative as to the determination of this amount.

**What if I owned my home less than 180 days before you started negotiations to purchase my home?**

If you are a Displacee who has owned and occupied your current dwelling less than 180 days, but not less than 90 consecutive days prior to the start of negotiations, you may receive a payment not to exceed \$5,250 to enable you to make a down payment on the purchase of a replacement dwelling.

**What if I decide to rent a Replacement Home instead of buy one?**

If you are a 180 days owner-occupant eligible for a purchase supplement, but chose to rent rather than purchase a replacement dwelling, you may qualify for a rental assistance payment.

This payment is calculated by comparing the lesser of established comparable rents and your actual new rent with the market value rent of your current home. The differential, if any, is multiplied for a period of 42 months up to a maximum of \$5,250 and paid in a lump sum.

In order to qualify: 1) you must be in occupancy at the time of the initiation of negotiations; 2) you must be able to prove the minimum occupancy requirements; 3) the property must be acquired by the Agency; and 4) you must rent and occupy a decent, safe, and sanitary dwelling.

**What if I decide to rent a Replacement Home instead of buy one and I lived in my home less than 180 days?**

A Displace owner-occupant who is in occupancy for less than 180 days immediately prior to the date of initiation of negotiations may be eligible for certain relocation payments. If your property is acquired by the Agency and you rent and occupy a decent, safe, and sanitary replacement dwelling within one year after the property is acquired or after you move (whichever is later), you may be eligible for a rental replacement housing payment not to exceed \$5,250.

The amount of this payment shall be determined by first calculating the actual amount necessary to rent a comparable replacement dwelling for the next four years. The Agency then compares this to the market value rent, as established by the Agency, for the same period of time. The difference, up to a maximum of \$5,250, is the rental assistance payment.

**What happens if I am a tenant?**

If you are a displaced tenant, satisfy the 90-day residency requirement and rent a replacement dwelling, you may be eligible to receive a payment up to \$5,250 to cover the difference between your current rent and replacement rent.

The actual amount of this payment is determined by a three-step process. In the first step, the Agency will determine the lower of: a) 42 times your current rent (as averaged over the prior 12 months); and b) 42 times 30% of your household's current gross monthly income. In the second

step, the Agency will determine the lower of: a) the actual amount necessary to rent a comparable replacement dwelling for the next 42 months; and b) the market value rent as established by the Agency, for a comparable dwelling for the same period of time. During the third and final calculation, the Agency subtracts the lower number determined in step one from the lower number determined from step two. The difference, if any, is the rental assistance payment. Any amount you are eligible for, up to \$5,250, will be paid in a lump sum. If calculations described above results in your rental assistance claim exceeding \$5,250, you may be eligible for additional assistance known as Last Resort Housing benefits.

Should you wish to purchase a replacement dwelling rather than continue to rent, you can apply the full amount of your rental assistance payment towards the down payment for a home. The Agency representative will clarify the procedures necessary to apply for this payment.

### **What is Last Resort Housing Benefits?**

A tenant or homeowner-occupant who requires more than \$5,250 or \$22,500 to either rent or purchase a comparable, standard replacement housing unit may be eligible to receive a Last Resort Housing payment in excess of the maximum rental assistance or replacement housing payments previously mentioned in this booklet.

Residential tenants who do not meet the 90-day residency test may otherwise qualify for rental assistance as Last Resort claimants if their ability-to-pay is not sufficient to pay for comparable, decent, safe and sanitary housing. For qualification purposes, the Agency must determine that a less than 90-day occupant did not occupy property solely for the purpose of obtaining relocation assistance.

In the event of eligibility for a Last Resort rental assistance payment, the first \$5,250 will be paid in a lump sum. Thereafter, disbursement of payments will be made annually, monthly or in other intervals acceptable to the displaced person.

If you choose to purchase rather than rent a comparable, standard replacement dwelling, the entire amount of your Last Resort eligibility will be applied toward the down payment of the replacement dwelling.

### **Will the Agency inspect the home I want to rent or purchase?**

The Agency is required to certify that the dwelling you buy or rent, and occupy, is decent, safe, and sanitary in order for you to qualify for a differential payment. At your request, the Agency Representative will inspect any dwelling you may wish to purchase or rent to determine whether it qualifies as a decent, safe and sanitary.

### **When will I receive a Notice to Move**

Except in urgent circumstances (e.g., your occupancy would present a health and safety emergency), it is required by law that all persons displaced by government action be given at least a 90-Day Notice before they can be required to move. This 90-Day Notice must be given in writing. In this way, you will be informed well in advance of the date by which your move should take place.



If you are the owner-occupant, in some cases the 90-Day Notice is presented in the form of an order from the court called an "Order of Immediate Possession." This occurs in situations where a condemnation action has taken place.

**How do I file a Claim?**

All claims for relocation payments must be submitted within eighteen (18) months of the date on which you receive final payment for your property, or the date on which you move, whichever is later.

**If I do not agree with a Decision, can I Appeal to someone?**

If you believe you have been wrongly denied eligibility, fair compensation for relocation claims or appropriate assistance you may have your case brought before the Agency for review in accordance with established appeals procedures. If you have any questions regarding the matters set forth in this pamphlet, please call or write to:

City of Garden Grove  
Real Property Office  
11222 Acacia Parkway  
Garden Grove, CA 92840

The telephone number is (714) 741-5126 or (714) 741\_5128.

## **BUSINESS RELOCATION**

*"It is important that you learn your rights under the law."*

### **INTRODUCTION**

This booklet describes many of the important features of the City of Garden Grove ("City") and Garden Grove Agency for Community Development's ("Agency") Relocation Assistance Guidelines ("Guidelines"). It also gives general information about the relocation process that should be useful to you. Relocation procedures followed by the City and Agency are covered by the Guidelines. The City and Agency are referred to as the "Agency" throughout this booklet. The Guidelines conform to the California Relocation Assistance Law ("Law"). If you are notified that you are required to move, it is important that you learn your rights under the Law. This is a general information booklet only and is not intended to give a detailed description of either the Law or the Agency's Guidelines.

Agency staff or a qualified professional relocation consultant, representing the Agency, will assist those displaced by the Agency projects. The Agency representative is available to explain the Guidelines and benefits outlined in this booklet. You may secure his or her assistance by telephoning the representative listed at the back of this booklet. The Agency will accept collect call if necessary.

### **SOME GENERAL INFORMATION, QUESTIONS AND ANSWERS**

#### **What is Relocation Advisory Assistance?**

When the Agency makes an offer to purchase occupied property, it assumes the obligation to provide assistance to those businesses that may be required to move due to Agency activities. The primary goal of relocation advisory assistance is to reestablish the business with minimal disruption. The Agency representative will provide referral listings and assist in the preparation of all relocation claims.

#### **How will I know I am eligible for Relocation Assistance?**

Qualified businesses displaced by an Agency project will receive a written notice explaining available relocation assistance and establishing an effective date for such eligibility. Ordinarily, eligibility begins on the date the owner of the property receives the City's written offer to purchase the property. Therefore, you should not move before that date. If you do move prematurely, you may lose the opportunity for relocation assistance.

#### **How will the Agency know how much help I need?**

You will be contacted at an early date and be personally interviewed by a representative of the Agency to determine your needs and preferences for a replacement location and other services. The interviewer will ask questions about such matters as your space requirements, rents, and locational needs. It is to your advantage to provide the information so the Agency can assist you in moving with a minimum of hardship.

### **How soon will I have to move?**

Every reasonable effort will be made to provide you with sufficient time to find a suitable replacement location and reestablish your business. If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for the property (e.g., your occupancy would present a health or safety problem), you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with the Agency so that you are aware of the time schedule for carrying out the project and the approximate date by which you will have to move.

### **I own the property. Will I be paid for it before I have to move?**

If you reach a voluntary agreement to sell your property to the Agency, you will not be required to move before you receive the agreed purchase price. If the property is acquired through an eminent domain proceeding, you cannot be required to move before the estimated fair market value of the property has been deposited with the court. You should be able to withdraw this amount immediately, less any amounts necessary to pay off any mortgage or other liens on the property. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property or for relocation expenses.

### **Will I have to pay rent to the Agency before I move?**

You may be required to pay a fair rent to the Agency for the period between the acquisition of the property and the date that you move. The rent will not exceed your current rent or if you are an owner-occupant, the rent will not exceed that charged for the use of similar properties in similar areas.

### **How will I find a Replacement Location?**

The agency will provide you with current and continuing information on available replacement locations that meet your needs. The Agency may also provide you with the names of real estate agents and brokers who can assist you in finding the type of replacement location you need.

While the Agency will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice. No one knows your needs better than you. You will want a facility that provides sufficient space for your planned activities. You will also want to assure that there are no zoning or other requirements, which will unduly restrict your planned operations.

Ask the Agency to explain which kind of moving costs are eligible for repayment and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

### **What other Assistance will be available to help me?**

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by the Agency. This includes information on Federal, State, and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. There may also be a government grant or loan program which can help you reestablish your business. The Agency will assist you in applying for help available from government agencies.

The range of services depends on the needs of the business being displaced. You should ask the Agency representative to tell you about the specific services that will be available to you.

**I have a Replacement Location and want to move. What should I do?**

Before you make any arrangements to move, notify the Agency, in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. The Agency will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain a payment.

**I plan to discontinue my business rather than move. What should I do?**

If you have decided to discontinue your business rather than move, you may still be eligible to receive a payment. Contact the Agency representative and discuss your decision to discontinue your business. You will be informed of the payment, if any, for which you may be eligible, the requirements to be met, and how to obtain a payment.

**SOME GENERAL INFORMATION ABOUT MOVING EXPENSE PAYMENTS**

**Payment for Moving Expenses**

A displaced business or farm operation is entitled to a relocation payment to cover the reasonable cost of moving. Depending on the characteristics of your business or farm operation, you may choose either:

- ✓ A Payment for Actual Moving and Related Expenses, and
- ✓ A Payment for Actual Reasonable Re-establishment Expenses (small businesses only).

- or -

- ✓ A Fixed Payment (if you meet eligibility requirements as outlined within this brochure).

**Payment for Actual Reasonable Moving and Related Expenses**

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the cost of:

1. Transportation of personal property from your present location to the replacement location. Generally, transportation costs are limited to a distance of 50 miles. If you plan to move beyond 50 miles, discuss your planned move with the Agency representative.
2. Packing, crating, uncrating, and unpacking personal property.
3. Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. This includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adopt the utilities to the personal property.
4. Storage of personal property for a reasonable period of time, if required.

5. Insurance for the replacement value of personal property in connection with the move and required storage and the replacement value of property lost, stolen, or damaged in the process of moving where insurance is not readily available.
6. Any license, permit or certification required by the displaced business, to the extent that the cost is (1) necessary to its re-establishment at the replacement location, and (2) does not exceed the cost for the remaining useful life of the existing license, permit, or certification.
7. Professional services, including architect's, attorney's, and engineer's fees, and consultants charges, necessary for (1) planning the move of the personal property, (2) moving the personal property, or (3) installing the relocated personal property at the replacement location.
8. Re-lettering signs and printing replacement stationery made obsolete by the move.
9. The reasonable cost incurred in attempting to sell an item that is not relocated.
10. Actual direct loss of personal property. This payment provides compensation for property that is neither moved nor promptly replaced with a "substitute item" at the replacement location. Payment is limited to the lesser of (1) the estimated cost of moving the property, (2) the fair market value of the property for its continued use at the old location, less any proceeds from its sale. To be eligible, you must make a good faith effort to sell the property, unless the Agency determines that such effort is not necessary.
11. Purchase and installation of substitute personal property. Payment will be limited to the lesser of: (1) the estimated cost to move and reinstall the item to the replacement location, or (2) the actual cost of the substitute item delivered and installed at the replacement location, less any proceeds from its sale or its trade-in value. It is important that you discuss your plans with the Agency before you proceed.
12. Searching for a replacement location. This payment may not exceed \$1,000 and may cover costs for:
  - ✓ Transportation expenses.
  - ✓ Time spent searching for a replacement location, based on a reasonable salary or earnings.
  - ✓ Reasonable fees paid to real estate agents or brokers to find a replacement location exclusive of any fees or commissions related to the actual purchase of a site.
  - ✓ Meals and lodging away from home.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for all costs that you incur; so keep all your receipts. The Agency will inform you of the documentation needed to support your claim. You may minimize the amount of documentation needed to support your claim, if you elect to "self-move" your property. Payment for self-move is based on the amount of an acceptable low bid or estimate obtained by the Agency. If you self-move, you may move your personal property using your own employees and equipment or a commercial mover. If you and the Agency cannot agree on an acceptable amount to cover the cost of the "self-move," you will have to submit full documentation in support of your claim.

You may elect to pay your moving costs yourself and be repaid by the Agency or, if you prefer, you may have the Agency pay the mover. In either case, let the Agency know before you move. Select your mover with care. The Agency can help you select a reliable and reputable mover.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item may be based on the lowest acceptable bid or estimate obtained by the Agency. If not sold or traded-in, the item must remain at the old location and ownership of the item must be transferred to the Agency before you may receive the payment.

### **Re-establishment Expenses**

In addition to the actual reasonable moving expenses discussed above, a displaced small business, farm or non-profit organization may be eligible to receive a payment, not to exceed \$10,000 for expenses actually incurred in reestablishing such operation at a replacement site. A small business is a business with at least one, but not more than 500 employees working at the site being acquired or displaced by the Agency.

Eligible re-establishment expenses must be reasonable and necessary, as determined by the Agency. They may include but are not limited to the following:

1. Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance.
2. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
3. Construction and installation costs for exterior signage to advertise the business.
4. Provision of utilities from right-of-way to improvements on the replacement site.
5. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.
6. Licenses, fees, and permits not paid as part of moving expenses.
7. Feasibility surveys, soil testing and marketing studies.
8. Advertising of replacement location.
9. Professional services in connection with the purchase or lease of a replacement site.
10. Estimated increased costs of operation during the first 2 years at the replacement site for such items as:
  - a. Lease or rental changes;
  - b. Personal or real property taxes;
  - c. Insurance premiums; and
  - d. Utility charges (excluding impact fees).

### **Ineligible Re-establishment Expenses**

The following is a non-exclusive listing of Re-establishment Expenditures not considered to be reasonable, necessary or otherwise eligible:

1. Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures.
2. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.
3. Interior or exterior refurbishment at the replacement site which are for aesthetic purposes, except as provided in item 5 above, under eligible expenses.
4. Interest on money borrowed to make the move or purchase the replacement property.
5. Payment to a part-time business in the home which does not contribute materially to the household income.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for all costs that you incur; so keep all your receipts. The Agency will inform you of the documentation needed to support your claim.

### **Fixed Payment**

In lieu of receiving payment for reasonable and necessary moving and re-establishment expenses actually incurred, a business, non-profit organization, or farm operation may be eligible to elect a Fixed Payment. The Fixed Payment to an eligible business, non-profit organization or farm operation may not be less than \$1,000 nor more than \$20,000.

Any payment in excess of \$1,000 must be supported with financial statements for the two 12-month periods prior to the acquisition or displacing activity.

The Agency will inform you as to your eligibility for a Fixed Payment and the documentation you must submit to support your claim.

Remember, when you elect to take a Fixed Payment, you are not entitled to reimbursement for any other moving expenses or business re-establishment expenses.

### **Eligibility Conditions (business and farm operation)**

A displaced business is eligible to choose a Fixed Payment as an alternative to the moving payments previously described, if the Agency determines that:

1. The business either (a) discontinues operations, or (b) cannot relocate without a substantial loss of existing patronage.
2. The business must own or rent personal property which must be moved in connection with the displacement and for which an expense would be incurred in such move, and the business vacates or relocates from its displacement site.

3. The business is not part of a commercial enterprise having more than one other entity which is not being acquired by the Agency, and which is under the same ownership and engaged in the same or similar business activities.
4. The business must not be operated at a displacement dwelling (i.e., manager's unit) solely for the purpose of renting dwellings to others (i.e., apartment complex).
5. The business must not be operated at the displacement site (i.e., leasing office) solely for the purpose of renting the site to other (i.e., commercial/industrial centers).
6. The business must have contributed materially to the income of the displaced business owner during the two (2) taxable years prior to displacement.

A displaced farm operation is eligible to choose a Fixed Payment as an alternative to the moving and re-establishment payments described above, if the Agency determines that it meets certain minimum income requirements.

#### **Determination of Fixed Payment (business or farm operation)**

A Fixed Payment to a business or farm operation is based on the average annual net earnings of the business or farm operation. The average annual net earnings of a business or farm operation is one-half of its net earnings before Federal, State, or local income taxes during the two (2) taxable years immediately prior to the taxable year in which it was displaced. If not in business for a full two years prior to displacement, the net earnings shall be based on the actual period of operation at the acquired site projected to an annual rate. Average net earnings may be based on a different period of time when the Agency determines it to be more equitable. Net earnings include any compensation paid to the owners of the business, a spouse or dependents. The displaced person shall furnish the Agency proof of net earnings through income tax returns, certified financial statements, or other reasonable evidence which the Agency determines is satisfactory.

#### **Eligibility Conditions (non-profit organization)**

A displaced non-profit organization is eligible to choose a Fixed Payment as an alternative to the moving and re-establishment payments previously described, if the Agency determines that:

- ✓ The organization either (a) discontinues operations, or (b) cannot relocate without a substantial loss of existing patronage (membership or clientele).
- ✓ The organization is not part of an enterprise having another establishment not being acquired by the Agency which is engaged in the same or similar activity.

#### **Determination of Fixed Payment (non-profit organization)**

The Fixed Payment to an eligible non-profit organization will be equal to the amount determined by subtracting average annual administrative expenses from average annual gross revenue. The determination of average annual expenses and revenues shall be based on the two most recent fiscal years. If not in operation for two full fiscal years, the payment will be based on a representative period of operation as determined by the Agency.

The Agency will inform you as to your eligibility for a Fixed Payment and the documentation you must submit to support your claim.



Remember, when you elect to take a Fixed Payment, you are not entitled to reimbursement for any other moving expenses or business re-establishment expenses.

## **OTHER QUESTIONS AND INFORMATION**

### **I own an outdoor advertising display. What Relocation Payment will I receive?**

As the owner of an outdoor advertising display, you are eligible for a Relocation Payment for Actual Reasonable Moving and Related Expenses. You are not eligible to receive a Payment in Lieu of a Payment for Actual Reasonable Moving and Related Expenses. If you choose not to relocate or replace the sign, the payment for "direct loss of personal property" would be the lesser of: (1) the depreciated reproduction cost of the sign, as estimated by the Agency, less the proceeds from its sale, or (2) the estimated cost of moving the sign without temporary storage. The Agency will inform you as to the exact costs that may be reimbursed.

### **Do I have to pay Income Tax on my Relocation Payments?**

Typically, relocation payments are not considered as taxable income; however, you should check with the Franchise Tax Board, the Internal Revenue Service or your personal tax adviser concerning the specifics of your case.

### **When will I receive a Notice to Move?**

Except in urgent circumstances (e.g., your occupancy would present a health and safety emergency), it is required by law that all persons displaced by government action be given at least a 90-Day Notice before they can be required to move. This 90-Day Notice must be given in writing. In this way, you will be informed well in advance of the date by which your move should take place.

If you are the owner-occupant, in some cases the 90-Day Notice is presented in the form of an order from the court called an "Order of Immediate Possession". This occurs in situations where a condemnation action has taken place.

### **How do I file a Claim?**

All claims for relocation payments must be submitted within eighteen (18) months of the date on which you receive final payment for your property, or the date on which you move, whichever is later.

### **If I do not agree with a Decision, can I Appeal to someone?**

If you believe you have been wrongly denied eligibility, fair compensation for relocation claims, or appropriate assistance, you may have your case brought before the Agency for review in accordance with established appeals procedures. At a minimum, you will have 60 days to file your appeal with the Agency. Your appeal must be in writing.

If you are not satisfied with the final decision on your appeal, you may seek review of the matter by the courts.

---

## **SUMMARY OF RELOCATION ASSISTANCE**

**If you qualify** as an eligible displaced business, you will be offered appropriate financial and advisory assistance to help you relocate, including:

- ✓ Payment for your moving expenses. You will receive either:
  - A Payment for Actual Reasonable Moving and Related Expenses, and
  - A Payment for Re-establishment Expenses

- or -

  - A Fixed Payment.
- ✓ Referrals to suitable replacement locations.
- ✓ Other help to re-establish your business and minimize the impact of the move, including help in preparing a claim form for a relocation payment.

**If you disagree** with the City's decision as to your right to a relocation payment or the amount of the payment, you may appeal that decision.

---

## **SUMMARY OF ACQUISITION AND RELOCATION ASSISTANCE BENEFITS**

*"The Agency must offer 'just compensation' for your property."*

### **INTRODUCTION**

This booklet describes many of the important features of the City of Garden Grove's ("City") and Garden Grove Agency for Community Development's ("Agency") Relocation Assistance and Real Property Acquisition Guidelines ("Guidelines"). The Guidelines conform to the California Relocation Assistance Law ("Law"). It also gives general information about public acquisition of real estate ("real property") that should be useful to you. The City and Agency are referred to collectively as the "Agency" throughout this booklet.

Most real property acquisitions by the Agency for a project are covered by the Guidelines. If you are notified that your property will be acquired for such a project, it is important that you learn your rights under the Law.

This booklet may or may not answer all of your questions. If you have more questions about the acquisition of your property, contact the Agency. (Check the back of this booklet for the name of the person to contact at the Agency.) Ask your questions before you sell your property. Afterwards, it may be too late.

### **SOME GENERAL QUESTIONS AND ANSWERS**

#### **What right has any Public Agency to acquire my property?**

The Federal Government and every State and local government, including the Agency, have certain powers which are necessary for them to operate effectively. One of these government powers is the power to acquire private property for public purposes. This is known as the power of eminent domain.

The rights of each of us are protected, however, by the Fifth and Fourteenth Amendments of the U.S. Constitution and by the California Constitution and eminent domain laws which guarantee that if a public agency takes private property it must pay "just compensation" to the owner. Furthermore, if the acquisition is covered by the Guidelines, the owner has additional protections, some of which are explained in this booklet.

#### **Who made the decision to buy my property?**

The decision to acquire a property for a public project usually involves many persons and many determinations. The final determination to proceed with the project is made only after a thorough review which may include public hearings to obtain the views of interested citizens.

If you have any questions about the project or the selection of your property for acquisition, you should ask a representative of the Agency who is managing the project.

### **How will the Agency determine how much to offer me for my property?**

Before making you an offer, the Agency may obtain at least one appraisal of your property by a competent real property appraiser who is familiar with local property values. The appraiser will inspect your property and state his professional opinion of its current fair market value in an appraisal report. After the appraiser has completed his work, the Agency may also employ the services of a review appraiser who will check the initial appraisal work to assure that the estimate is fair and the work conforms with professional appraisal standards.

The Agency must offer you "just compensation" for your property. This amount cannot be less than the appraised fair market value of the property. "Just compensation" for your property does not take into account your relocation needs. If you are eligible for relocation assistance, it will be additional compensation.

### **What is Fair Market Value?**

Fair market value is sometimes defined as that amount of money which would probably be paid for a property in a sale between a willing seller, who does not have to sell, and a willing buyer, who does not have to buy.

The fair market value of a property is generally considered to be "just compensation." Fair market value does not take into account intangible elements such as sentimental value, goodwill, business profits, or any special value that your property may have for you or for the Agency.

### **How does an appraiser determine the Fair Market Value of my property?**

Each parcel of real property is different and therefore no single formula can be devised to appraise all properties. Among the factors an appraiser typically considers in estimating the value of real property are:

- How it compares with similar properties in the area that have been sold recently.
- How much it would cost to reproduce the buildings and other structures, less any depreciation.
- How much rental income it could produce.

### **Will I have a chance to talk to the Appraiser?**

**Yes.** You will be contacted and given the opportunity to accompany the appraiser on the inspection of your property. You may then inform the appraiser of any special features which you believe may add to the value of the property. It is in your best interest to provide the appraiser with all the useful information you can in order to insure that nothing of allowable value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a representative, who must be designated in writing, and who is familiar with your property.

**When will I receive a written Purchase Offer?**

Generally, this will depend on the amount of work required to appraise your property. In the case of a typical single-family house, it is usually possible to make a written offer with 45 to 60 days of the date an appraiser inspects your property.

Promptly after the final appraisal is received, the Agency will determine just compensation and give you a written purchase offer in that amount along with a "summary statement" explaining the basis for the offer. No negotiations may take place before you receive the written purchase offer and summary statement.

**What is in the Summary Statement of the Basis for the Offer of Just Compensation?**

The summary statement of the basis for the offer of just compensation will include:

- An accurate description of the property and the interest in the property to be acquired.
- A statement of the amount offered as just compensation. (If only part of the property is to be acquired, the compensation for the part to be acquired and the compensation for damages, if any, to the remaining part will be separately stated.)
- A list of all buildings and other improvements covered by the offer. (If there is a separately held interest in the property not owned by you and not covered by the offer (e.g., a tenant-owned improvement), it will be so identified.)

**Must I accept the Agency's offer?**

**No.** You are entitled to present your evidence as to the amount you believe is the fair market value of your property and to make suggestions for changing the terms and conditions of the offer. The Agency will consider your evidence and suggestions. If fully justified by the available evidence of value, the Agency may determine that an increase in the offer price is justified.

**May someone represent me during negotiations?**

**Yes.** If you would like an attorney or anyone else to represent you during negotiations, please inform the Agency in writing. However, the Guidelines do not require the Agency to pay the costs of such representation.

**If I reach agreement with the Agency, how soon will I be paid?**

If you reach a voluntary agreement to sell your property and your ownership (title to the property) is clear, payment will be made at a mutually acceptable time. Generally, this should be possible within 30 to 90 days after you sign an Agreement and Escrow Instructions for Sale and Acquisition of Real Property. If the title evidence obtained by the Agency indicates that further action is necessary to show that your ownership is clear, you may be able to hasten the payment by helping the Agency obtain the necessary proof. Title evidence is basically a legal record of the property. It identifies the owners of record and lists the restrictive deed covenants and recorded mortgages, liens and other instruments affecting your ownership of the property.

### **What happens if I don't agree to the Purchase Offer?**

If you are unable to reach a voluntary agreement through negotiations, the Agency may file a suit in court to acquire your property through an eminent domain proceeding or abandon its acquisition effort. Eminent domain proceedings are often called condemnations. If the Agency decides to pursue condemnation, it may only do so after conducting a hearing on the matter during which the affected property owner(s) will be provided an opportunity to speak. If your property is to be acquired by condemnation, the Agency will file the condemnation suit without unreasonable delay.

### **What happens after the Agency condemns my property?**

You will be notified of the action. Condemnation procedures vary, and you should learn the procedures which apply in your case. The Agency should be able to explain these procedures.

In most instances, when an Agency files a condemnation suit, it must deposit with the court an amount not less than its appraisal of the fair market value of the property. You should be able to withdraw this amount, less any amounts necessary to pay off any mortgage or other liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money requires you to give up certain rights; however, it will not affect your right to seek additional for your property.

During the condemnation proceeding, you will be provided an opportunity to introduce your evidence as to the value of your property. Of course, the Agency will have the same right. After hearing the evidence of all parties, the court will determine the amount of just compensation. If that amount exceeds the amount deposited by the Agency, you will be paid the difference, plus any interest that may be provided by law.

To help you in presenting your case in a condemnation proceeding, you may wish to employ an attorney and an appraiser. However, unless there are extraordinary circumstances, the costs of these professional services and other costs which an owner incurs in presenting his or her case to the court must be paid by the owner.

### **What can I do if I am not satisfied with the Court's Determination?**

If you are not satisfied with the court judgment, you may file an appeal with the appropriate appellate court for the area in which your property is located. If you are considering an appeal, you should check on the applicable time limit for filing the appeal and consult with your attorney on whether you have a basis for the appeal. The Agency may also file an appeal if it believes the amount of the judgment is too high.

### **Will I have to pay any Settlement Costs?**

You will be responsible for the payment of the balance of any mortgage on your property. Also, if your ownership is not clear, you may have to pay the cost of clearing it. But the Agency is responsible for all reasonable and necessary costs for:

- Recording and escrow fees, documentary stamps, transfer taxes, title report, and similar reasonable expenses which are incidental to transferring ownership to the Agency.

- Real property taxes and public service charges covering the period beginning on the date the Agency acquires your property.

Whenever possible, the Agency will make arrangements to pay these costs directly. If you must incur any of these expenses yourself, you will be repaid, usually at the time of settlement. If you later discover other costs for which you should be repaid, you should request repayment from the Agency immediately. The Agency will assist you in filing a claim. Finally, if you believe that you were not properly repaid, you may appeal the decision to the Agency.

#### **May I keep any of the buildings or other improvements on my property?**

Very often, many or all of the improvements on the property are not required by the Agency. This might include such items as a fireplace mantel, your favorite shrubbery, or even an entire house. If you wish to keep any improvements, please let the Agency know as soon as possible.

If you do arrange to keep any improvement, the Agency will deduct only its salvage value from the purchase price you would otherwise receive. (The salvage value of an item is its probable selling price if offered for sale on the condition that the buyer will remove it at his or her own expense.) Of course, if you arrange to keep any real property improvement, you will not be eligible to receive a relocation payment for the cost of moving it to a new location.

#### **Can the Agency take only a part of my property?**

**Yes.** But if the purchase of only a part of your property reduces the value of the remaining part(s), you will be paid for the loss in value. Also, if any remaining part would have little or no utility or value to you, the Agency will offer to buy that remaining part from you.

Occasionally, a public project will increase the value of a remaining part which is not acquired by the Agency. When this occurs, the amount of the increase in value is deducted from the purchase price the owner would otherwise receive.

#### **Will I have to pay rent to the Agency after my property is acquired?**

If you remain on the property after acquisition, you may be required to pay a fair rent to the Agency. Such rent will not exceed that charged for the use of similar properties in similar areas. The rental period may be for a short period of time and may be subject to termination on short notice. If you are occupying a residence on the property, the rental rate will be within your financial means as described in the Guidelines.

#### **How soon must I move?**

If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for your property (e.g., your occupancy would present a health or safety emergency), you will not be required to move without at least 90 days advance written notice.

If you reach a voluntary agreement to sell your property, you will not be required to move before you receive the agreed purchase price. If the property is acquired by a condemnation, you cannot be required to move before the estimated fair market value of the property has been deposited with the court so that you can withdraw your share.

If you are being displaced from a dwelling unit, you will not be required to move before a comparable replacement home is available to you.

**Will I receive Relocation Assistance?**

The Guidelines require that certain relocation payments and other assistance be provided to families, individuals, businesses, farms, and nonprofit organizations when they are displaced or their personal property must be moved as a result of an activity which is subject to the Guidelines.

The Agency will furnish you a full explanation of any relocation assistance to which you may be entitled upon written request. Additionally, a copy of the Relocation Assistance Law is available. If you have any questions about such assistance, please contact the Agency representative. In order for the Agency to fulfill its relocation obligations to you, you must keep the Agency informed of your plans.

**My property is worth more now. Must I pay Capital Gains Tax on the increase?**

In most cases when an Agency acquires real property for public purposes, the property owner may postpone the payment of Federal capital gains taxes on any profit from the sale if he or she reinvests the profit in similar property within a certain replacement period. Similar provisions are applicable under state tax law. To take advantage of this right, you should discuss this with your attorney, personal tax advisor, or the local offices of the IRS or Franchise Tax Board.

**Is it possible to donate property?**

**Yes.** You may donate your property or sell it to the Agency for less than its fair market value. If you do so, the Agency may be released from the requirement to obtain an appraisal of the property and offer just compensation for it.

**Once I am relocated, will my property taxes go up?**

Not necessarily; under California law, owners whose property is purchased under the threat of condemnation by a government agency may transfer the assessed value of the acquired site to a replacement site. This transfer of assessed value is limited to 120% of the price the Agency pays for your property and to replacement properties located within California. Contact the assessor's office in the county in which the replacement site is located to obtain directions on the procedure and forms to be used.

**If you have any questions regarding the matters set forth in this pamphlet, please call:**

City of Garden Grove  
Real Property Office  
11222 Acacia Parkway  
Garden Grove, CA 92840

The telephone number is (714) 741-5128.

*Benefit Summary.doc*

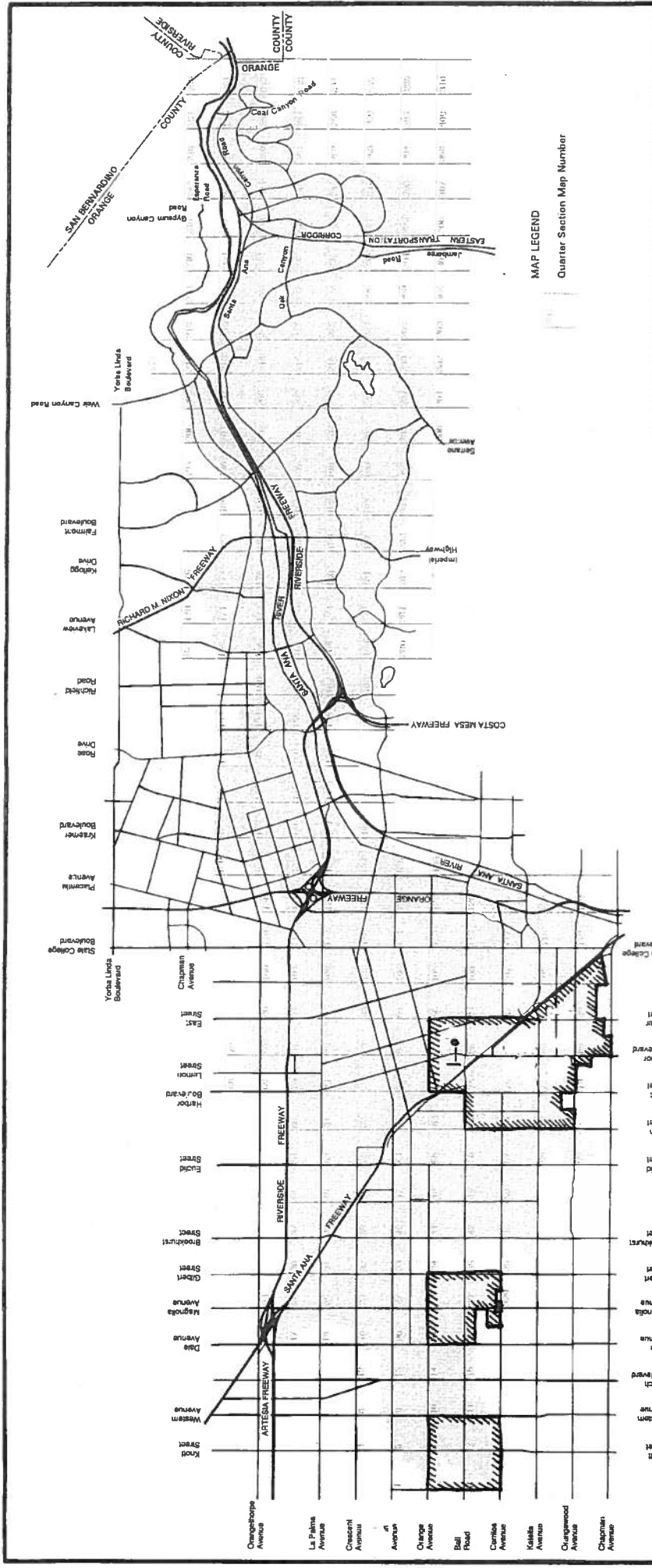


**APPENDIX E**  
**CITY OF ANAHEIM CUMULATIVE PROJECTS**

Cumulative Projects List (Period 1/1/00 through 3/14/02) for Defined Research Area  
City of Anaheim

#	Project Name	Location	Office (Sq. Ft.)	Hotel (Rooms)	Comments
1	Walnut Grove Medical Center	947 S. Anaheim Blvd.	41,116		Approved 5/01, under construction
2	A description of the Specific Plans in The Anaheim Resort are attached.				

\* Projects met the following parameters: commercial and industrial projects of 10,000 square feet or more; residential development of 50 units or more; or, hotel/motel developments of 75 or more rooms.



**CITY OF ANAHEIM**  
 January 1, 1996  
 PLANNING DEPARTMENT

MAP LEGEND  
 Quarter Section Map Number

*Shaded Area = Areas for Projects Reviewed*

**CITY OF ANAHEIM  
RELATED PROJECTS**

**ANAHEIM RESORT SPECIFIC PLAN NO. 92-2**

The 554.9-acre Anaheim Resort Specific Plan area is located within The Anaheim Resort (see attached Anaheim Resort Specific Plan Development Plan for location). The Anaheim Resort Specific Plan permits the development of hotels/motels, restaurants, convention facilities and other visitor-serving uses. A total of **27,100** hotel/motel rooms and 358,000 square feet of additional traffic generating square footage for the Anaheim Convention Center are permitted by the Specific Plan. Currently, 11,977 hotel/motel rooms are located in the Specific Plan area and 138,586 square feet of the additional Anaheim Convention Center square footage have been constructed. An additional 1,620 hotel rooms, with accessory uses, have been approved or are under review. See the Anaheim Resort Specific Plan and certified Master EIR No. 313 (including Mitigation Monitoring Program No. 0085) for a full description of the Specific Plan land uses and environmental analysis.

Following is a list of the 1,620 hotel rooms and accessory uses that have been approved or are under review:

**Approved Projects:**

1. Courtyard by Marriott, 2045 S. Harbor Boulevard – A 252-room hotel with an approximate 2,870 square foot restaurant and a 1,200 square foot meeting/banquet room [Final Site Plan No. 98-06 was approved in July, 1998].
2. Convention Center Inn & Suites, 2017 S. Harbor Boulevard – A 351-room hotel complex consisting of a new 5-story, 228-room, suite-type hotel and renovation of the existing 123-room hotel (existing Convention Center Inn). The hotel complex also includes approximately 3,000 square feet of meeting/banquet facilities, 1,800 square feet of restaurant/lounge area and 1,430 square feet of retail space [Final Site Plan No. 97-14 was approved in October, 1998].
3. Holiday Inn/Orangetown Suites/DoubleTree Hotel, 2065 – 2085 S. Harbor Boulevard – A 550-room hotel complex to be constructed in two phases. Phase I includes a 7-story, 258-room hotel with an approximate 2,500 square foot restaurant, 2,000 square feet of meeting/banquet facilities and 1,380 square feet of retail area. Phase II includes an 8-story, 292-room hotel with an approximate 2,500 square foot restaurant, 3,760 square feet of meeting/ banquet facilities and 4,189 square feet of retail area. Construction plans for the Phase I, 258-room hotel were submitted for building plan check in September 2001.
4. Holiday Inn Select, 1750 S. Harbor Boulevard – A 135-room hotel with banquet, restaurant and retail uses. Construction plans were submitted for building plan check in September, 2001.

### **Projects Under Review:**

1. Comfort Suites, 130 W. Katella Avenue – Proposal to demolish existing 109-room hotel and replace it with a 4-story, 147-room hotel.
2. La Quinta Hotel, Southeast Corner of Katella Avenue and Harbor Boulevard – Proposal to construct a 223-room hotel complex with restaurant and retail uses.

### **THE DISNEYLAND RESORT SPECIFIC PLAN NO. 92-1**

The 489.7-acre Disneyland Resort Specific Plan area is located within The Anaheim Resort (see attached Disneyland Resort Specific Plan Development Plan for location). The Disneyland Resort Specific Plan provides for the development of an international multi-day destination resort including the Disneyland Theme Park, California Adventure Theme Park, Downtown Disney, hotels (including the Disneyland Hotel and the Grand California Hotel and additional hotel rooms) and parking and transportation facilities within the Theme Park, Hotel, Parking and Future Expansion Districts. It also provides for a maximum density of 4,235 hotel/motel rooms within the C-R Overlay and District A Development Areas (to date, 765 hotel rooms are located in these areas and an additional 72 hotel rooms were recently approved). The Specific Plan further provides for the development of the Pointe Anaheim Lifestyle Retail and Entertainment Complex (see description in the following paragraph) in the Pointe Anaheim Overlay (this Overlay encompasses District A and a portion of the Parking District). See The Disneyland Resort Specific Plan, certified EIR No. 311 and Addendum (including Modified Mitigation Monitoring Program No. 0067) and an Addendum to the Pointe Anaheim Initial Study dated October 29, 2001 and Mitigated Negative Declaration/Mitigation Monitoring Plan No. 004 for a full description of the Specific Plan land uses and environmental analysis.

Following is a description of the 72 additional hotel rooms that were recently approved in the C-R Overlay and the Pointe Anaheim Lifestyle Retail and Entertainment Complex in the Pointe Anaheim Overlay:

- Desert Palm Inn Suites Hotel, 631 W. Katella Avenue - Demolition of existing 24-room Sir Rudimar motel and remodel and expansion of existing 4-story, 100-room Desert Palm Inn and Suites for a new total of 172 hotel rooms with 4,400 square feet of accessory uses [Variance No. 2002-04485 and Final Site Plan No. 2001-00033 were approved on March 11, 2002].
- Pointe Anaheim Lifestyle Retail and Entertainment Complex - Provides for the following: 634,700 gross square feet of retail/dining/entertainment uses, which includes a 94,000 square foot aquarium; up to four hotels comprising a maximum of 1,662 hotel rooms/suites (of which up to 200 units may be Vacation Ownership Resort units) with approximately 322,071 gross square feet of related accessory uses of which up to 178,120 gross square feet on top of the parking structure may be used for a hotel conference center (the hotel rooms/suites and accessory uses

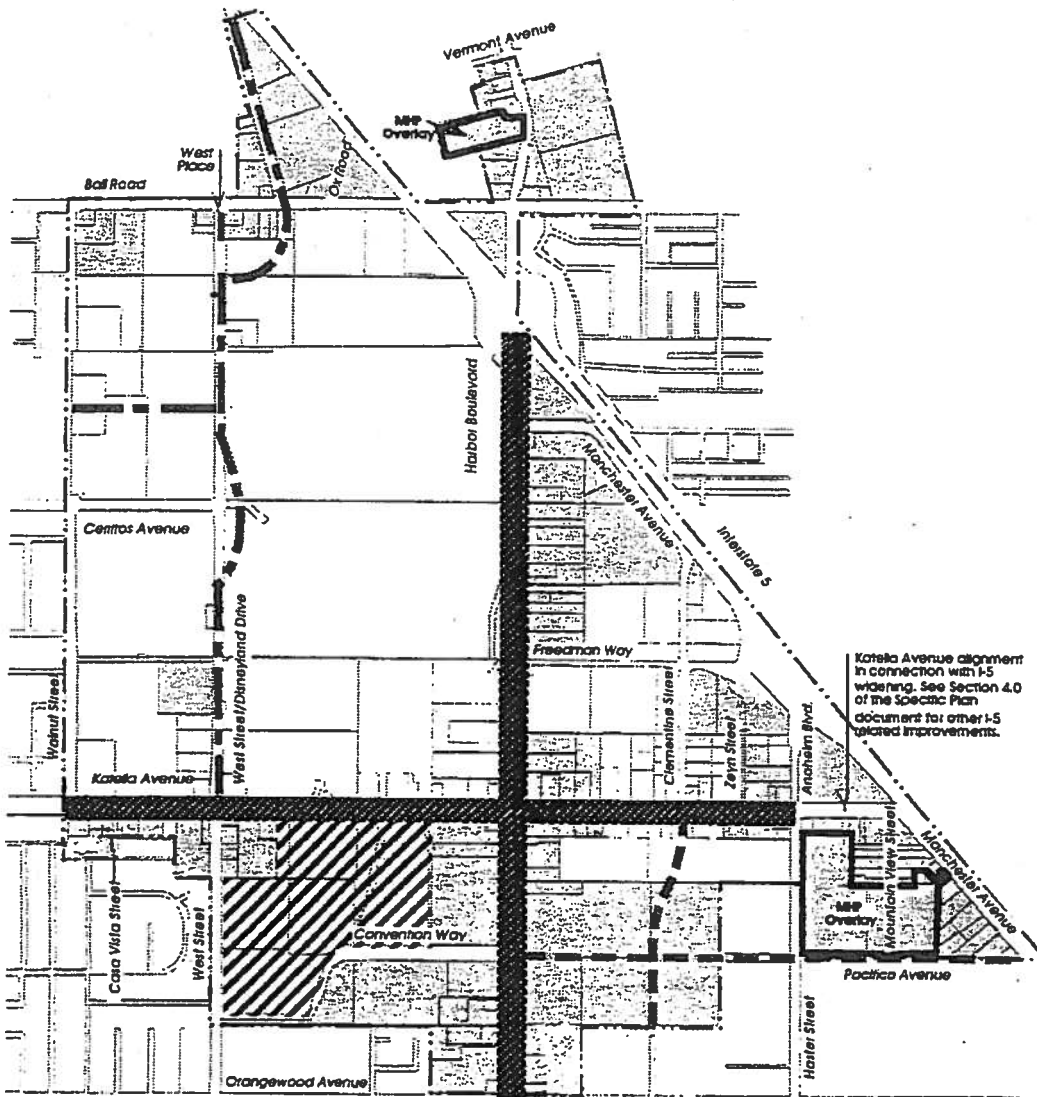
would encompass a maximum of 1,370,711 gross square feet); and a 1,949,800 gross square foot parking structure with 4,800 striped parking spaces at full build-out and 15 bus spaces with a 10,200 square foot bus terminal/facility for airport transport and to/from sightseeing venues.

### **HOTEL CIRCLE SPECIFIC PLAN NO. 93-1**

The 6.8-acre Hotel Circle Specific Plan area is located within The Anaheim Resort, north of Katella Avenue between Anaheim Boulevard and Clementine Street (see attached location map). The Hotel Circle Specific Plan permits the development of up to 969 hotel/motel rooms (393 hotel rooms currently exist and a development plan for up to 156 rooms is under review).

Anaheim Resort Summary

ANAHEIM RESORT SPECIFIC PLAN NO. 92-2



**The Anaheim Resort Specific Plan  
Anaheim, California**

**Development Summary Plan**

**Legend**



— — — Designated Future Alignment in General Plan Circulation Element\*

- Limit of Anaheim Resort
- Designated for Future Extension in General Plan Circulation Element
- C-R District (Development Area 1)
- PR District (Development Area 2)
- Mobilehome Park (MHP) Overlay Zone within the C-R District
- Central Core

\*In connection with The Disneyland Resort Specific Plan, Centros Avenue is planned to be relocated 1,000 to 1,100 feet northerly and a portion of West Street is planned to become a cul-de-sac (West Place)

Exhibit 1.7b—The Anaheim Resort Specific Plan Development Summary Plan



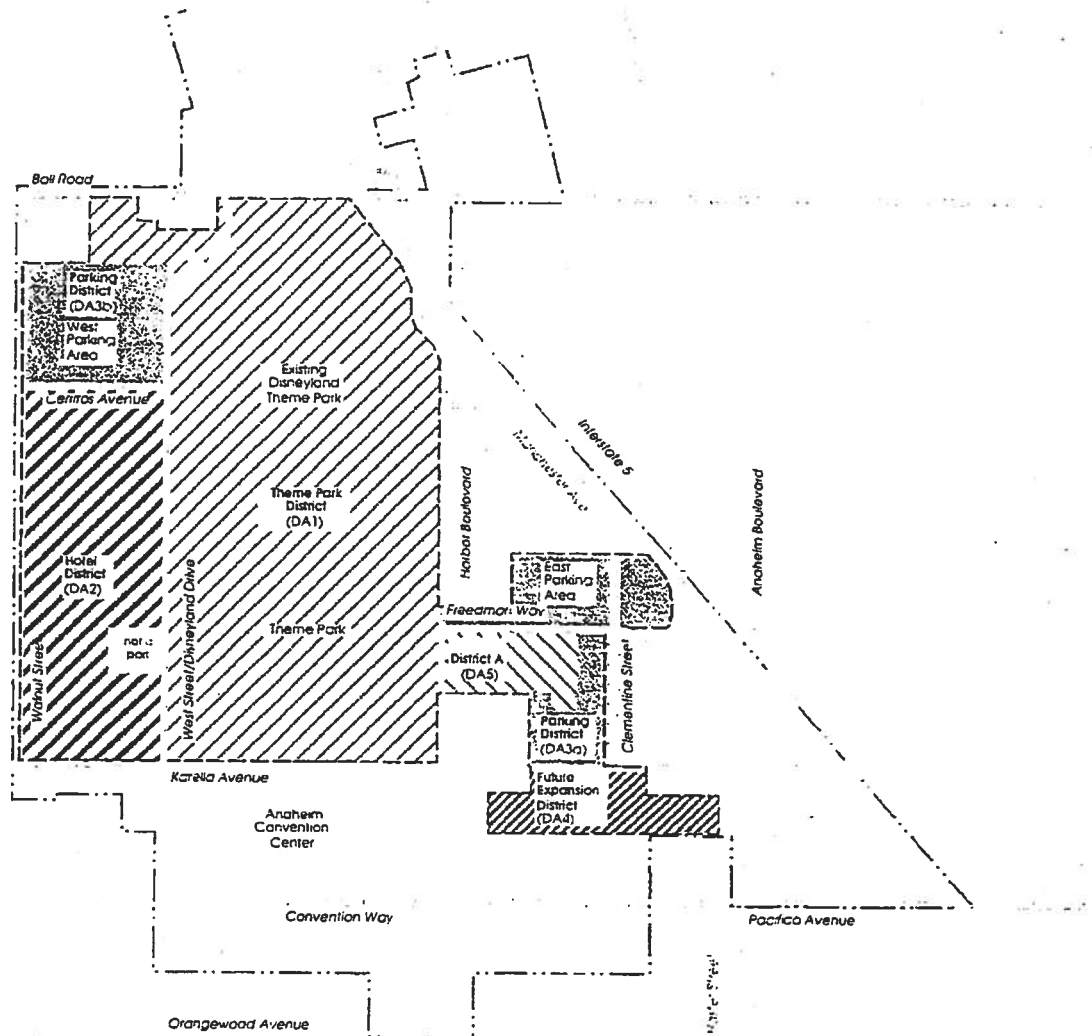
**Anaheim Resort Specific Plan Development Summary**

<b>Districts/Right-of-Way</b>	<b>Land Use</b>	<b>Approximate Acreage</b>
Commercial Recreation (C-R) District (Development Area 1)	Hotel/motel, restaurant and other visitor -serving uses	323.0
Public Recreation (PR) District (Development Area 2)	Anaheim Convention Center and accessory uses, hotel uses	62.8
I-5 Freeway Widening Area*	Land designated for I-5 Freeway widening within the Specific Plan Area	15.1
Public Right-of-Way	Land designated for the public right-of-way within the Specific Plan Area	154.0
<b>TOTAL</b>		<b>554.9</b>
Mobilehome Park (MHP) Overlay in the C-R District	Existing Mobilehomes	31.5

\*Approximately 15.1 acres of the Anaheim Resort Specific Plan area are designated for future I-5 Freeway right-of-way. Until such time as this land is acquired by Caltrans, it will be subject to the Anaheim Resort Specific Plan Zone, C-R District and the density designations summarized in Exhibit 1.7c – C-R District Development Density Plan Tabulation and shown on Exhibit 1.7d – C-R District Development Density Plan. Plans showing the properties affected by the I-5 Freeway widening are on file with the City Public Works-Engineering Department.

*Exhibit 1.7a – Anaheim Resort Specific Plan District Development Summary*

**THE DISNEYLAND RESORT SPECIFIC PLAN NO. 92-1**



The Disneyland Resort Specific Plan  
Anaheim, California

**Development Plan**  
Showing Boundaries of Anaheim  
Resort



North

**Legend**

-  Limit of Anaheim Resort
-  Disneyland Resort Specific Plan Boundary
-  Designated for Future Extension in Existing General Plan Circulation Element
-  Theme Park District (Development Area 1)
-  Hotel District (Development Area 2)
-  Parking District (Development Areas 3a & 3b)
-  Future Expansion District (Development Area 4)
-  District A (Development Area 5)

Exhibit 1.6.6b—The Disneyland Resort Development Plan

1.6.6 Development Plan

The map and accompanying table on these pages is The Disneyland Resort Specific Plan Development Plan. It shows the location of each of the five Districts within the Specific Plan area and the Anaheim Resort. It is accompanied by a table that summarizes the proposed development.

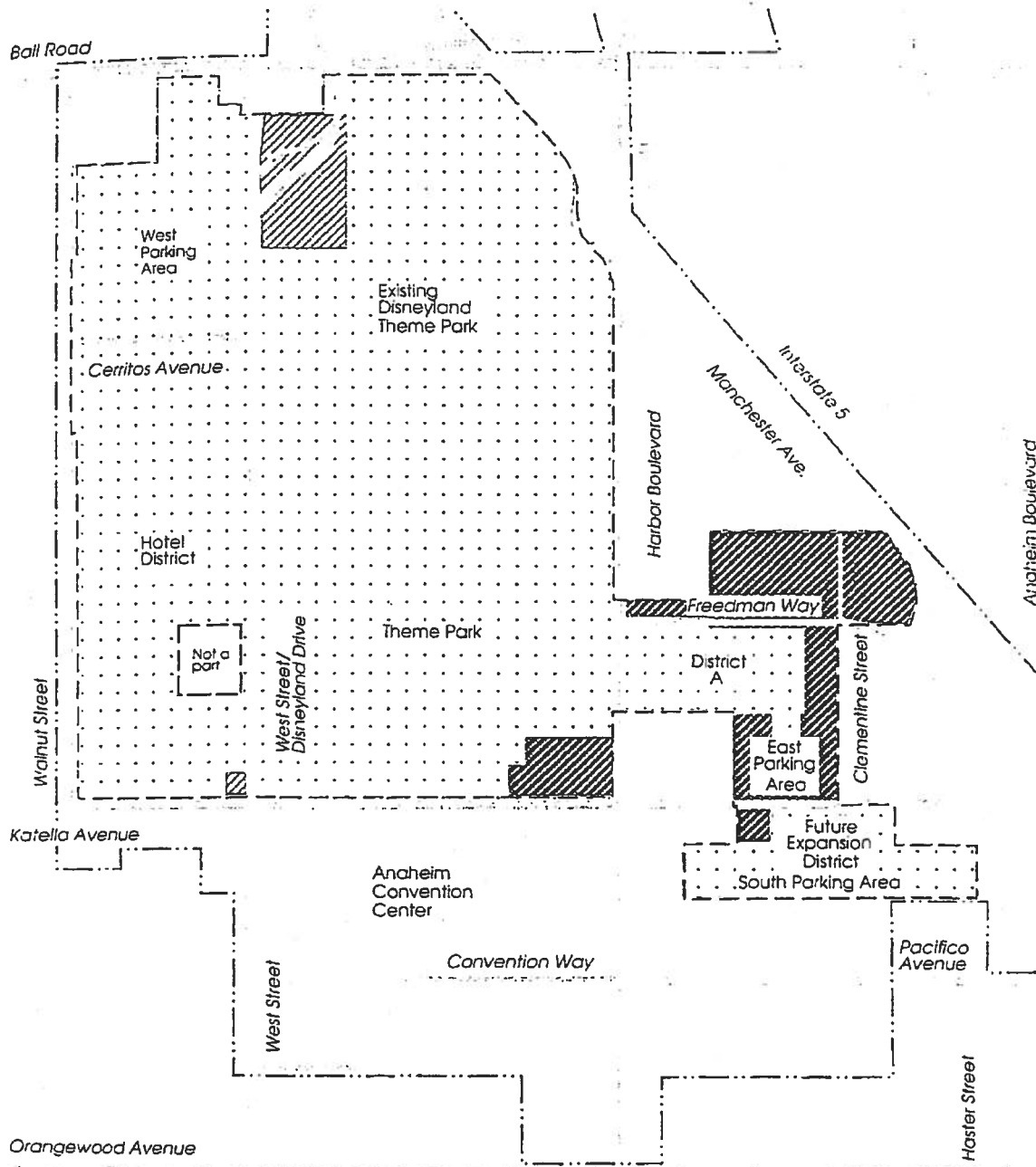
Development Area Summary

Development Area Name	Land Use	Area (acres)	Existing & Proposed Development
Theme Park District (Development Area 1)	• Existing Disneyland	136	2,600,000 sf
	• Planned Disneyland and Back-of-house Uses		900,000 sf
	• Administration Building	9	475,000 sf
	• Administration Building Parking		2,300 spaces
	• New Theme Park & Back-of-house Uses	147	3,350,000 sf (2 & 3)
	• Hotel Rooms		(2) rooms
	• Parking for Hotels & Theme Park Uses		(2) spaces
	• Theme Park Parking		5,000 spaces (4)
Hotel District (Development Area 2)	• Hotel Rooms (inc. 1,000 existing rooms)	97	5,600 rooms (2)
	• Retail/Restaurant		300,000 sf (1)
	• Parking Spaces (inc. 570 existing spaces)		9,930 spaces (2 & 3)
	• Meeting Room/Convention Space		200,000 sf (1)
Parking District (Development Area 3)	• East Parking Area	30.1 (5)	17,600 spaces (3 & 4)
	• West Parking Area	27	16,700 spaces (3)
Future Expansion District (Development Area 4)	• Theme Park	24.7	0 sf (6)
	• Parking Spaces		5,100 spaces (3)
District A (Development Area 5)	• Commercial Recreation Uses	18.9	(7) rooms
Combined total, existing and proposed			7,825,000 sf
			5,600 rooms
489.7			51,630 spaces
C-R Overlay (5)	within Theme Park District	19.5	
	within Hotel District	0.5	
	within Parking District		
	East Parking Area	30.1	
	within Future Expansion District	1.1	
Subtotal		51.2	
Pointe*Anaheim Overlay (8)	within Parking District		
	East Parking Area/C-R Overlay	10.2	
	within District A	18.9	
Subtotal		29.1	

Notes:

- (1) Includes existing and anticipated new development to service existing & new hotels
- (2) Up to 1,000 rooms with their accompanying parking may be constructed within the Theme Park District and up to 350,000 square feet of a retail entertainment center may be constructed in the Theme Park and/or Hotel District(s)
- (3) Number of spaces will be determined by the provisions of Section 7.0, 'Zoning and Development Standards'
- (4) Up to 5,000 of the guest parking spaces identified for the East Parking Area may be located in the Theme Park District
- (5) The C-R Overlay may be developed with hotel rooms or visitor-serving uses and/or parking facilities; see Section 3.3.5 'C-R Overlay'
- (6) Zoning and Development Standards permit theme park uses in the Future Expansion District
- (7) Up to 75 hotel rooms per gross acre are permitted in District A
- (8) The Pointe\*Anaheim Overlay may be developed with the Pointe\*Anaheim Project subject to the approval of Conditional Use Permit No. 4078; or, with uses set forth in District A or the Parking District (East Parking Area)/C-R Overlay

Exhibit 1.6.6a—The Disneyland Resort Development Area Summary Tabulation



The Disneyland Resort Specific Plan  
Anaheim, California

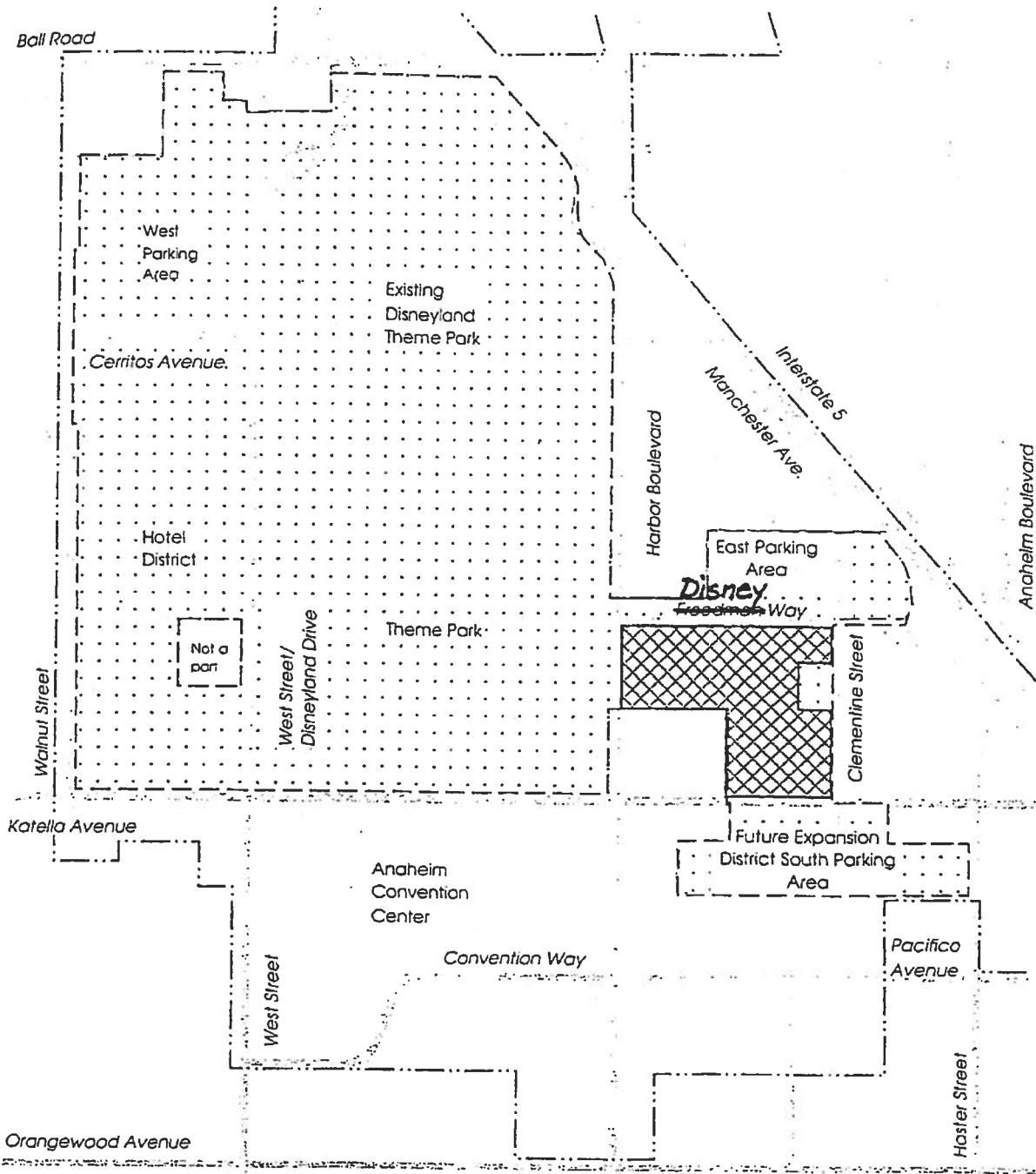
**C-R Overlay**



**Legend**

- Anaheim Resort Boundary
- Disneyland Resort Specific Plan Boundary
- Designated for Future Extension in Existing General Plan Circulation Element
- Medium Density (up to 75 rooms per gross acre)
- Low Density (up to 50 rooms per gross acre)

Exhibit 1.6.6c—C-R Overlay



The Disneyland Resort Specific Plan  
 Anaheim, California

**Pointe\*Anaheim Overlay**

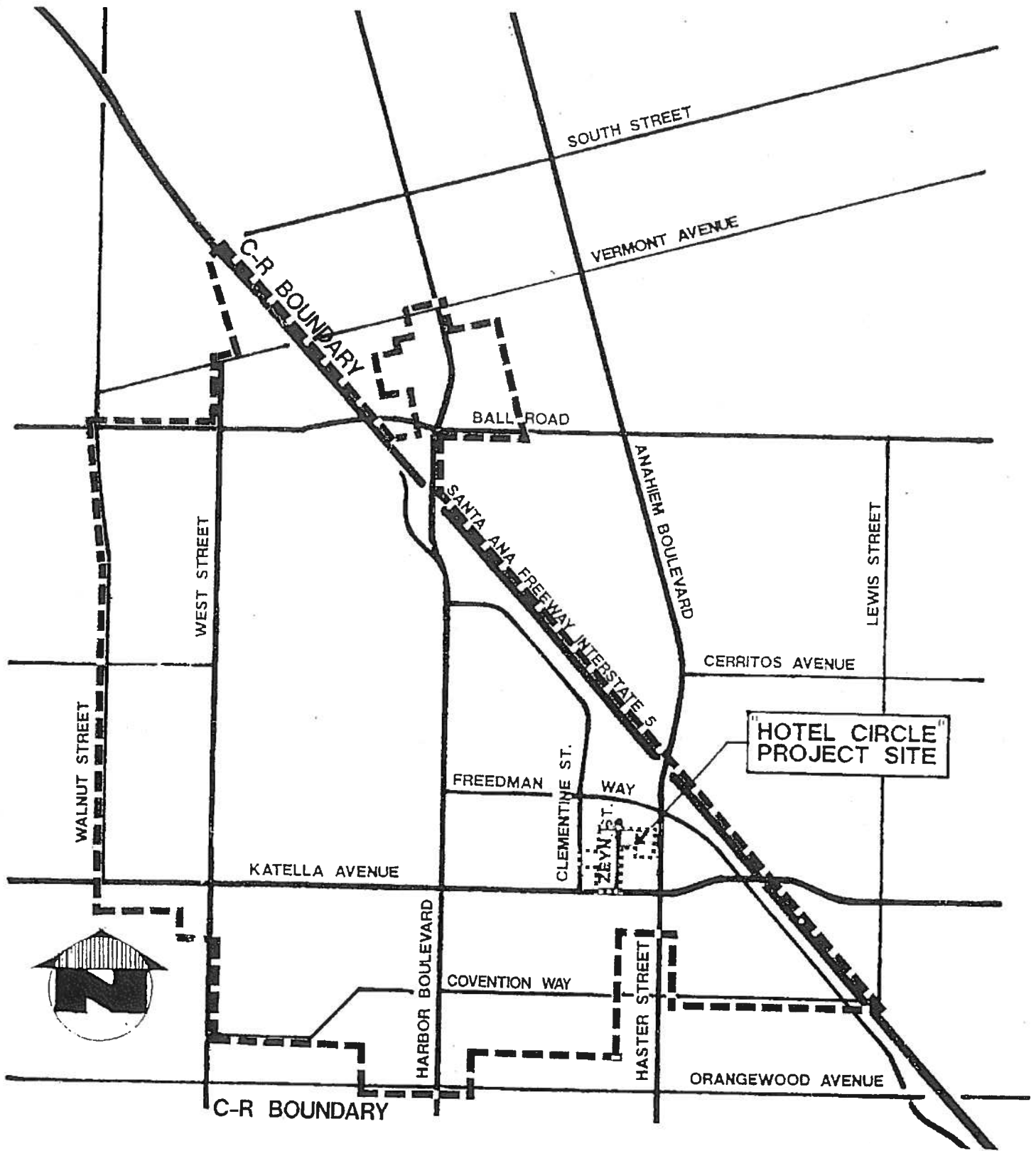


**Legend**

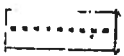
- Anaheim Resort Boundary
- Disneyland Resort Specific Plan Boundary
- Designated for Future Extension in Existing General Plan Circulation Element
- Pointe\*Anaheim Overlay

Exhibit 1.6.6d—Pointe\*Anaheim Overlay

HOTEL CIRCLE SPECIFIC PLAN NO. 93-1



C-R AREA BOUNDARY, AS DESIGNATED ON THE CITY OF ANAHEIM GENERAL PLAN



SPECIFIC PLAN BOUNDARY

# HOTEL CIRCLE

## VICINITY MAP

AUGUST 9, 1994

EXHIBIT 4





## **BUSINESS RELOCATION**

*"It is important that you learn your rights under the law."*

### **INTRODUCTION**

This booklet describes many of the important features of the City of Garden Grove ("City") and Garden Grove Agency for Community Development's ("Agency") Relocation Assistance Guidelines ("Guidelines"). It also gives general information about the relocation process that should be useful to you. Relocation procedures followed by the City and Agency are covered by the Guidelines. The City and Agency are referred to as the "Agency" throughout this booklet. The Guidelines conform to the California Relocation Assistance Law ("Law"). If you are notified that you are required to move, it is important that you learn your rights under the Law. This is a general information booklet only and is not intended to give a detailed description of either the Law or the Agency's Guidelines.

Agency staff or a qualified professional relocation consultant, representing the Agency, will assist those displaced by the Agency projects. The Agency representative is available to explain the Guidelines and benefits outlined in this booklet. You may secure his or her assistance by telephoning the representative listed at the back of this booklet. The Agency will accept collect call if necessary.

### **SOME GENERAL INFORMATION, QUESTIONS AND ANSWERS**

#### **What is Relocation Advisory Assistance?**

When the Agency makes an offer to purchase occupied property, it assumes the obligation to provide assistance to those businesses that may be required to move due to Agency activities. The primary goal of relocation advisory assistance is to reestablish the business with minimal disruption. The Agency representative will provide referral listings and assist in the preparation of all relocation claims.

#### **How will I know I am eligible for Relocation Assistance?**

Qualified businesses displaced by an Agency project will receive a written notice explaining available relocation assistance and establishing an effective date for such eligibility. Ordinarily, eligibility begins on the date the owner of the property receives the City's written offer to purchase the property. Therefore, you should not move before that date. If you do move prematurely, you may lose the opportunity for relocation assistance.

#### **How will the Agency know how much help I need?**

You will be contacted at an early date and be personally interviewed by a representative of the Agency to determine your needs and preferences for a replacement location and other services. The interviewer will ask questions about such matters as your space requirements, rents, and locational needs. It is to your advantage to provide the information so the Agency can assist you in moving with a minimum of hardship.

### **How soon will I have to move?**

Every reasonable effort will be made to provide you with sufficient time to find a suitable replacement location and reestablish your business. If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for the property (e.g., your occupancy would present a health or safety problem), you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with the Agency so that you are aware of the time schedule for carrying out the project and the approximate date by which you will have to move.

### **I own the property. Will I be paid for it before I have to move?**

If you reach a voluntary agreement to sell your property to the Agency, you will not be required to move before you receive the agreed purchase price. If the property is acquired through an eminent domain proceeding, you cannot be required to move before the estimated fair market value of the property has been deposited with the court. You should be able to withdraw this amount immediately, less any amounts necessary to pay off any mortgage or other liens on the problems. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property or for relocation expenses.

### **Will I have to pay rent to the Agency before I move?**

You may be required to pay a fair rent to the Agency for the period between the acquisition of the property and the date that you move. The rent will not exceed your current rent or if you are an owner-occupant, the rent will not exceed that charged for the use of similar properties in similar areas.

### **How will I find a Replacement Location?**

The agency will provide you with current and continuing information on available replacement locations that meet your needs. The Agency may also provide you with the names of real estate agents and brokers who can assist you in finding the type of replacement location you need.

While the Agency will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice. No one knows your needs better than you. You will want a facility that provides sufficient space for your planned activities. You will also want to assure that there are no zoning or other requirements, which will unduly restrict your planned operations.

Ask the Agency to explain which kind of moving costs are eligible for repayment and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

### **What other Assistance will be available to help me?**

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by the Agency. This includes information on Federal, State, and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. There may also be a government grant or loan program which can help you reestablish your business. The Agency will assist you in applying for help available from government agencies.

The range of services depends on the needs of the business being displaced. You should ask the Agency representative to tell you about the specific services that will be available to you.

**I have a Replacement Location and want to move. What should I do?**

Before you make any arrangements to move, notify the Agency, in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. The Agency will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain a payment.

**I plan to discontinue my business rather than move. What should I do?**

If you have decided to discontinue your business rather than move, you may still be eligible to receive a payment. Contact the Agency representative and discuss your decision to discontinue your business. You will be informed of the payment, if any, for which you may be eligible, the requirements to be met, and how to obtain a payment.

**SOME GENERAL INFORMATION ABOUT MOVING EXPENSE PAYMENTS**

**Payment for Moving Expenses**

A displaced business or farm operation is entitled to a relocation payment to cover the reasonable cost of moving. Depending on the characteristics of your business or farm operation, you may choose either:

- ✓ A Payment for Actual Moving and Related Expenses, and
- ✓ A Payment for Actual Reasonable Re-establishment Expenses (small businesses only).

- or -

- ✓ A Fixed Payment (if you meet eligibility requirements as outlined within this brochure).

**Payment for Actual Reasonable Moving and Related Expenses**

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the cost of:

1. Transportation of personal property from your present location to the replacement location. Generally, transportation costs are limited to a distance of 50 miles. If you plan to move beyond 50 miles, discuss your planned move with the Agency representative.
2. Packing, crating, uncrating, and unpacking personal property.
3. Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. This includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adopt the utilities to the personal property.
4. Storage of personal property for a reasonable period of time, if required.

5. Insurance for the replacement value of personal property in connection with the move and required storage and the replacement value of property lost, stolen, or damaged in the process of moving where insurance is not readily available.
6. Any license, permit or certification required by the displaced business, to the extent that the cost is (1) necessary to its re-establishment at the replacement location, and (2) does not exceed the cost for the remaining useful life of the existing license, permit, or certification.
7. Professional services, including architect's, attorney's, and engineer's fees, and consultants charges, necessary for (1) planning the move of the personal property, (2) moving the personal property, or (3) installing the relocated personal property at the replacement location.
8. Re-lettering signs and printing replacement stationery made obsolete by the move.
9. The reasonable cost incurred in attempting to sell an item that is not relocated.
10. Actual direct loss of personal property. This payment provides compensation for property that is neither moved nor promptly replaced with a "substitute item" at the replacement location. Payment is limited to the lesser of (1) the estimated cost of moving the property, (2) the fair market value of the property for its continued use at the old location, less any proceeds from its sale. To be eligible, you must make a good faith effort to sell the property, unless the Agency determines that such effort is not necessary.
11. Purchase and installation of substitute personal property. Payment will be limited to the lesser of: (1) the estimated cost to move and reinstall the item to the replacement location, or (2) the actual cost of the substitute item delivered and installed at the replacement location, less any proceeds from its sale or its trade-in value. It is important that you discuss your plans with the Agency before you proceed.
12. Searching for a replacement location. This payment may not exceed \$1,000 and may cover costs for:
  - ✓ Transportation expenses.
  - ✓ Time spent searching for a replacement location, based on a reasonable salary or earnings.
  - ✓ Reasonable fees paid to real estate agents or brokers to find a replacement location exclusive of any fees or commissions related to the actual purchase of a site.
  - ✓ Meals and lodging away from home.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for all costs that you incur; so keep all your receipts. The Agency will inform you of the documentation needed to support your claim. You may minimize the amount of documentation needed to support your claim, if you elect to "self-move" your property. Payment for self-move is based on the amount of an acceptable low bid or estimate obtained by the Agency. If you self-move, you may move your personal property using your own employees and equipment or a commercial mover. If you and the Agency cannot agree on an acceptable amount to cover the cost of the "self-move," you will have to submit full documentation in support of your claim.

You may elect to pay your moving costs yourself and be repaid by the Agency or, if you prefer, you may have the Agency pay the mover. In either case, let the Agency know before you move. Select your mover with care. The Agency can help you select a reliable and reputable mover.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item may be based on the lowest acceptable bid or estimate obtained by the Agency. If not sold or traded-in, the item must remain at the old location and ownership of the item must be transferred to the Agency before you may receive the payment.

### **Re-establishment Expenses**

In addition to the actual reasonable moving expenses discussed above, a displaced small business, farm or non-profit organization may be eligible to receive a payment, not to exceed \$10,000 for expenses actually incurred in reestablishing such operation at a replacement site. A small business is a business with at least one, but not more than 500 employees working at the site being acquired or displaced by the Agency.

Eligible re-establishment expenses must be reasonable and necessary, as determined by the Agency. They may include but are not limited to the following:

1. Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance.
2. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
3. Construction and installation costs for exterior signage to advertise the business.
4. Provision of utilities from right-of-way to improvements on the replacement site.
5. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.
6. Licenses, fees, and permits not paid as part of moving expenses.
7. Feasibility surveys, soil testing and marketing studies.
8. Advertising of replacement location.
9. Professional services in connection with the purchase or lease of a replacement site.
10. Estimated increased costs of operation during the first 2 years at the replacement site for such items as:
  - a. Lease or rental changes;
  - b. Personal or real property taxes;
  - c. Insurance premiums; and
  - d. Utility charges (excluding impact fees).

### **Ineligible Re-establishment Expenses**

The following is a non-exclusive listing of Re-establishment Expenditures not considered to be reasonable, necessary or otherwise eligible:

1. Purchase of capital assets, such as office furniture, filing cabinets, machinery or trade fixtures.
2. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.
3. Interior or exterior refurbishment at the replacement site which are for aesthetic purposes, except as provided in item 5 above, under eligible expenses.
4. Interest on money borrowed to make the move or purchase the replacement property.
5. Payment to a part-time business in the home which does not contribute materially to the household income.

The Agency will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for all costs that you incur; so keep all your receipts. The Agency will inform you of the documentation needed to support your claim.

### **Fixed Payment**

In lieu of receiving payment for reasonable and necessary moving and re-establishment expenses actually incurred, a business, non-profit organization, or farm operation may be eligible to elect a Fixed Payment. The Fixed Payment to an eligible business, non-profit organization or farm operation may not be less than \$1,000 nor more than \$20,000.

Any payment in excess of \$1,000 must be supported with financial statements for the two 12-month periods prior to the acquisition or displacing activity.

The Agency will inform you as to your eligibility for a Fixed Payment and the documentation you must submit to support your claim.

Remember, when you elect to take a Fixed Payment, you are not entitled to reimbursement for any other moving expenses or business re-establishment expenses.

### **Eligibility Conditions (business and farm operation)**

A displaced business is eligible to choose a Fixed Payment as an alternative to the moving payments previously described, if the Agency determines that:

1. The business either (a) discontinues operations, or (b) cannot relocate without a substantial loss of existing patronage.
2. The business must own or rent personal property which must be moved in connection with the displacement and for which an expense would be incurred in such move, and the business vacates or relocates from its displacement site.

3. The business is not part of a commercial enterprise having more than one other entity which is not being acquired by the Agency, and which is under the same ownership and engaged in the same or similar business activities.
4. The business must not be operated at a displacement dwelling (i.e., manager's unit) solely for the purpose of renting dwellings to others (i.e., apartment complex).
5. The business must not be operated at the displacement site (i.e., leasing office) solely for the purpose of renting the site to other (i.e., commercial/industrial centers).
6. The business must have contributed materially to the income of the displaced business owner during the two (2) taxable years prior to displacement.

A displaced farm operation is eligible to choose a Fixed Payment as an alternative to the moving and re-establishment payments described above, if the Agency determines that it meets certain minimum income requirements.

#### **Determination of Fixed Payment (business or farm operation)**

A Fixed Payment to a business or farm operation is based on the average annual net earnings of the business or farm operation. The average annual net earnings of a business or farm operation is one-half of its net earnings before Federal, State, or local income taxes during the two (2) taxable years immediately prior to the taxable year in which it was displaced. If not in business for a full two years prior to displacement, the net earnings shall be based on the actual period of operation at the acquired site projected to an annual rate. Average net earnings may be based on a different period of time when the Agency determines it to be more equitable. Net earnings include any compensation paid to the owners of the business, a spouse or dependents. The displaced person shall furnish the Agency proof of net earnings through income tax returns, certified financial statements, or other reasonable evidence which the Agency determines is satisfactory.

#### **Eligibility Conditions (non-profit organization)**

A displaced non-profit organization is eligible to choose a Fixed Payment as an alternative to the moving and re-establishment payments previously described, if the Agency determines that:

- ✓ The organization either (a) discontinues operations, or (b) cannot relocate without a substantial loss of existing patronage (membership or clientele).
- ✓ The organization is not part of an enterprise having another establishment not being acquired by the Agency which is engaged in the same or similar activity.

#### **Determination of Fixed Payment (non-profit organization)**

The Fixed Payment to an eligible non-profit organization will be equal to the amount determined by subtracting average annual administrative expenses from average annual gross revenue. The determination of average annual expenses and revenues shall be based on the two most recent fiscal years. If not in operation for two full fiscal years, the payment will be based on a representative period of operation as determined by the Agency.

The Agency will inform you as to your eligibility for a Fixed Payment and the documentation you must submit to support your claim.

Remember, when you elect to take a Fixed Payment, you are not entitled to reimbursement for any other moving expenses or business re-establishment expenses.

## **OTHER QUESTIONS AND INFORMATION**

### **I own an outdoor advertising display. What Relocation Payment will I receive?**

As the owner of an outdoor advertising display, you are eligible for a Relocation Payment for Actual Reasonable Moving and Related Expenses. You are **not** eligible to receive a Payment in Lieu of a Payment for Actual Reasonable Moving and Related Expenses. If you choose not to relocate or replace the sign, the payment for "direct loss of personal property" would be the lesser of: (1) the depreciated reproduction cost of the sign, as estimated by the Agency, less the proceeds from its sale, or (2) the estimated cost of moving the sign without temporary storage. The Agency will inform you as to the exact costs that may be reimbursed.

### **Do I have to pay Income Tax on my Relocation Payments?**

Typically, relocation payments are not considered as taxable income; however, you should check with the Franchise Tax Board, the Internal Revenue Service or your personal tax adviser concerning the specifics of your case.

### **When will I receive a Notice to Move?**

Except in urgent circumstances (e.g., your occupancy would present a health and safety emergency), it is required by law that all persons displaced by government action be given at least a 90-Day Notice before they can be required to move. This 90-Day Notice must be given in writing. In this way, you will be informed well in advance of the date by which your move should take place.

If you are the owner-occupant, in some cases the 90-Day Notice is presented in the form of an order from the court called an "Order of Immediate Possession". This occurs in situations where a condemnation action has taken place.

### **How do I file a Claim?**

All claims for relocation payments must be submitted within eighteen (18) months of the date on which you receive final payment for your property, or the date on which you move, whichever is later.

### **If I do not agree with a Decision, can I Appeal to someone?**

If you believe you have been wrongly denied eligibility, fair compensation for relocation claims, or appropriate assistance, you may have your case brought before the Agency for review in accordance with established appeals procedures. At a minimum, you will have 60 days to file your appeal with the Agency. Your appeal must be in writing.

If you are not satisfied with the final decision on your appeal, you may seek review of the matter by the courts.



---

## **SUMMARY OF RELOCATION ASSISTANCE**

**If you qualify** as an eligible displaced business, you will be offered appropriate financial and advisory assistance to help you relocate, including:

- ✓ Payment for your moving expenses. You will receive either:
  - A Payment for Actual Reasonable Moving and Related Expenses, and
  - A Payment for Re-establishment Expenses
  - or -
  - A Fixed Payment.
  
- ✓ Referrals to suitable replacement locations.
  
- ✓ Other help to re-establish your business and minimize the impact of the move, including help in preparing a claim form for a relocation payment.

**If you disagree** with the City's decision as to your right to a relocation payment or the amount of the payment, you may appeal that decision.

---

## **SUMMARY OF ACQUISITION AND RELOCATION ASSISTANCE BENEFITS**

*"The Agency must offer 'just compensation' for your property."*

### **INTRODUCTION**

This booklet describes many of the important features of the City of Garden Grove's ("City") and Garden Grove Agency for Community Development's ("Agency") Relocation Assistance and Real Property Acquisition Guidelines ("Guidelines"). The Guidelines conform to the California Relocation Assistance Law ("Law"). It also gives general information about public acquisition of real estate ("real property") that should be useful to you. The City and Agency are referred to collectively as the "Agency" throughout this booklet.

Most real property acquisitions by the Agency for a project are covered by the Guidelines. If you are notified that your property will be acquired for such a project, it is important that you learn your rights under the Law.

This booklet may or may not answer all of your questions. If you have more questions about the acquisition of your property, contact the Agency. (Check the back of this booklet for the name of the person to contact at the Agency.) Ask your questions before you sell your property. Afterwards, it may be too late.

### **SOME GENERAL QUESTIONS AND ANSWERS**

#### **What right has any Public Agency to acquire my property?**

The Federal Government and every State and local government, including the Agency, have certain powers which are necessary for them to operate effectively. One of these government powers is the power to acquire private property for public purposes. This is known as the power of eminent domain.

The rights of each of us are protected, however, by the Fifth and Fourteenth Amendments of the U.S. Constitution and by the California Constitution and eminent domain laws which guarantee that if a public agency takes private property it must pay "just compensation" to the owner. Furthermore, if the acquisition is covered by the Guidelines, the owner has additional protections, some of which are explained in this booklet.

#### **Who made the decision to buy my property?**

The decision to acquire a property for a public project usually involves many persons and many determinations. The final determination to proceed with the project is made only after a thorough review which may include public hearings to obtain the views of interested citizens.

If you have any questions about the project or the selection of your property for acquisition, you should ask a representative of the Agency who is managing the project.

### **How will the Agency determine how much to offer me for my property?**

Before making you an offer, the Agency may obtain at least one appraisal of your property by a competent real property appraiser who is familiar with local property values. The appraiser will inspect your property and state his professional opinion of its current fair market value in an appraisal report. After the appraiser has completed his work, the Agency may also employ the services of a review appraiser who will check the initial appraisal work to assure that the estimate is fair and the work conforms with professional appraisal standards.

The Agency must offer you "just compensation" for your property. This amount cannot be less than the appraised fair market value of the property. "Just compensation" for your property does not take into account your relocation needs. If you are eligible for relocation assistance, it will be additional compensation.

### **What is Fair Market Value?**

Fair market value is sometimes defined as that amount of money which would probably be paid for a property in a sale between a willing seller, who does not have to sell, and a willing buyer, who does not have to buy.

The fair market value of a property is generally considered to be "just compensation." Fair market value does not take into account intangible elements such as sentimental value, goodwill, business profits, or any special value that your property may have for you or for the Agency.

### **How does an appraiser determine the Fair Market Value of my property?**

Each parcel of real property is different and therefore no single formula can be devised to appraise all properties. Among the factors an appraiser typically considers in estimating the value of real property are:

- How it compares with similar properties in the area that have been sold recently.
- How much it would cost to reproduce the buildings and other structures, less any depreciation.
- How much rental income it could produce.

### **Will I have a chance to talk to the Appraiser?**

**Yes.** You will be contacted and given the opportunity to accompany the appraiser on the inspection of your property. You may then inform the appraiser of any special features which you believe may add to the value of the property. It is in your best interest to provide the appraiser with all the useful information you can in order to insure that nothing of allowable value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a representative, who must be designated in writing, and who is familiar with your property.

**When will I receive a written Purchase Offer?**

Generally, this will depend on the amount of work required to appraise your property. In the case of a typical single-family house, it is usually possible to make a written offer with 45 to 60 days of the date an appraiser inspects your property.

Promptly after the final appraisal is received, the Agency will determine just compensation and give you a written purchase offer in that amount along with a "summary statement" explaining the basis for the offer. No negotiations may take place before you receive the written purchase offer and summary statement.

**What is in the Summary Statement of the Basis for the Offer of Just Compensation?**

The summary statement of the basis for the offer of just compensation will include:

- An accurate description of the property and the interest in the property to be acquired.
- A statement of the amount offered as just compensation. (If only part of the property is to be acquired, the compensation for the part to be acquired and the compensation for damages, if any, to the remaining part will be separately stated.)
- A list of all buildings and other improvements covered by the offer. (If there is a separately held interest in the property not owned by you and not covered by the offer (e.g., a tenant-owned improvement), it will be so identified.)

**Must I accept the Agency's offer?**

**No.** You are entitled to present your evidence as to the amount you believe is the fair market value of your property and to make suggestions for changing the terms and conditions of the offer. The Agency will consider your evidence and suggestions. If fully justified by the available evidence of value, the Agency may determine that an increase in the offer price is justified.

**May someone represent me during negotiations?**

**Yes.** If you would like an attorney or anyone else to represent you during negotiations, please inform the Agency in writing. However, the Guidelines do not require the Agency to pay the costs of such representation.

**If I reach agreement with the Agency, how soon will I be paid?**

If you reach a voluntary agreement to sell your property and your ownership (title to the property) is clear, payment will be made at a mutually acceptable time. Generally, this should be possible within 30 to 90 days after you sign an Agreement and Escrow Instructions for Sale and Acquisition of Real Property. If the title evidence obtained by the Agency indicates that further action is necessary to show that your ownership is clear, you may be able to hasten the payment by helping the Agency obtain the necessary proof. Title evidence is basically a legal record of the property. It identifies the owners of record and lists the restrictive deed covenants and recorded mortgages, liens and other instruments affecting your ownership of the property.

### **What happens if I don't agree to the Purchase Offer?**

If you are unable to reach a voluntary agreement through negotiations, the Agency may file a suit in court to acquire your property through an eminent domain proceeding or abandon its acquisition effort. Eminent domain proceedings are often called condemnations. If the Agency decides to pursue condemnation, it may only do so after conducting a hearing on the matter during which the affected property owner(s) will be provided an opportunity to speak. If your property is to be acquired by condemnation, the Agency will file the condemnation suit without unreasonable delay.

### **What happens after the Agency condemns my property?**

You will be notified of the action. Condemnation procedures vary, and you should learn the procedures which apply in your case. The Agency should be able to explain these procedures.

In most instances, when an Agency files a condemnation suit, it must deposit with the court an amount not less than its appraisal of the fair market value of the property. You should be able to withdraw this amount, less any amounts necessary to pay off any mortgage or other liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money requires you to give up certain rights; however, it will not affect your right to seek additional for your property.

During the condemnation proceeding, you will be provided an opportunity to introduce your evidence as to the value of your property. Of course, the Agency will have the same right. After hearing the evidence of all parties, the court will determine the amount of just compensation. If that amount exceeds the amount deposited by the Agency, you will be paid the difference, plus any interest that may be provided by law.

To help you in presenting your case in a condemnation proceeding, you may wish to employ an attorney and an appraiser. However, unless there are extraordinary circumstances, the costs of these professional services and other costs which an owner incurs in presenting his or her case to the court must be paid by the owner.

### **What can I do if I am not satisfied with the Court's Determination?**

If you are not satisfied with the court judgment, you may file an appeal with the appropriate appellate court for the area in which your property is located. If you are considering an appeal, you should check on the applicable time limit for filing the appeal and consult with your attorney on whether you have a basis for the appeal. The Agency may also file an appeal if it believes the amount of the judgment is too high.

### **Will I have to pay any Settlement Costs?**

You will be responsible for the payment of the balance of any mortgage on your property. Also, if your ownership is not clear, you may have to pay the cost of clearing it. But the Agency is responsible for all reasonable and necessary costs for:

- Recording and escrow fees, documentary stamps, transfer taxes, title report, and similar reasonable expenses which are incidental to transferring ownership to the Agency.

- Real property taxes and public service charges covering the period beginning on the date the Agency acquires your property.

Whenever possible, the Agency will make arrangements to pay these costs directly. If you must incur any of these expenses yourself, you will be repaid, usually at the time of settlement. If you later discover other costs for which you should be repaid, you should request repayment from the Agency immediately. The Agency will assist you in filing a claim. Finally, if you believe that you were not properly repaid, you may appeal the decision to the Agency.

#### **May I keep any of the buildings or other improvements on my property?**

Very often, many or all of the improvements on the property are not required by the Agency. This might include such items as a fireplace mantel, your favorite shrubbery, or even an entire house. If you wish to keep any improvements, please let the Agency know as soon as possible.

If you do arrange to keep any improvement, the Agency will deduct only its salvage value from the purchase price you would otherwise receive. (The salvage value of an item is its probable selling price if offered for sale on the condition that the buyer will remove it at his or her own expense.) Of course, if you arrange to keep any real property improvement, you will not be eligible to receive a relocation payment for the cost of moving it to a new location.

#### **Can the Agency take only a part of my property?**

**Yes.** But if the purchase of only a part of your property reduces the value of the remaining part(s), you will be paid for the loss in value. Also, if any remaining part would have little or no utility or value to you, the Agency will offer to buy that remaining part from you.

Occasionally, a public project will increase the value of a remaining part which is not acquired by the Agency. When this occurs, the amount of the increase in value is deducted from the purchase price the owner would otherwise receive.

#### **Will I have to pay rent to the Agency after my property is acquired?**

If you remain on the property after acquisition, you may be required to pay a fair rent to the Agency. Such rent will not exceed that charged for the use of similar properties in similar areas. The rental period may be for a short period of time and may be subject to termination on short notice. If you are occupying a residence on the property, the rental rate will be within your financial means as described in the Guidelines.

#### **How soon must I move?**

If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for your property (e.g., your occupancy would present a health or safety emergency), you will not be required to move without at least 90 days advance written notice.

If you reach a voluntary agreement to sell your property, you will not be required to move before you receive the agreed purchase price. If the property is acquired by a condemnation, you cannot be required to move before the estimated fair market value of the property has been deposited with the court so that you can withdraw your share.

If you are being displaced from a dwelling unit, you will not be required to move before a comparable replacement home is available to you.

**Will I receive Relocation Assistance?**

The Guidelines require that certain relocation payments and other assistance be provided to families, individuals, businesses, farms, and nonprofit organizations when they are displaced or their personal property must be moved as a result of an activity which is subject to the Guidelines.

The Agency will furnish you a full explanation of any relocation assistance to which you may be entitled upon written request. Additionally, a copy of the Relocation Assistance Law is available. If you have any questions about such assistance, please contact the Agency representative. In order for the Agency to fulfill its relocation obligations to you, you must keep the Agency informed of your plans.

**My property is worth more now. Must I pay Capital Gains Tax on the increase?**

In most cases when an Agency acquires real property for public purposes, the property owner may postpone the payment of Federal capital gains taxes on any profit from the sale if he or she reinvests the profit in similar property within a certain replacement period. Similar provisions are applicable under state tax law. To take advantage of this right, you should discuss this with your attorney, personal tax advisor, or the local offices of the IRS or Franchise Tax Board.

**Is it possible to donate property?**

**Yes.** You may donate your property or sell it to the Agency for less than its fair market value. If you do so, the Agency may be released from the requirement to obtain an appraisal of the property and offer just compensation for it.

**Once I am relocated, will my property taxes go up?**

Not necessarily; under California law, owners whose property is purchased under the threat of condemnation by a government agency may transfer the assessed value of the acquired site to a replacement site. This transfer of assessed value is limited to 120% of the price the Agency pays for your property and to replacement properties located within California. Contact the assessor's office in the county in which the replacement site is located to obtain directions on the procedure and forms to be used.

**If you have any questions regarding the matters set forth in this pamphlet, please call:**

City of Garden Grove  
Real Property Office  
11222 Acacia Parkway  
Garden Grove, CA 92840

The telephone number is (714) 741-5128.

*Benefit Summary.doc*

**APPENDIX E**

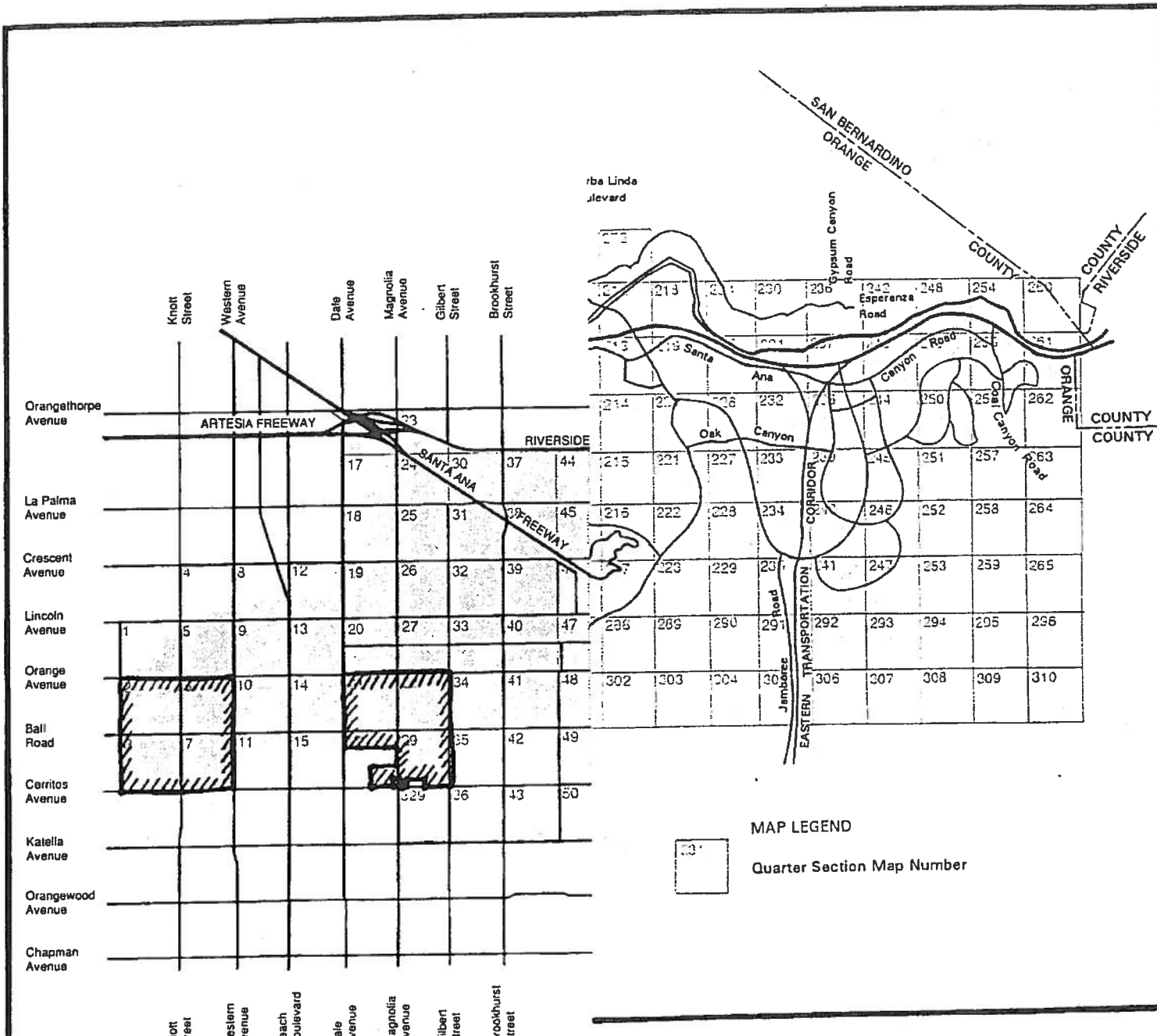
**CITY OF ANAHEIM CUMULATIVE PROJECTS**



Cumulative Projects List (Period 1/1/00 through 3/14/02) for Defined Research Area  
City of Anaheim

#	Project Name	Location	Office (Sq. Ft.)	Hotel (Rooms)	Comments
1	Walnut Grove Medical Center	947 S. Anaheim Blvd.	41,116		Approved 5/01, under construction
2	A description of the Specific Plans in The Anaheim Resort are attached.				

\* Projects met the following parameters: commercial and industrial projects of 10,000 square feet or more; residential development of 50 units or more; or, hotel/motel developments of 75 or more rooms.



= Areas for Projects Reviewed

MAP LEGEND  
 Quarter Section Map Number

**CITY OF ANAHEIM**

January 1, 1996  
**PLANNING DEPARTMENT**

**CITY OF ANAHEIM  
RELATED PROJECTS**

**ANAHEIM RESORT SPECIFIC PLAN NO. 92-2**

The 554.9-acre Anaheim Resort Specific Plan area is located within The Anaheim Resort (see attached Anaheim Resort Specific Plan Development Plan for location). The Anaheim Resort Specific Plan permits the development of hotels/motels, restaurants, convention facilities and other visitor-serving uses. A total of 27,100 hotel/motel rooms and 358,000 square feet of additional traffic generating square footage for the Anaheim Convention Center are permitted by the Specific Plan. Currently, 11,977 hotel/motel rooms are located in the Specific Plan area and 138,586 square feet of the additional Anaheim Convention Center square footage have been constructed. An additional 1,620 hotel rooms, with accessory uses, have been approved or are under review. See the Anaheim Resort Specific Plan and certified Master EIR No. 313 (including Mitigation Monitoring Program No. 0085) for a full description of the Specific Plan land uses and environmental analysis.

Following is a list of the 1,620 hotel rooms and accessory uses that have been approved or are under review:

**Approved Projects:**

1. Courtyard by Marriott, 2045 S. Harbor Boulevard – A 252-room hotel with an approximate 2,870 square foot restaurant and a 1,200 square foot meeting/banquet room [Final Site Plan No. 98-06 was approved in July, 1998].
2. Convention Center Inn & Suites, 2017 S. Harbor Boulevard – A 351-room hotel complex consisting of a new 5-story, 228-room, suite-type hotel and renovation of the existing 123-room hotel (existing Convention Center Inn). The hotel complex also includes approximately 3,000 square feet of meeting/banquet facilities, 1,800 square feet of restaurant/lounge area and 1,430 square feet of retail space [Final Site Plan No. 97-14 was approved in October, 1998].
3. Holiday Inn/Orangetwood Suites/DoubleTree Hotel, 2065 – 2085 S. Harbor Boulevard - A 550-room hotel complex to be constructed in two phases. Phase I includes a 7-story, 258-room hotel with an approximate 2,500 square foot restaurant, 2,000 square feet of meeting/banquet facilities and 1,380 square feet of retail area. Phase II includes an 8-story, 292-room hotel with an approximate 2,500 square foot restaurant, 3,760 square feet of meeting/ banquet facilities and 4,189 square feet of retail area. Construction plans for the Phase I, 258-room hotel were submitted for building plan check in September 2001.
4. Holiday Inn Select, 1750 S. Harbor Boulevard – A 135-room hotel with banquet, restaurant and retail uses. Construction plans were submitted for building plan check in September, 2001.

### Projects Under Review:

1. Comfort Suites, 130 W. Katella Avenue – Proposal to demolish existing 109-room hotel and replace it with a 4-story, 147-room hotel.
2. La Quinta Hotel, Southeast Corner of Katella Avenue and Harbor Boulevard – Proposal to construct a 223-room hotel complex with restaurant and retail uses.

### THE DISNEYLAND RESORT SPECIFIC PLAN NO. 92-1

The 489.7-acre Disneyland Resort Specific Plan area is located within The Anaheim Resort (see attached Disneyland Resort Specific Plan Development Plan for location). The Disneyland Resort Specific Plan provides for the development of an international multi-day destination resort including the Disneyland Theme Park, California Adventure Theme Park, Downtown Disney, hotels (including the Disneyland Hotel and the Grand California Hotel and additional hotel rooms) and parking and transportation facilities within the Theme Park, Hotel, Parking and Future Expansion Districts. It also provides for a maximum density of 4,235 hotel/motel rooms within the C-R Overlay and District A Development Areas (to date, 765 hotel rooms are located in these areas and an additional 72 hotel rooms were recently approved). The Specific Plan further provides for the development of the Pointe Anaheim Lifestyle Retail and Entertainment Complex (see description in the following paragraph) in the Pointe Anaheim Overlay (this Overlay encompasses District A and a portion of the Parking District). See The Disneyland Resort Specific Plan, certified EIR No. 311 and Addendum (including Modified Mitigation Monitoring Program No. 0067) and an Addendum to the Pointe Anaheim Initial Study dated October 29, 2001 and Mitigated Negative Declaration/Mitigation Monitoring Plan No. 004 for a full description of the Specific Plan land uses and environmental analysis.

Following is a description of the 72 additional hotel rooms that were recently approved in the C-R Overlay and the Pointe Anaheim Lifestyle Retail and Entertainment Complex in the Pointe Anaheim Overlay:

- Desert Palm Inn Suites Hotel, 631 W. Katella Avenue - Demolition of existing 24-room Sir Rudimar motel and remodel and expansion of existing 4-story, 100-room Desert Palm Inn and Suites for a new total of 172 hotel rooms with 4,400 square feet of accessory uses [Variance No. 2002-04485 and Final Site Plan No. 2001-00033 were approved on March 11, 2002].
- Pointe Anaheim Lifestyle Retail and Entertainment Complex - Provides for the following: 634,700 gross square feet of retail/dining/entertainment uses, which includes a 94,000 square foot aquarium; up to four hotels comprising a maximum of 1,662 hotel rooms/suites (of which up to 200 units may be Vacation Ownership Resort units) with approximately 322,071 gross square feet of related accessory uses of which up to 178,120 gross square feet on top of the parking structure may be used for a hotel conference center (the hotel rooms/suites and accessory uses

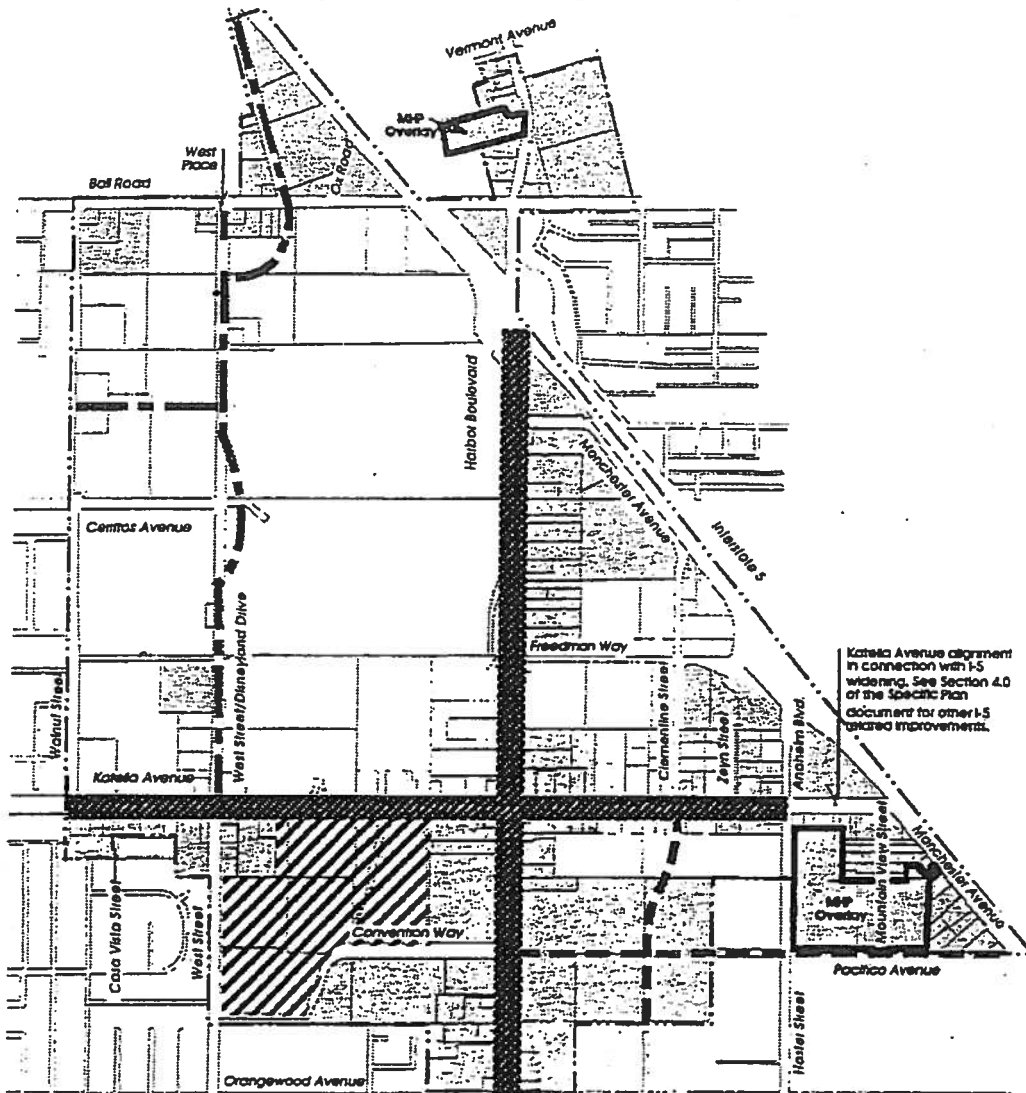
would encompass a maximum of 1,370,711 gross square feet); and a 1,949,800 gross square foot parking structure with 4,800 striped parking spaces at full build-out and 15 bus spaces with a 10,200 square foot bus terminal/facility for airport transport and to/from sightseeing venues.

### **HOTEL CIRCLE SPECIFIC PLAN NO. 93-1**

The 6.8-acre Hotel Circle Specific Plan area is located within The Anaheim Resort, north of Katella Avenue between Anaheim Boulevard and Clementine Street (see attached location map). The Hotel Circle Specific Plan permits the development of up to 969 hotel/motel rooms (393 hotel rooms currently exist and a development plan for up to 156 rooms is under review).

Anaheim Resort Summary

ANAHEIM RESORT SPECIFIC PLAN NO. 92-2



The Anaheim Resort Specific Plan  
Anaheim, California

Development Summary Plan



Designated Future Alignment in General Plan Circulation Element\*

\*In connection with The Disneyland Resort Specific Plan, Cerritos Avenue is planned to be relocated 1,000 to 1,100 feet northerly and a portion of West Street is planned to become a cul-de-sac (West Place)

Legend

- Limit of Anaheim Resort
- Designated for Future Extension in General Plan Circulation Element
- C-R District (Development Area 1)
- PR District (Development Area 2)
- Mobilehome Park (MHP) Overlay Zone within the C-R District
- Central Core

Exhibit 1.7b—The Anaheim Resort Specific Plan Development Summary Plan

**Anaheim Resort Specific Plan Development Summary**

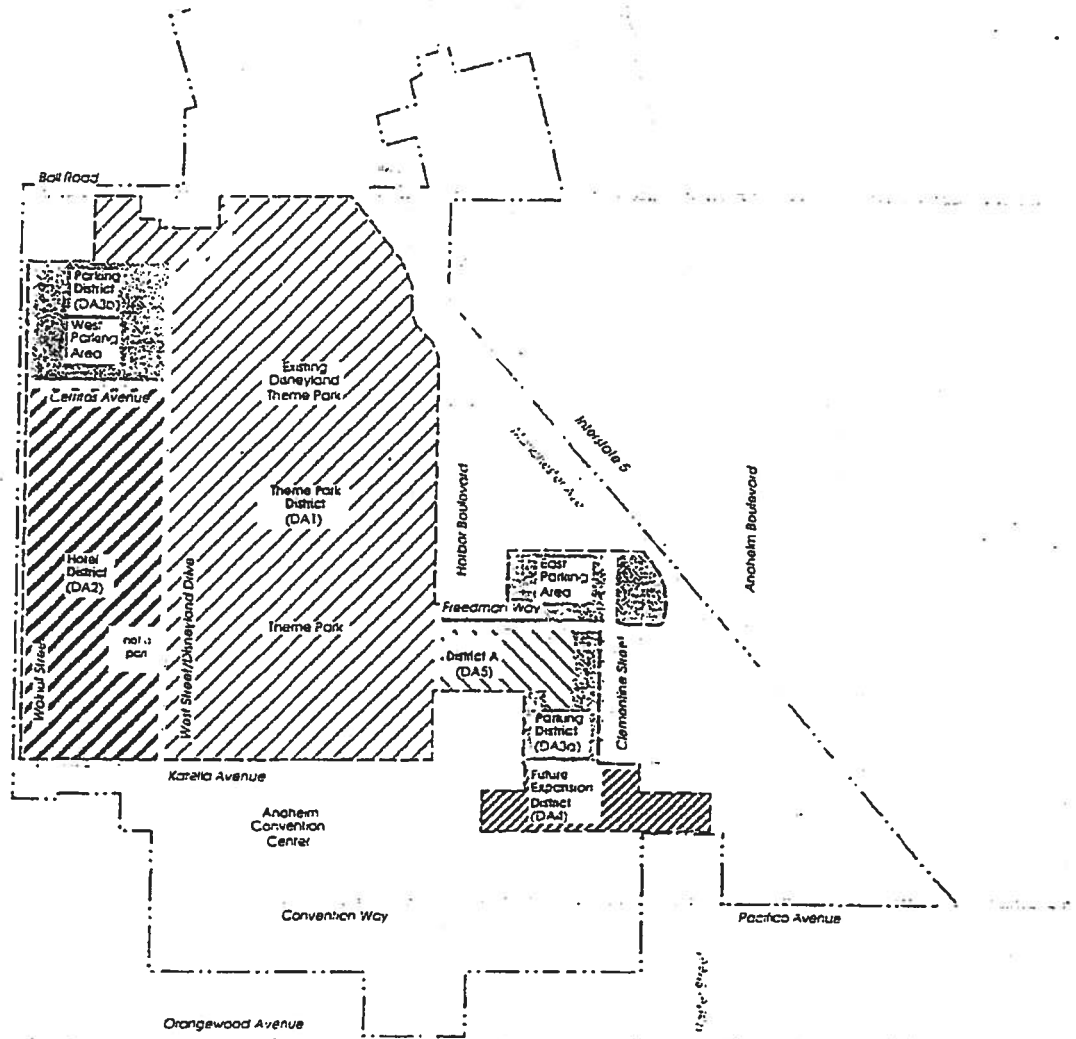
Districts/Right-of-Way	Land Use	Approximate Acreage
Commercial Recreation (C-R) District (Development Area 1)	Hotel/motel, restaurant and other visitor -serving uses	323.0
Public Recreation (PR) District (Development Area 2)	Anaheim Convention Center and accessory uses, hotel uses	62.8
I-5 Freeway Widening Area*	Land designated for I-5 Freeway widening within the Specific Plan Area	15.1
Public Right-of-Way	Land designated for the public right-of-way within the Specific Plan Area	154.0
<b>TOTAL</b>		<b>554.9</b>
Mobilehome Park (MHP) Overlay in the C-R District	Existing Mobilehomes	31.5

\*Approximately 15.1 acres of the Anaheim Resort Specific Plan area are designated for future I-5 Freeway right-of-way. Until such time as this land is acquired by Caltrans, it will be subject to the Anaheim Resort Specific Plan Zone, C-R District and the density designations summarized in Exhibit 1.7c - C-R District Development Density Plan Tabulation and shown on Exhibit 1.7d - C-R District Development Density Plan. Plans showing the properties affected by the I-5 Freeway widening are on file with the City Public Works-Engineering Department.

*Exhibit 1.7a - Anaheim Resort Specific Plan District Development Summary*

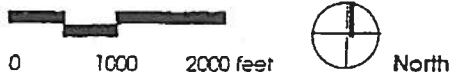


THE DISNEYLAND RESORT SPECIFIC PLAN NO. 92-1



The Disneyland Resort Specific Plan  
Anaheim, California

**Development Plan**  
Showing Boundaries of Anaheim  
Resort



**Legend**

-  Limit of Anaheim Resort
-  Disneyland Resort Specific Plan Boundary
-  Designated for Future Extension in Existing General Plan Circulation Element
-  Theme Park District (Development Area 1)
-  Hotel District (Development Area 2)
-  Parking District (Development Areas 3a & 3b)
-  Future Expansion District (Development Area 4)
-  District A (Development Area 5)

Exhibit 1.6.6b—The Disneyland Resort Development Plan

### 1.6.6 Development Plan

The map and accompanying table on these pages is The Disneyland Resort Specific Plan Development Plan. It shows the location of each of the five Districts within the Specific Plan area and the Anaheim Resort. It is accompanied by a table that summarizes the proposed development.

#### Development Area Summary

Development Area Name	Land Use	Area (acres)	Existing & Proposed Development
Theme Park District (Development Area 1)	• Existing Disneyland	136	2,600,000 sf
	• Planned Disneyland and Back-of-house Uses		900,000 sf
	• Administration Building	9	475,000 sf
	• Administration Building Parking		2,300 spaces
	• New Theme Park & Back-of-house Uses	147	3,350,000 sf (2 & 3)
	• Hotel Rooms		(2) rooms
	• Parking for Hotels & Theme Park Uses		(2) spaces
	• Theme Park Parking		5,000 spaces (4)
Hotel District (Development Area 2)	• Hotel Rooms (inc. 1,000 existing rooms)	97	5,600 rooms (2)
	• Retail/Restaurant		300,000 sf (1)
	• Parking Spaces (inc. 570 existing spaces)		9,930 spaces (2 & 3)
	• Meeting Room/Convention Space		200,000 sf (1)
Parking District (Development Area 3)	• East Parking Area	30.1 (5)	17,600 spaces (3 & 4)
	• West Parking Area	27	16,700 spaces (3)
Future Expansion District (Development Area 4)	• Theme Park	24.7	0 sf (6)
	• Parking Spaces		5,100 spaces (3)
District A (Development Area 5)	• Commercial Recreation Uses	18.9	(7) rooms
Combined total, existing and proposed			7,825,000 sf
			5,600 rooms
489.7			51,630 spaces
C-R Overlay (5)	within Theme Park District	19.5	
	within Hotel District	0.5	
	within Parking District		
	East Parking Area	30.1	
	within Future Expansion District	1.1	
Subtotal		51.2	
Pointe*Anaheim Overlay (8)	within Parking District		
	East Parking Area/C-R Overlay	10.2	
	within District A	18.9	
Subtotal		29.1	

Notes:

(1) Includes existing and anticipated new development to service existing & new hotels  
 (2) Up to 1,000 rooms with their accompanying parking may be constructed within the Theme Park District and up to 350,000 square feet of a retail entertainment center may be constructed in the Theme Park and/or Hotel District(s)

(3) Number of spaces will be determined by the provisions of Section 7.0, "Zoning and Development Standards"

(4) Up to 5,000 of the guest parking spaces identified for the East Parking Area may be located in the Theme Park District

(5) The C-R Overlay may be developed with hotel rooms or visitor-serving uses and/or parking facilities; see Section 3.3.5 'C-R Overlay'

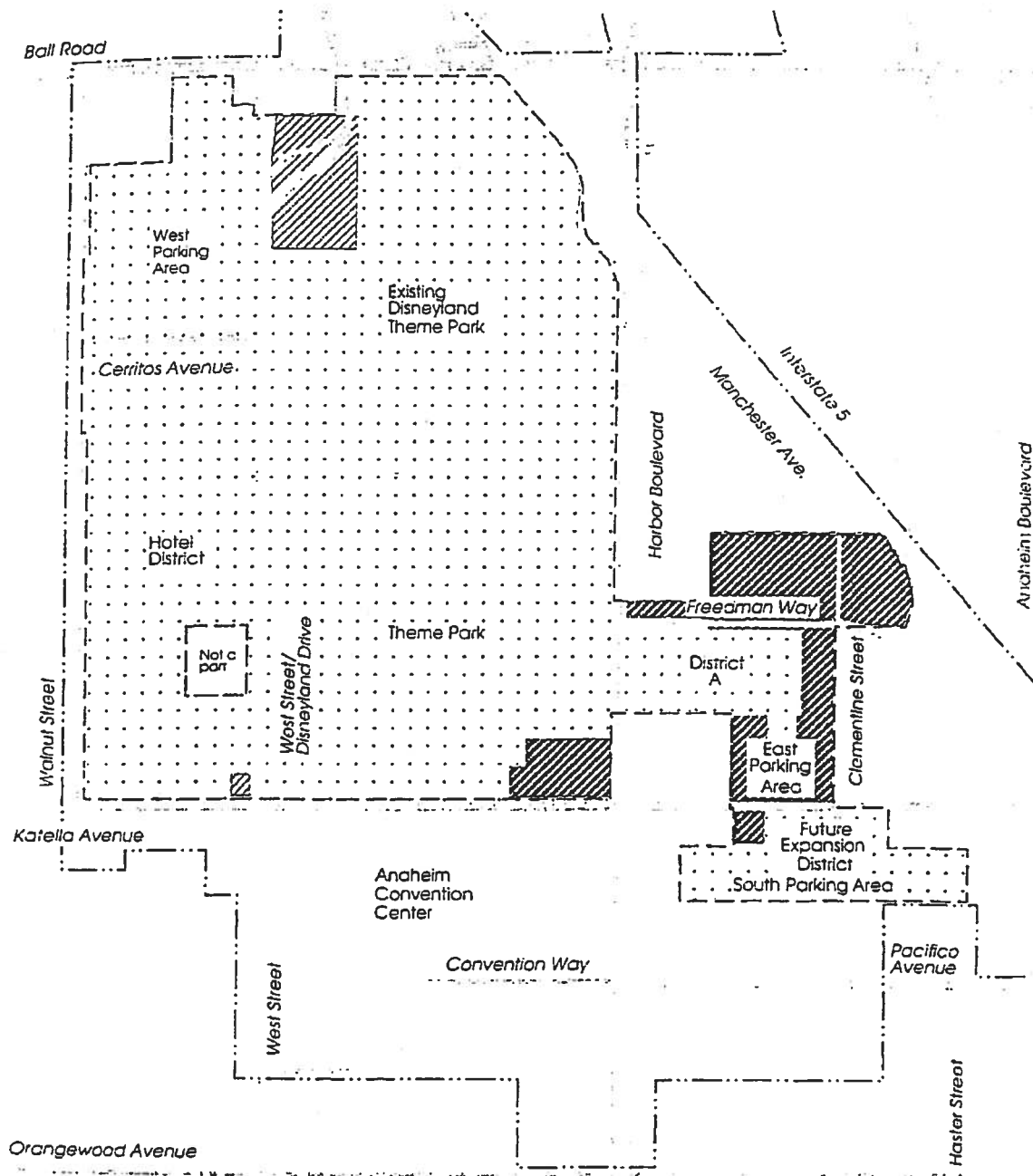
(6) Zoning and Development Standards permit theme park uses in the Future Expansion District

(7) Up to 75 hotel rooms per gross acre are permitted in District A

(8) The Pointe\*Anaheim Overlay may be developed with the Pointe\*Anaheim Project subject to the approval of Conditional Use Permit No. 4078; or, with uses set forth in District A or the Parking District (East Parking Area)/C-R Overlay

Exhibit 1.6.6a—The Disneyland Resort Development Area Summary Tabulation

The Disneyland Resort Specific Plan ❖ Section 1.0: Executive Summary



The Disneyland Resort Specific Plan  
Anaheim, California

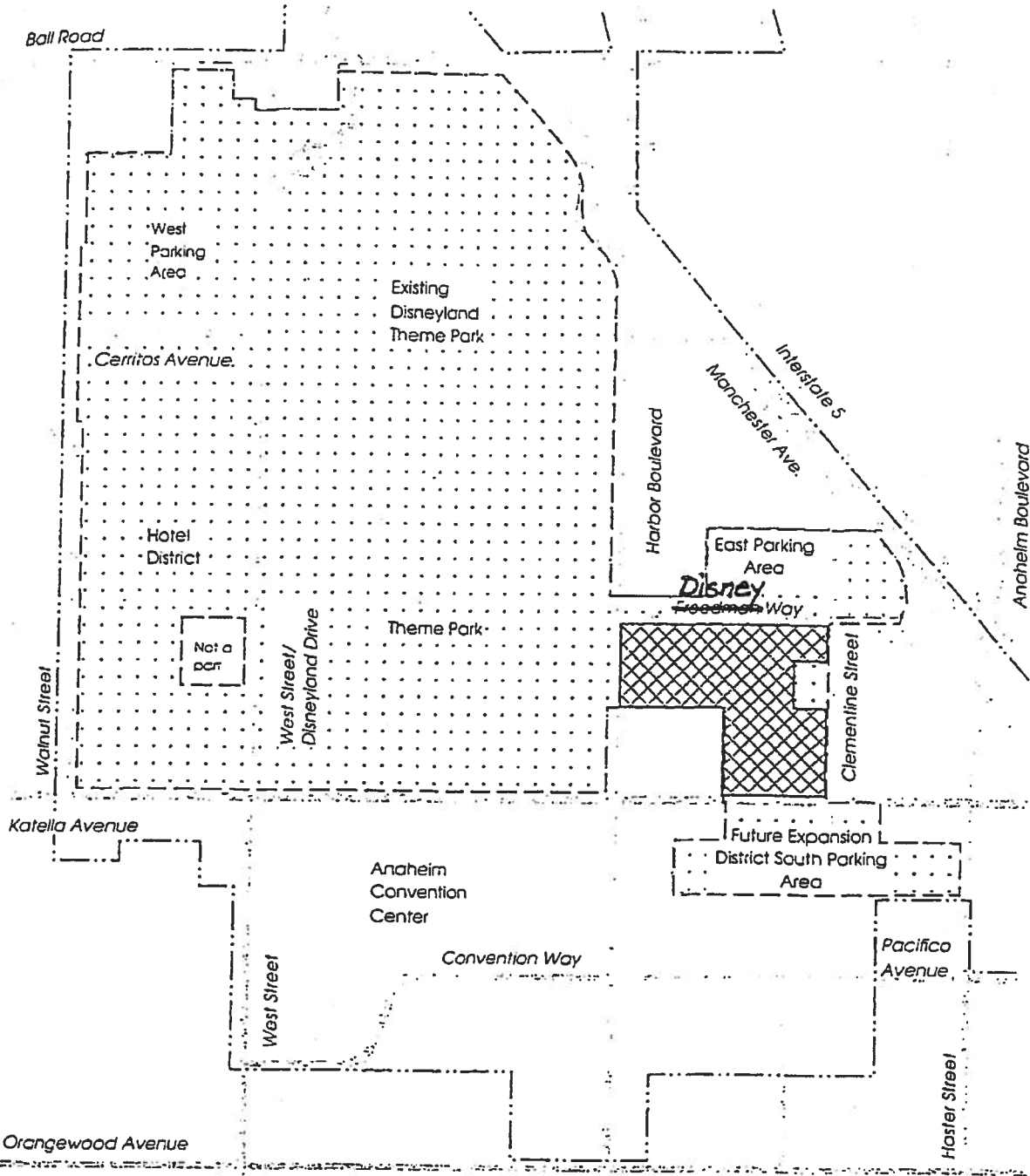
C-R Overlay



Legend

- Anaheim Resort Boundary
- Disneyland Resort Specific Plan Boundary
- Designated for Future Extension in Existing General Plan Circulation Element
- Medium Density (up to 75 rooms per gross acre)
- Low Density (up to 50 rooms per gross acre)

Exhibit 1.6.6c—C-R Overlay



The Disneyland Resort Specific Plan  
Anaheim, California

**Pointe\*Anaheim Overlay**

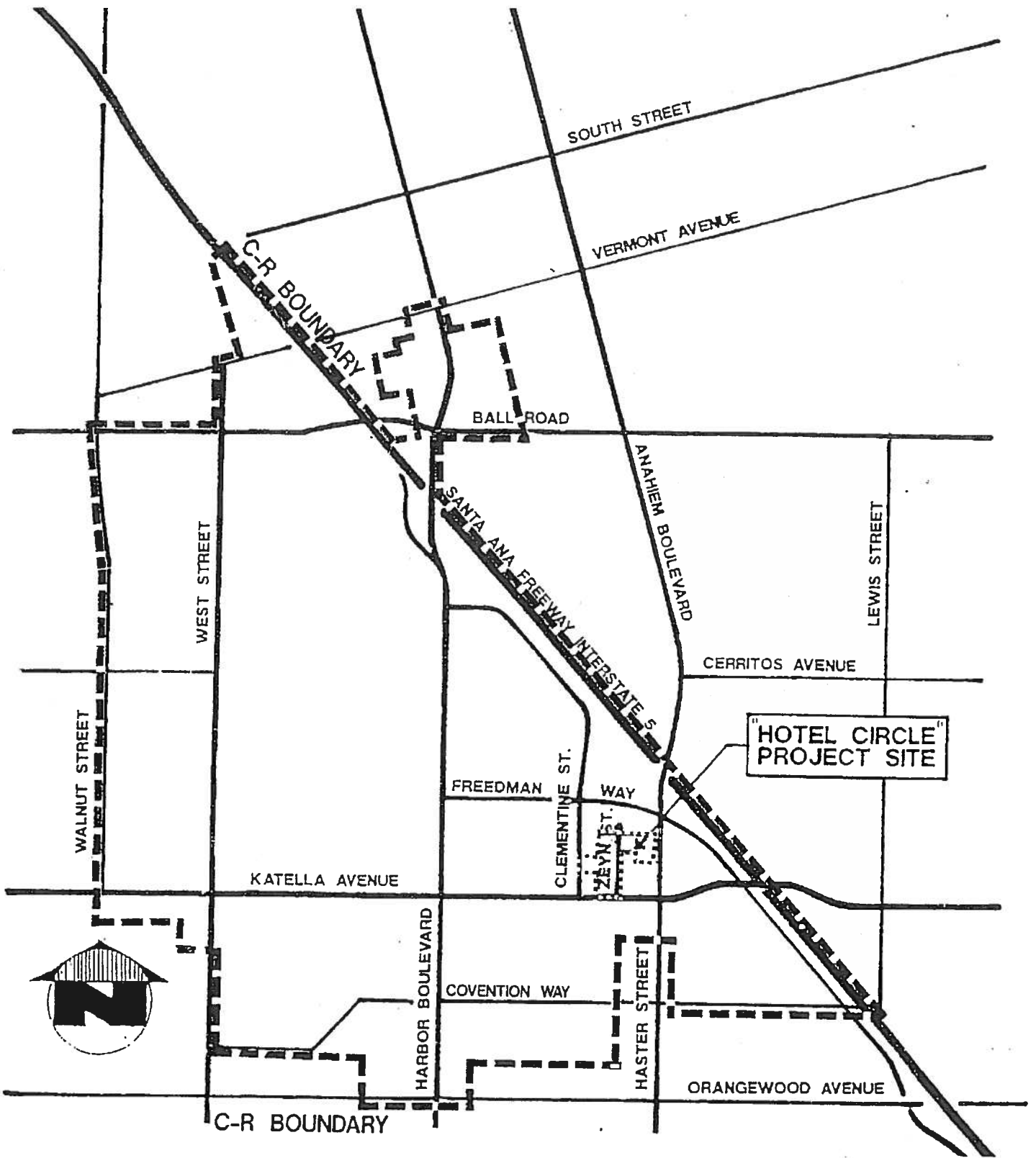


Exhibit 1.6.6d—Pointe\*Anaheim Overlay

**Legend**

- Anaheim Resort Boundary
- Disneyland Resort Specific Plan Boundary
- Designated for Future Extension in Existing General Plan Circulation Element
- Pointe\*Anaheim Overlay

HOTEL CIRCLE SPECIFIC PLAN NO. 93-1



C-R AREA BOUNDARY, AS DESIGNATED ON THE CITY OF ANAHEIM GENERAL PLAN



SPECIFIC PLAN BOUNDARY

# HOTEL CIRCLE

## VICINITY MAP

AUGUST 9, 1994

EXHIBIT 4



**APPENDIX F**

**NOTICE OF AVAILABILITY**



**GARDEN GROVE AGENCY FOR COMMUNITY  
DEVELOPMENT**

**POSTED**

**APR 11 2002**

DARLENE J. BLOOM, INTERIM CLERK-RECORDER  
By \_\_\_\_\_ DEPUTY

**NOTICE OF AVAILABILITY OF DRAFT PROGRAM  
ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

PLEASE TAKE NOTICE THAT the Garden Grove Agency for Community Development, as the Lead Agency, has prepared a Draft Program Environmental Impact Report (Program EIR) for the Amendment to the Redevelopment Plan pursuant to the California Environmental Quality Act. The project involves activities that will add territory to the Existing Project Area, eliminate and prevent the spread of blighting conditions in the Redevelopment Project Area as proposed to be amended, including improving infrastructure and public facilities, revitalizing commercial and industrial areas, increasing and improving affordable housing, and working with property owners to redevelop commercial, industrial and residential properties. The project is located throughout the City of Garden Grove and includes amending the Existing Redevelopment Plan to, among other things, add approximately 195 acres of added territory to the Redevelopment Project Area, add proposed public improvement projects, increase time to incur debt of the Redevelopment Plan, extend the authority of eminent domain within the Existing Redevelopment Project Area for an additional twelve years to July 2016, and establish eminent domain authority over the Added Territory to be added to the Redevelopment Project Area by the Amendment to the Redevelopment Plan to July 2014.

Significant effects on the environment anticipated as a result of the project, to the extent that such effects are known to the Garden Grove Agency for Community Development at the time of this notice, which are addressed in the Draft Program EIR include: land use; geology/soils; hydrology/drainage and water quality; traffic and circulation; aesthetics; noise; air quality; public services; hazards and hazardous materials; population, housing and employment; recreation; biological resources; and cultural resources.

The Draft Program EIR and all documents referenced in the Draft Program EIR are available for review at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, CA 92842/Phone (714) 741-5000. The public is invited to provide comments on the Draft Program EIR to the attention of Ms. Susan Emery, Redevelopment Manager, at the address listed above during the review and comment period that will run from April 9, 2002 to May 23, 2002.

A joint public hearing of the City Council of the City of Garden Grove and the Garden Grove Agency for Community Development to consider the approval and adoption of the Amendment to the Redevelopment Plan and to consider the Final Program EIR will be held at the City of Garden Grove Council Chambers, located at the Community

Center at 11300 Stanford Avenue, Garden Grove, CA 92842, on Tuesday, June 25, 2002 at 7:00 p.m. All evidence and testimony for or against the adoption of the Amendment to the Redevelopment Plan and the certification of the Final Program EIR will be considered. All persons having any objections to the proposed Amendment to the Redevelopment Plan or the regularity of any of the prior proceedings, or who deny the existence of blight in the proposed amended Redevelopment Project Area, may appear before the Garden Grove Agency for Community Development and the City Council of the City of Garden Grove at the time and place of the hearing and show cause why the proposed Amendment to the Redevelopment Plan should not be adopted. Further, at the day, hour and place of said hearing, any and all persons desiring to comment on, or having objections to, the content or adequacy of the Final Program EIR may appear and be heard before the Garden Grove Community Development Agency and the City Council of the City of Garden Grove.

**APPENDIX G**

**COMMENTS RECEIVED TO THE REDEVELOPMENT PLAN  
AMENDMENT DRAFT PROGRAM ENVIRONMENTAL  
IMPACT REPORT**



# CITY OF ORANGE

---

DEPARTMENT OF COMMUNITY DEVELOPMENT

FAX (714) 744-7222

ADMINISTRATION  
(714) 744-7240

PLANNING DIVISION  
(714) 744-7220

BUILDING DIVISION  
(714) 744-7200

May 6, 2002

Ms. Susan Emery  
Redevelopment Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

RECEIVED  
MAY - 8 2002  
Department of  
Community Development

Dear Ms. Emery,

**Subject: Redevelopment Plan Amendment Draft Program EIR**

The City of Orange appreciates the opportunity to comment on the Draft Program EIR for Garden Grove's Redevelopment Plan Amendment. The project consists of adding approximately 195 acres of territory to the Garden Grove Redevelopment Plan area, establishing eminent domain authority over the added territory, extending the Agency's authority of eminent domain for an additional twelve years for properties within the existing Redevelopment Plan area, adding public improvement projects to the Plan, and other administrative changes related to implementation of the Plan.

The City of Orange has reviewed the Draft Program EIR and determined that the project would not result in adverse impacts to areas or resources within our purview. Therefore, the City of Orange has no comments. If you have any questions, please contact me at (714) 744-7220.

Sincerely,

Karen Sully  
Planning Manager  
Community Development Department



Gray Davis  
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
INTERIM DIRECTOR

**ACKNOWLEDGEMENT OF RECEIPT**

DATE: April 30, 2002

TO: Susan Emery  
Garden Grove Agency for Community Development  
11222 Acacia Parkway  
Garden Grove, CA 92842

RE: Garden Grove Redevelopment Plan Amendment  
SCH#: 2001091038

RECEIVED  
MAY 8 2002  
Department  
Community Development

This is to acknowledge that the State Clearinghouse has received your environmental document for state review. The review period assigned by the State Clearinghouse is:

Review Start Date: April 9, 2002  
Review End Date: May 23, 2002

We have distributed your document to the following agencies and departments:

California Coastal Commission  
California Highway Patrol  
Caltrans, District 12  
Department of Conservation  
Department of Fish and Game, Region 5  
Department of Housing and Community Development  
Department of Parks and Recreation  
Department of Toxic Substances Control  
Native American Heritage Commission  
Regional Water Quality Control Board, Region 8  
Resources Agency  
State Lands Commission

The State Clearinghouse will provide a closing letter with any state agency comments to your attention on the date following the close of the review period.

Thank you for your participation in the State Clearinghouse review process.

**Ruth Smith**

---

**From:** littrells [littrells@webtv.net]  
**Sent:** Tuesday, April 30, 2002 3:50 PM  
**To:** littrells  
**Subject:** EIR challenge

5/01/02

To whom it may concern.

I Raymond Littrell residing at 12091 Blackmer in the city of Garden Grove, Ca. do challenge the EIR for the proposed amendment to the redevelopment plan for the Garden Grove community project.

The reason for the challenge is:  
No where in the EIR is there any mention of the impact to the Garden Grove paramedics or its override tax. Presently the assessed value of the paramedic tax is impacted by tax increment assessed values of about \$1,275,573,000. Which means a loss of funds to the paramedics of about \$315,000 this is 22% of the present funds of \$1,416,628, that is a big impact at the present.

While agency projects hotels and houses put a huge new demand on their services impacting those services. Adding new area will only put more demands for services while "freezing" revenues from the paramedic tax. The impact is seen on ambulance bills with the new charge.

The only mitigation to solve this problem is to pass thru ALL the paramedic tax. The way it is redevelopment will cause more and new charges to be collected.

Ray Littrell  
12091 Blackmer  
Garden Grove, Ca. 92845  
714-892-1082

e/mail littrells@webtv.net

- STATE OF CALIFORNIA—BUSINE  
**DEPARTMENT OF TRA**  
DISTRICT 12  
3337 Michelson Drive Suite 380  
Irvine, CA, 92612-8894

POST-IT FAX NOTE	16/1	DATE 5-22-02	PAGES 3
To: P. Wernquist		From: B. Shumway	
Co./Dept: Garden Grove		Co. Caltrans	
Phone: 714-741-5312		Phone: 949-440-4461	
Fax: 714-741-5578		Fax #	

DAVIS, Governor



**FAX AND MAIL**

May 21, 2002

Mr. Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

File: IGR/CEQA  
SCH#: 2001091038  
Log #: 970A  
SR-22

**Subject: Garden Grove Redevelopment Plan Amendment Program EIR**

Dear Mr. Wernquist:

Thank you for the opportunity to review and comment on **Garden Grove's Redevelopment Plan Amendment Program EIR**. The amendments proposed in this EIR revise the existing Redevelopment Plan to add new public improvement projects in selected areas throughout the city of Garden Grove.

Caltrans District 12 will be a responsible agency on this project and in addition to the comments we provided for the NOP, we have the following added comments:

1. Freeway on- and off-ramp intersections with the City's streets shall be mitigated for LOS (Level of Service) F;
2. Lane closures impacting State facilities shall not be allowed during the following peak hours: 06:00 a.m. to 09:00 a.m.; 11:00 a.m. to 01:00 p.m.; and 03:00 p.m. to 06:00 p.m.;
3. In the event that redevelopment construction activities infringe upon Caltrans' right-of-way, please refer to the attached guidance page entitled, "Environmental Review Requirements for Encroachment Permits."

Please continue to keep us informed of this project and other future developments. We appreciate opportunities to partner with local governments regarding any project that could potentially impact our transportation facilities. If you have any questions

MAY-22-2002 17:01

714 741 5178 P.03/04

Mr. Paul Wernquist  
May 21, 2002  
Page 2

or need to contact us, please do not hesitate to call Becky Shumway at (949) 440-4461.

Sincerely,



Robert F. Joseph, Chief  
Advanced Planning Branch

Attachment

cc: Terry Roberts, OPR  
Ron Helgeson, HQ Planning  
S. Hashemi, Traffic Operations

MAY-22-2002 08:02

714 724

P.02



## ENVIRONMENTAL REVIEW REQUIREMENTS FOR ENCROACHMENT PERMITS

Any Party, outside of Caltrans, that does work on a State Highway or Interstate Highway in California needs to apply for an encroachment permit. To acquire any encroachment permit, environmental concerns must be addressed. Environmental review of encroachment permit applications may take 3 weeks if the application is complete or longer if the application is incomplete. For soil disturbing activities (e.g. geotechnical borings, grading, usage of unpaved roads from which dirt and other materials may be tracked onto the State/Interstate highways, etc.), compliance with Water Quality and Cultural Resources Provisions are emphasized. Surveys may/ may not be soil-disturbing activities, depending on the site and survey method.

**A complete application for environmental review includes the following:**

1. If an environmental document (CE, EIR/EIS, ND, etc.) has been completed for the project, copy of the final, approved document must be submitted with the application.
2. **Water Quality Provision:** All work within the State Right of Way must conform to Caltrans Standard Plans and Standard Specifications for Water Pollution Control including production of a Water Pollution Control Program or Storm Water Pollution Prevention Plan as required. The applicant must provide Encroachments with a copy of the Storm Water Pollution Prevention Plan (SWPPP) including Best Management Practices (BMPs) to be implemented for construction activities impacting Caltrans Right of Way, prepared for this as required by the NPDES Statewide Storm Water Permit for General Construction Activities. If no SWPPP has been prepared for this project, then the applicant must follow the requirements described in the attached Water Pollution Control Provisions (please see attachment).
3. **Cultural Resources Provisions:** If not included in the environmental document, before permit approval and project construction, the encroachment permit applicant must complete a Cultural Resource Assessment pursuant to Caltrans Environmental Handbook, Volume 2, Appendix B-1, and Exhibit 1, as amended. The Cultural Resources Assessment ascertains the presence or absence of cultural resources within a one-mile radius of the project area and evaluates the impact to any historical/cultural resource. Cultural Resources include "those resources significant in American history, architecture, archaeology, and culture, including Native American Resources" (Caltrans Environmental Handbook, Volume 2, Chapter 1, as amended). The Cultural Resource Assessment must include:
  - a) a clear project description and map indicating project work, staging areas, site access, etc.;
  - b) a Record Search conducted at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. For information call (714) 278-5395;
  - c) proof of Native American consultation. Consultation involves contacting the Native American Heritage Commission (NAHC), requesting a search of their Sacred Lands File, and following the recommendations provided by the NAHC. For information call (916) 653-4082;
  - d) documentation of any historic properties (e.g. prehistoric and historic sites, buildings, structures, objects, or districts listed on, eligible for, or potentially eligible for listing on the National Register of Historic Places) within a one mile radius of the project area;
  - e) and a survey by qualified archaeologist for all areas that have not been previously researched.

*The SCCIC and NAHC have an approximate turn around time of 2 weeks.*

4. **Biological Resources Provisions:** Work conducted within Caltrans Right of Way should have the appropriate plant and wildlife surveys completed by a qualified biologist. If the information is not included in the environmental document, Environmental Planning requests that the applicant submit a copy of the biological study, survey, or technical report by a qualified biologist that provides details on the existing vegetation and wildlife at the project site and any vegetation that is to be removed during project activities. Official lists and databases should also be consulted for sensitive species such as the California Natural Diversity Database and lists provided by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Any impacts that affect waterways and drainages and/or open space during construction, or that occur indirectly as a result of the project must be coordinated with the appropriate resource agencies. As guidance, we ask that the applicant include:
  - a) clear description of project activities and the project site
  - b) completed environmental significance checklist (not just yes and no answers, but a description should be given as to the reason for the response),
  - c) staging/storage areas noted on project plans,
  - d) proposed time of year for work and duration of activities (with information available),
  - e) any proposed mitigation (if applicable to the project),
  - f) and a record of any prior resource agency correspondence (if applicable to the project).



**County of Orange**  
*Planning & Development Services Department*

THOMAS B. MATHEWS  
DIRECTOR

300 N. FLOWER ST.  
SANTA ANA, CALIFORNIA

MAILING ADDRESS:  
P.O. BOX 4048  
SANTA ANA, CA 92702-4048

NCL 02-44

May 21, 2002

Ms. Susan Emery, Redevelopment Manager  
Agency for Community Development  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

SUBJECT: DPEIR for the Redevelopment Plan Amendment

Dear Ms. Emery:

The above referenced item is a Draft Program Environmental Impact Report (DPEIR) for the City of Garden Grove. The Agency proposes to encourage both public and private rehabilitation and development in the Garden Grove Community Project Area to reduce and eliminate blight.

The County of Orange has reviewed the DPEIR and offers the following comments:

**FLOOD**

Our review of the subject DPEIR noted that our earlier comments we conveyed via the attached letter dated October 5, 2001 were not fully addressed in this submittal. The following comments are provided in addition to our previous comments for your consideration:

1. The DEIR should include exhibits identifying all Orange County Flood Control District (OCFCD) facilities that could be potentially affected as a result of the future adoption and implementation of the Project.

We also recommend verification of the flood control facilities information using the County's Drainage Facility Basemaps that depict the local and regional drainage facilities throughout the County. These Basemaps are available for review or purchase from the County's Central Files' office located on the 2<sup>nd</sup> floor at 300 N. Flower Street in Santa Ana. Central Files can be reached at (714)-834-3568.

2. As redevelopment needs and opportunities evolve over the 30-year life of the redevelopment project, additional runoff could be generated that would significantly impact the capacity of OCFCD facilities.

The DEIR should discuss impacts to OCFCD facilities resulting from the proposal and how the impacts of the project are to be mitigated in consultation with the County's Flood Control Program Section. A phasing plan should be established to implement mitigation provisions needed to alleviate project impacts over the period of the proposed redevelopment project.

3. We recommend the Redevelopment Agency be in consultation with the County's Flood Control Program Section to jointly fund the construction within the redevelopment area of needed deficient flood control improvements.
4. The following errors were noted:

- a. "Rancho Los Alamitos Channel" should be renamed "Los Alamitos City Channel (Facility No. C01)". The watershed of this channel is located generally west of the Bolsa Chica Channel (Facility No. C02). Also Los Alamitos Channel does not serve the area of the Garden Grove
- b. "Belgrave Channel", which should be renamed "Belgrave Storm Drain (Facility No C02S05)". This is a City of Garden Grove owned and operated facility.
- c. "Barber City Channel (Facility No. C03)" should be renamed "Anaheim-Barber City Channel (Facility No. C03)".
- d. "Rosalia Storm Drain (Facility No. C03S05)" should be renamed "Rosalia Storm Channel (Facility No. C03S04)".
- e. "Shannon Storm Drain (Facility No. C03P17)" should be renamed "Shannon Storm Channel (Facility No. C03S05)".

#### WASTE MANAGEMENT

5. Property located to the north of proposed new development of 5.29 acres identified as Sub-Area B in the Redevelopment Plan, is the former #8 Cypress, Transfer Station #1. The Transfer Station is east of Knott, ¼ mile south of Katella, which appears to be 1000 feet or less from proposed development. The County of Orange closed the 13-acre site in

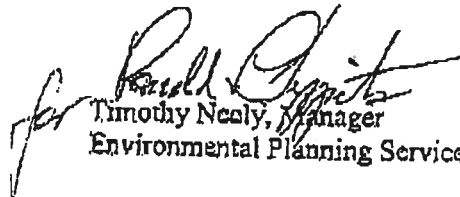
1955. The site was conditionally granted to the City of Stanton per OR85-022125. The County's Integrated Waste Management Department (IWMD) monitors the groundwater quality and reports to the regulators.

Although it ceased accepting waste in 1955 and is now inactive, the site must be maintained and monitored following closure, because buried refuse continues to decompose. Therefore, any potential impact by landfill gas (LFG) migration from the nearby closed site should be evaluated.

LFG contains significant concentrations of methane and carbon dioxide, and generally contains traces of toxic compounds and carcinogens. If methane accumulates in an enclosed space, and is in the range of 5% to 15% by volume, an explosion can occur. Above 15%, combustion can occur from a spark. It is recommended that the City consult with the Orange County Solid Waste Local Enforcement Agency (LEA). Ms. Patti Henshaw of that office may be reached at (714) 667-2014.

Thank you for the opportunity to respond to the DPEIR. If you have any questions, please contact Charlotte Harryman at (714) 834-2522.

Sincerely,

  
Timothy Nealy, Manager  
Environmental Planning Services Division

Attachment

ch



**County of Orange**  
**Planning & Development Services Department**

THOMAS B. MATHEWS  
DIRECTOR

308 N FLOWER ST  
SANTA ANA, CALIFORNIA

MAILING ADDRESS  
P.O. BOX 4013  
SANTA ANA, CA 92702-1013

October 5, 2001

NCL 01-90

Mr. Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

SUBJECT: NOP for Redevelopment Plan Amendment

Dear Mr. Wernquist:

The above referenced project is a Notice of Preparation of a Draft EIR to facilitate the subject project located in City of Garden Grove. The County of Orange has reviewed the NOP and offers the following comments on flood:

1. The Redevelopment Plan Amendment (Project) proposed by the Garden Grove Agency for Community Development (Agency) is adding 12 non-contiguous sub-areas (Project Area) totaling approximately 264 acres, throughout the City of Garden Grove (City) for redevelopment. The Orange County Flood Control District's (OCFCD) share of the incremental increase in property taxes generated from the redevelopment needs to be passed through to OCFCD.
2. The proposed Project Area for redevelopment, as indicated in Figure 1 'Proposed added Territory & Existing Project Area Map', seems to be tributary either directly or indirectly to a number of OCFCD and/or County of Orange flood control facilities. These include, but are not limited to:

Bolsa Chica Channel (Facility No. C02),  
 Anaheim-Barber City Channel (Facility No C03),  
 Garden Grove Storm Drain (Facility No C03P17),  
 Rosalia Storm Drain (Facility No C03S04),  
 Shannon Storm Drain (Facility No C03S05),  
 Westminster Channel (Facility No C04),  
 Taft Storm Drain (Facility No C04P12),  
 Bolsa Grande Storm Channel (Facility No C04S02),  
 East Garden Grove-Wintersburg Channel (Facility No C05),  
 Haster Retarding Basin (Facility No C05B02),  
 Oertley Storm Drain (Facility No C05P19),  
 Newhope Storm Channel (Facility No C05S10),  
 Lewis Storm Channel (Facility No C05S11), and  
 Santa Ana River (Facility No E01).

**ATTACHMENT**

The EIR should identify and depict on maps or exhibits, all facilities that could be potentially affected as result of the future adoption and implementation of the Project. PFRD's Central Files section has Drainage Facility Basemaps which depict local and regional drainage facilities throughout the County. These basemaps are available for review or purchase from Central Files' office located on the 2<sup>nd</sup> floor, 300 N. Flower Street in Santa Ana. Central Files can be reached at (714)-834-3568.

3. The proposed project has the potential to adversely impact existing floodplains, and drainage facilities. Runoff increases resulting from the implementation of the redevelopment should be identified. Intensification of land uses and the resulting increase in impermeable areas beyond current levels when combined with improved local drainage facilities will result in higher discharges being delivered to downstream drainage facilities. The EIR needs to address these issues and propose appropriate mitigation measures in consultation with PFRD/Flood Program Section to alleviate the resulting conditions.
4. The "Description of Project" on Page 1 indicates that the Project will facilitate projects and programs to "upgrade public facilities and infrastructure." Some reaches of the potentially impacted flood control facilities such as Anaheim-Barber City Channel, Westminster Channel, East Garden Grove-Wintersburg Channel, etc, are deficient and inadequate to carry the 100-year or lesser frequency storm runoff. The EIR should include the necessary hydrologic and hydraulic studies to identify these areas and the Agency should contribute funds to upgrade and improve such deficient impacted facilities.
5. If any work in connection with the redevelopment encroaches upon OCFCD right-of-way, encroachment permits from PFRD's Real Property Division will be required.
6. Any changes to the floodplain and work conducted within the existing 100-year floodplain should require a Letter of Map Revision per FEMA design guidelines and regulations and be processed through the City, which is the administrator of floodplains within its municipal boundaries.

Thank you for the opportunity to respond the NOP. Please send one complete set of the DEIR to me at the above address when it becomes available. If you have any questions, please contact Grace Fong at (714) 834-2708.

Sincerely,

  
Tim Neely, Manager  
Environmental Planning  
Services Division



## CITY OF ANAHEIM, CALIFORNIA

Office of the City Manager

May 23, 2002

Mr. Paul Wernquist, Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, California 92842

BY U.S. MAIL AND MESSENGER

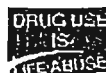
**SUBJECT:** Comments on the Draft Program Environmental Impact Report for the Proposed Amendment to the Redevelopment Plan for the Garden Grove Community Redevelopment Project

Dear Mr. Wernquist:

The City of Anaheim ("Anaheim"), in its capacity as a "responsible agency" under the California Environmental Quality Act (Public Resources Code §21000 et seq.: "CEQA") and the Guidelines for Implementation of the California Environmental Quality Act (Title 14, California Code of Regulations, §15000 et seq.: "State CEQA Guidelines"), and as a substantially and adversely affected neighboring city, appreciates the opportunity to comment on the April, 2002, Draft Program Environmental Impact Report ("DPEIR") for the proposed amendment to the Redevelopment Plan for the Garden Grove Community Redevelopment Project.

Initially, Anaheim would note that, in response to your agency's Notice of Preparation for the DPEIR, Anaheim submitted a response letter (attached hereto), which raised several issues that Anaheim requested that the DPEIR address. In spite of the timely submittal of that letter, we were disappointed upon reviewing the DPEIR to find that several of the issues raised in our response letter were not addressed in the DPEIR. In view of that omission, we incorporate that letter by reference and request that your agency specifically respond to each of the issues raised therein as if fully set forth herein.

Anaheim's comments on the DPEIR are set forth below. The first portion of our comments address general issues regarding the adequacy of the DPEIR in providing sufficient information pursuant to CEQA concerning the true consequences of the proposed project. The second portion identifies more specific issues regarding problems with the DPEIR's information and analysis.



Our comments conclude with an explanation of why, given the many significant defects in the DPEIR, the DPEIR must be recirculated for public review.

#### GENERAL COMMENTS

##### 1. The DPEIR Fails to Fully Disclose the Impacts of the Proposed Amendment

The DPEIR repeatedly implies that it is but an ordinary "first tier" EIR and that additional CEQA compliance will be undertaken on future projects. Typical of this are the following statements in the DPEIR:

"Additional environmental review will be conducted by the Agency in compliance with CEQA in conjunction with all future Agency sponsored/assisted development projects and/or acquisitions of property for development utilizing eminent domain." (DPEIR, page 37.)

"As part of the approval process of any mixed-use project for sub-area I in the future, the City would have to comply with CEQA and prepare the appropriate environmental document (Negative Declaration or Environmental Impact Report) to fully evaluate the potential environmental impacts of the project prior to project approval. The community at large would have an opportunity during the CEQA process to evaluate and comment on a mixed-use project proposal for sub-area I prior to any approvals." (DPEIR, pages 48-49.)

This is simply not the case. CEQA and the State CEQA Guidelines both contain specific provisions regarding EIRs prepared for redevelopment projects. Section 21090 of CEQA provides that "all public and private activities or undertakings, pursuant to, or in furtherance of, a redevelopment plan shall be deemed to be a single project." Amplifying this, Section 15180 of the State CEQA Guidelines provides that this "single project" "shall be deemed approved at the time of adoption of the redevelopment plan by the legislation body" and that "[a]n EIR on a redevelopment plan shall be treated as a program EIR with no subsequent EIRs required for individual components of the redevelopment plan unless a subsequent EIR or a supplement to an EIR would be required by section 15162 or 15163" of the State CEQA Guidelines.

The implications of sections 21090 and 15180 for CEQA review of redevelopment plans was recently explained by the court in *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* ("Mammoth") (2002) 82 Cal.App.4<sup>th</sup> 511, 531, 532:



*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project  
May 23, 2002  
Page 3*

"The Legislature's transformation of a redevelopment plan EIR from what would otherwise be a first tier EIR into a project/program EIR is not without significance. Were it not for Public Resources Code *section 21090* and Guidelines *section 15180*, all activities and subsequent development projects approved pursuant to a redevelopment plan would likely be treated as separate projects and would be subject to environmental review for any potentially significant environmental impacts not previously analyzed in the redevelopment plan EIR. (Pub. Resources Code, §21094.)

Because of Public Resources Code *section 21090* and Guidelines *section 15180*, further environmental review in an EIR of any development project implemented pursuant to or in furtherance of a redevelopment plan is prohibited unless *significant* changes occur in the project or the circumstances surrounding the project, or if *significant* new information which was not known and could not have been known when the redevelopment plan EIR was certified becomes available. [Citations omitted.]"

...by defining a redevelopment plan and all of its proposed projects as a single project, the Legislature implied that as much environmental review as possible should occur at the outset of the redevelopment process, with subsequent review limited to situations where significant changes or "new information" on the plan's constituent projects becomes available." (Italics in original; emphasis added.)

In *Mammoth*, the court invalidated the EIR for the redevelopment plan because it failed to provide detailed review of the 72 proposed projects. Similarly, the DPEIR (pages 34-36) sets out a list of the Amendment's proposed public improvement projects for which no detailed review is provided.<sup>1</sup> In addition to numerous public infrastructure improvements, the DPEIR's list includes the following public facilities:

- "Construction of public parking structures including, without limitation, facilities near or adjacent to transportation corridors or public buildings

---

<sup>1</sup> In order for a redevelopment agency to assist in paying for the land and publicly owned improvements, Section 33445 of the Community Redevelopment Law (Health and Safety Code § 33000 *et seq.*: "CRL") requires that the "acquisition of property and installation or construction of each facility shall be provided for in the redevelopment plan." The DPEIR (Section 3.3) identifies the list of those public improvements projects "provided for" in the proposed redevelopment plan Amendment.

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project  
May 23, 2002  
Page 4*

and/or facilities ancillary to commercial, recreational, or tourist attraction projects.

- Construct or participate in development of a convention center." (Emphasis added.)

The DPEIR (page 34) states: "This Program EIR analyzes impacts likely to be caused by proposed improvements based on information about such projects as is available at this time." The statement is both inaccurate and misleading.

First, nowhere in the DPEIR are the impacts resulting from many of these proposed public improvements identified or analyzed. For example, a review of Figures 2, 3, and 4 in the DPEIR indicated that there are only two sub-areas where, due to their size and location, the development of "tourist attraction projects" or a "convention center" could feasibly occur: sub-areas "I" and "K."<sup>2</sup> Nevertheless, the DPEIR fails to address the impacts of constructing hotels, theme parks ("tourist attraction projects"?), or a "convention center" in sub-areas "I," "J," or "K" (or, for that matter, anywhere else in the project area). Instead, the DPEIR merely identifies the public improvements "provided for" in the Amendment and says nothing about the hotel and entertainment uses that Garden Grove is already planning along Harbor Boulevard.

As a practical matter, it would simply not be feasible for private hotel and entertainment projects to be developed along Harbor Boulevard unless Garden Grove's redevelopment agency obtains the power, via the proposed Amendment, to assemble these properties by using the power of eminent domain. As a legal matter, including the properties within Sub-Areas "I," "J," and "K" in the redevelopment plan is not legally allowed under the CRL, since they are simply not blighted. In its June 22, 2001 letter regarding areas to be added to the Garden

---

<sup>2</sup> Moreover, it would appear that the reason why sub-areas "I," "J," and "K" are proposed to be added to the Plan is directly connected to Garden Grove's plans for extensive private development along Harbor Boulevard. As noted in Anaheim's response letter to the Notice of Preparation for the DPEIR:

"Marketing materials for the Grove entertainment and hotel district indicate that Garden Grove is contemplating intensive land uses such as hotel and entertainment uses in the added territory along Harbor Boulevard. If this is the case, these developments will likely pose significant strain on our existing infrastructure, e.g., streets, sewer and drainage, along Harbor Boulevard. Moreover, we believe shifting of land uses away from residential will exacerbate the affordable housing shortage in North and Central Orange County."

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*

May 23, 2002

Page 5

Grove Community Project Area, the agency's consultant (Urban Futures, Inc.) noted as to sub-area I: "All of the houses appear to be very well maintained, exhibiting little or no deferred maintenance." Similarly, as to sub-area K, the consultant noted: "The western third of [sub-area K] consists of older residential properties, most of which appear to be in generally good repair." Nowhere did the consultant indicate the presence of any conditions that would support a finding of either physical or economic blight under the CRL. (See *Barbara Beach-Courchesene v. City of Diamond Bar* (2000) 80 Cal.App.4<sup>th</sup> 388; *County of Riverside v. City of Murrieta* (1998) 65 Cal.App.4<sup>th</sup> 616.)

The *Mammoth* decision makes it clear that CEQA section 21090 requires the DPEIR to identify and evaluate both public and private projects "to the extent specific information is now known." The DPEIR impermissibly defers further CEQA analysis on known public and private projects until a later date. As the Court noted in *Mammoth*:

"At this state, it may not be possible to conduct a complete analysis of each of these projects because not enough may be known. However, because each project is deemed approved for purposes of CEQA, the significant impacts to the environment likely to be caused by each individual project must be analyzed in the redevelopment plan EIR at least to the same extent each project is detailed in the redevelopment plan and its accompanying Final Report. Otherwise, such analysis may never occur, and nothing in Public Resources Code section 21090 demonstrates the Legislature intended to exempt individual development projects approved in a redevelopment plan and their impacts from environmental analysis under CEQA." (Italics in original.)

Finally, Anaheim would note that CEQA section 21083.3, and section 15332 of the State CEQA Guidelines, also provide ways in which future public and private developments provided for in the DPEIR could elude further CEQA review<sup>3</sup>. Accordingly, the DPEIR needs to be extensively revised in order to (1) correct this error, (2) fully analyze the significant adverse impacts that would result from those

<sup>3</sup> Garden Grove is already on record as taking this approach to avoid CEQA analysis of major hotel development along Harbor Boulevard. By letter dated March 12, 2002 (attached hereto), Anaheim Assistant City Manager Tom Wood wrote the Garden Grove City Council to protest its staff's determination that the City Council could approve the development of a new 200-room hotel on Harbor Boulevard by finding the project to be exempt from CEQA review pursuant to a "Class 32" categorical exemption. We understand that the City Council approved the 200-room hotel by utilizing staff's proposed determination as to the hotel being categorically exempt from CEQA. This is exactly the danger that the *Mammoth* court sought to avoid, e.g., that if the EIR for a redevelopment plan fails to assess at the outset the potentially significant environmental impacts of the proposed projects provided for in the redevelopment plan, then CEQA sections 21083.3 and 21090, and Sections 15180 and 15332 of the State CEQA Guidelines, may preclude any environmental review of these projects from ever occurring.

foreseeable public and private projects that would be facilitated by the Amendment's approval, and (3) identify feasible alternatives and/or mitigation measures to alleviate those impacts. Once this is done, the DPEIR would then have to be recirculated for public review.

2. The DPEIR's Analysis of Growth-Inducing and Other Impacts is Inadequate

The DPEIR's analysis (pages 147-148) of the proposed Amendment's growth-inducing impacts is both cursory and insufficient. It states obvious non-specific generalizations and conclusions. The DPEIR appears to confuse the mere acknowledgment of a growth-inducing impact with the analysis that is required under CEQA section 21100(b)'s provision that an "environmental impact report shall include a detailed statement setting forth... [a]ny growth-inducing impacts of the project." (Emphasis added.) Analysis must be provided that discloses how the increased level of economic activity and new public and private development will encourage and facilitate other growth and development in the area. (State CEQA Guidelines §15126.2(d).)

Moreover, the DPEIR repeatedly analyzes growth-inducing and other impacts by reference to claims that all such impacts will be within the parameters of the Garden Grove General Plan. However, "CEQA nowhere calls for evaluation of the impacts of a proposed project on an existing general plan; it concerns itself with the impacts of the project on the environment, defined as the existing physical conditions in the affected area." (*Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 354; CEQA Guidelines 15125(c).) The DPEIR's improper utilization of the General Plan's full-buildout scenario as its existing conditions baseline, results in an analysis of project impacts that fails to inform the public of the proposed Amendment's true impacts on the existing environment.

3. The DPEIR Fails to Adequately Discuss Alternatives to the Proposed Amendment

Like its discussion of growth-inducing impacts, the DPEIR's 3½ page analysis (pages 149-152) of alternatives to the proposed Amendment is both cursory and insufficient.<sup>4</sup> Simply stated, it does not "disclose information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned."

---

<sup>4</sup> To paraphrase the court in *Gonzales v. City of Santa Ana* (1993) 12 Cal.App.4<sup>th</sup> 1335, 1346, the DPEIR's alternatives section, "merely cites certain all-purpose conclusory statements...which might apply to any [redevelopment plan] anywhere..."

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*  
May 23, 2002  
Page 7

*(San Bernardino Audubon Society v. County of San Bernardino (1984) 155  
Cal.App.3d 738, 750-751.)*

The disclosure and consideration of a range of realistic alternatives to the proposed Amendment is critical to Anaheim and others for several reasons: (1) as noted above, since this is an EIR on a redevelopment plan, there will not be any further requirement for future analysis of alternatives to the entire project; (2) the DPEIR's failure to analyze major public development components of the Amendment – and failure to even identify major currently proposed private development components of the Amendment – results in the non-disclosure of significant adverse environmental impacts that will result from those developments; and (3) the DPEIR's alternatives either do not reduce the environmental impacts as compared with the proposed project, or they are summarily pronounced infeasible and, as a result, none of the alternatives analyzed would reduce impacts.

The selection and discussion of alternatives is governed by section 15126.6 of the State CEQA Guidelines. Subsection (b) of that section states:

"Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. (Emphasis added.)"

Contrary to State CEQA Guidelines section 15126.6(b), the DPEIR also completely fails to identify or discuss any environmentally superior alternative to the proposed Amendment. Instead, the DPEIR simply defines its project objectives so as to conclude that a less environmentally damaging alternative to the proposed Amendment simply does not exist.

An EIR should also explain the rationale for selecting the alternatives that are considered and identify those alternatives that were eliminated from further study. (State CEQA Guidelines §15126.6(c).) Moreover,

"The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project  
May 23, 2002  
Page 8*

alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (*County of Inyo v. City of Los Angeles* (1981) 124 Cal.App.3d 1). (State CEQA Guidelines §15126.6(d).)

By contrast, the DPEIR's alternatives discussion consists of generalized, conclusory, and confusing statements that fail to provide sufficient information so as to allow meaningful evaluation, analysis, and comparison of the alternatives.

Section 15126.6(e) of the State CEQA Guidelines explains that "[i]f the environmentally superior alternative is the 'no project alternative', the EIR shall also identify an environmentally superior alternative among the other alternatives." Based upon statements made in the DPEIR, it is clear that the "no project" alternative would be environmentally superior alternative to the proposed Amendment, and yet the DPEIR does not explicitly make that designation. In order to correct this deficiency, the DPEIR must identify and discuss at least one alternative to the proposed Amendment that would be environmentally superior to the "no project" alternative.<sup>5</sup>

The range of alternatives required to be fully considered in an EIR is governed by "a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." (State CEQA Guidelines §15126.6(f).) Alternatives that would avoid or substantially lessen any of the significant effects of the project must be addressed, and those that are feasible must be addressed in detail. (*Id.*) Consequently, the DPEIR's alternatives section must be revised so as to address in detail some feasible alternative(s) that "would avoid or substantially lessen" the proposed Amendment's significant effects.

It appears that there are (at least) two feasible alternatives that could potentially eliminate or significantly reduce certain of the proposed Amendment's environmental impacts, and Anaheim requests that your agency include an analysis of them in the DPEIR's revised alternatives analysis. The first suggested alternative might be termed a "reduced scope" alternative. Under the alternative, the proposed Amendment would reauthorize eminent domain powers within the Original Project Area and "eliminate (sic) the existing time limits to incur indebtedness provided in the Existing Plan, pursuant to authority provided under

---

<sup>5</sup> As is discussed below, section 15088.5 (a) (3) of the State CEQA Guidelines requires the revised alternatives analysis to be recirculated for public review and comment.

SB211" (page 3), but would not add any additional territory. This alternative is environmentally superior to the proposed Amendment in several respects because it would facilitate the continuation of redevelopment activities within the Original Project Area while also eliminating many of the impacts that the DPEIR notes are expected to result from the inclusion of the Added Territory.

The second suggested alternative would be similar to the "reduced scope" except that it would add all of the Additional Territory except the non-blighted sub-areas "I," "J" and "K." This alternative would be environmentally superior to the proposed Amendment because it would, for all practical purposes, make it infeasible to accomplish the extensive site assembly that would be an essential prerequisite to the development of hotel, commercial, entertainment, and theme parks uses, or a convention center in those three sub-areas. This, in turn, would eliminate all of the significant adverse environmental impacts that would result from those projects, such as traffic, noise, air quality, and public services impacts, not to mention the loss of several hundreds of residences that would be demolished in order to make room for those projects. Unlike the non-specific "change the project area" alternative mentioned in the DPEIR, this alternative would specifically identify and analyze the impacts of adding only those sub-areas that meet the CRL's definition of blight.

#### SPECIFIC COMMENTS

Page 1, Section 1.1, Overview, second paragraph, states:

"The City of Garden Grove General Plan Update, General Plan Update EIR, and the Riverwalk Entertainment/Retail Complex EIR are incorporated by reference the Draft Preliminary Report dated March 2002 for information regarding the Plan."

Section 15150 of the State CEQA Guidelines encourages "incorporation by reference" as a means of reducing redundancy and length of environmental reports. However, it also specifically sets forth how incorporation "shall"<sup>6</sup> be carried out. The DPEIR needs to be revised to comply with subdivisions (b), (c), and (d) of section 15150. In addition, consideration should also be given to subdivision (f), which states:

---

<sup>6</sup> "Must" or "shall" identifies a mandatory element which all public agencies are required to follow." (State CEQA Guidelines §15005 (a).)

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project  
May 23, 2002  
Page 10*

"Incorporation by reference is most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of the problem at hand."

Pages 1-3, Section 1.2, Definitions. Some capitalized terms are either not defined or are inconsistently used. For example, "Amended Project Area" is defined but "Project Area" is not; however, throughout the DPEIR the undefined "Project Area" is used. Similarly, the term "Existing Project Area" is used but not defined.

Page 3, Section 1.3, Brief Project Description, second paragraph, states that "The Amendment will also eliminate (sic) the existing time limits to incur indebtedness provided in the Existing Plan, pursuant to authority provided under SB211." However, on page 33, Section 3.3, under Time to Collect tax Increment and Repay Debt, the DPEIR states:

"The Amendment will allow the Agency to repay indebtedness to collect tax increment from the Added Territory for up to 45 years from the date of adoption of the Amendment. These limits for the Existing Project Area will not be changed by the Amendment." (Emphasis added).

The DPEIR needs to be revised to identify which of these contradictory statements is true.

Page 10, Section 3.0, Hydrology/Drainage and Water Quality, Project Impacts, first paragraph, states that this project could significantly effect the ability of the existing storm drain system to handle the increased surface water flows due to this project. It appears that existing storm drain deficiencies are known and therefore, these deficiencies need to be properly addressed and delineated in this DPEIR. Appropriate mitigation measures need to be identified and required.

Page 16, Section 8.0, Public Services, Wastewater Service, Project Impacts, first paragraph, fourth and fifth sentences, state that this project could significantly effect the existing wastewater collection system requiring the need for upgrades or replacements of sewer lines. Therefore, all sewer deficiencies need to be properly addressed and delineated in this DPEIR. Also, in conjunction with existing sanitary sewer Agreements approved in 1970 and 1986 with the Garden Grove Sanitary District, the City of Anaheim is requesting that all deficiencies be addressed and delineated in those areas that affect the terms and conditions of those Agreements. Appropriate mitigation measures need to be identified and required.



*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*  
May 23, 2002  
Page 11

Pages 25-26, Section 2.3, Areas of Controversy/Issues to be Resolved. Although this section lists Anaheim's prior letter, and goes on to claim that the DPEIR "presents as much information as possible regarding the issues sited (sic) by the public agencies listed above," the DPEIR completely avoids any discussion of the Grove entertainment and hotel district that Garden Grove's own marketing materials reveal as currently being planned for Harbor Boulevard." (See footnote 2, above.)

Page 33, Section 3.2, Environmental Setting, last paragraph, notes that the Amendment provides "a list of improvement projects the Agency may fund throughout the life of the Amendment." The DPEIR goes on to identify the Amendment's list of the public improvement projects and repeatedly notes that the Agency may "assist in the construction of private and public development projects." (Page 79; emphasis added. See also top of page 89.) However, the DPEIR does not identify or discuss these private projects (such as the Grove and Riverwalk) other than by way of oblique references to "public parking structures...ancillary to commercial, recreational, or tourist attraction projects (page 34) and "the redevelopment of the Harbor Corridor as an attraction for tourists and visitors while protecting adjoining residential areas from the impacts of that development." (Page 46) Clearly, it is Garden Grove's plans to redevelop Harbor Boulevard "as an attraction for tourists and visitors" that are driving the inclusion of the non-blighted sub-areas "I," "J" and "K" in the proposed Amendment, yet the DPEIR provides absolutely no information or analysis regarding these foreseeable activities. As the *Mammoth* case demonstrates, this makes the DPEIR legally inadequate under CEQA.

Pages 33 & 35, Section 3.3, Plan Amendment Components, Public Improvement Projects, refers to the Garden Grove Sanitary District's areas of influence that identifies in general sewer and storm facilities to be constructed but does not indicate any specific locations. These areas must be identified and addressed.

Page 34, Section 3.3, Plan Amendment Components, Public Improvement Projects, indicates that the proposed Amendment authorizes the agency to construct "public parking structures including, without limitation, facilities near or adjacent to transportation corridors or public buildings and/or facilities ancillary to commercial, recreational, or tourist attraction projects." Similarly, the agency is authorized to "[c]onstruct or participate in the development of a convention center." Pursuant to the *Mammoth* court's holding, the DPEIR must address in as much

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*  
May 23, 2002  
Page 12

detail as possible the likely location(s) for, and impacts of, these specified projects.<sup>7</sup>

Page 50, Section 4.2.1, Project Impacts. The reference to "Appendix C" should instead be to "Appendix D."

Page 65, Section 4.3.1, Hydrology/Drainage and Water Quality, Environmental Setting, third paragraph references Garden Grove's Master Plan of Drainage completed in September 1991 that delineated proposed storm drain improvements. However, the September 1991 master plan fails to properly address off-site stormwater flows from tributary areas such as in Areas G & H tributary to the East Garden Grove Wintersburg Channel where in Area H at the northeast corner of the City of Garden Grove (Chapman Avenue and Spinnaker Street) has off-site flows from tributary areas in the Cities of Orange and Anaheim, and Area G has a tributary area from the City of Anaheim north of West Street/Orangewood Avenue.

Page 67, Section 4.3.2, Project Impacts, first paragraph under "County Flood Control Facilities" states that:

"There is no development proposed directly within either the Existing or Added Territory with adoption of the Amendment. Therefore, there would not be any potential impacts directly to existing OCFCD and/or County flood control facilities."

The statement that no development is proposed in these areas is contradicted by the DPEIR's own discussion (pages 48-49) of Mixed Use development in sub-area "I" and other readily available information regarding Garden Grove's plans for redevelopment of the Harbor Boulevard corridor.

Page 70, Section 4.3.2, Project Impacts, final paragraph before "Conclusion" states: "The City or Agency, as appropriate, will review all private projects for potential hydrology and water quality impacts as required by CEQA when submitted to the City or Agency for approval." In fact, if such projects are located

---

<sup>7</sup> Analysis of the impacts resulting from these projects is crucial at this time. We are aware of one redevelopment agency in California that approved an amendment to its redevelopment plan which (among other things) authorized the agency's construction of a convention center. The EIR for that amendment likewise failed to analyze the impacts associated with the convention center's development. Thereafter, the agency constructed a \$66 Million convention center without conducting any additional CEQA review.

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*  
May 23, 2002  
Page 13

on five acres or less and otherwise meet certain requirements, they may be categorically exempt from CEQA under a "Class 32" exemption and no further review or mitigation will be imposed. (State CEQA Guidelines §15332.)

Page 94, Section 4.7.2, Project Impacts, second paragraph under "Added Territory/Existing Project Area" again references the planned convention center.  
Page 108, Section 4.8.5.1, Public Services, Wastewater Service, Environmental Setting, third paragraph, refers to the GGSD's master plan of sewers that depicts existing deficiencies. See previous comments on page 10 of this letter regarding sewer deficiencies.

Page 120, Section 4.10.1, Environmental Setting, "Garden Grove Agency for Community Development Five Year Implementation Plan" is referenced here, yet the DPEIR fails to identify or analyze any of the "potential projects" described in that plan, including "how the Agency will implement the requirement to increase, improve, and preserve low and moderate-income housing, and the inclusionary and replacement housing requirements."

Page 127, Section 4.10.1, Environmental Setting, under "Redevelopment Law" refers to the 20% set-aside requirement. This percentage may be more than 20% if the proposed Amendment is, in fact, using SB211 to extend plan time limits.

Page 128, Section 4.10.1, Environmental Setting, under "Added Territory" epitomized the type of nonspecific statements seen throughout the DPEIR: "There are residential units in the Added Territory. Sub-areas I, J, and K include single-family detached units." The DPEIR's failure to quantify the number of housing units in these sub-areas prevents the public from comprehending the enormous magnitude of displacement that would occur with the development of the planned hotel, tourist and convention center in these sub-areas.

Page 128, Section 4.10.2, Project Impacts. The thresholds do not include the following two new thresholds from Part XII ("Population and Housing") of the State CEQA Guidelines current CEQA Checklist form (Appendix G): Would the project:

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

It is obvious that current hotel, tourist and convention center development plans for sub-areas "I," "J" and "K" will displace hundreds of homes, resulting in the

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*  
May 23, 2002  
Page 14

displacement of hundreds of families. This analysis must be conducted and included in the recirculated DPEIR.

Page 131, Section 4.10.2, Project Impacts, under "Conclusions" states that, "The buildout of the City based per the General Plan is expected to exceed the Southern California Association of Governments (SCAG) housing, employment and population projections." However, according to the fourth paragraph on page 129, "SCAG population projection for the year 2020 is 174,272 people, which is greater than the estimate of the 1995 General Plan Update." The fifth paragraph states, "therefore, any increase in the number of residential units constructed in the City has been projected by SCAG. Which statements are correct?"

#### THE DPEIR WILL NEED TO BE RECIRCULATED

Section 21092.1 of CEQA requires an EIR to be recirculated when significant new information is added to the document after the public comment period but prior to its certification. Following the California Supreme Court decision in *Laurel Heights Improvement Association of San Francisco, Inc. v Regents of the University of California* (1993) 6 Cal.4<sup>th</sup> 1112, Section 15088.5 was added to the State CEQA Guidelines to address the question of when recirculation is required. According to subsection (a) of 15088.5:

"A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information; can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

*Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project*

May 23, 2002

Page 15

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

Given the DPEIR's numerous serious deficiencies, the correction of those deficiencies will inevitably result in "significant new information" being adduced. Anaheim assumes that your agency will want to recirculate the DPEIR once you have rectified its deficiencies. The spirit, purpose, and intent of both CEQA and the CEQA Guidelines are served by recirculation of the DPEIR because the public will be given an opportunity to review and comment on the significant new information added to the DPEIR, and the lead agency can consult with and request comments on the revised EIR from responsible agencies like Anaheim. As Section 15088.5(d) of the State CEQA Guidelines notes: "[r]ecirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086."

Thank you again for the opportunity to comment on the DPEIR. Anaheim staff look forward to further review of the DPEIR once it is revised and recirculated for public review; staff may have additional comments on the document at that time. Therefore, we expect that your agency will likely not release its written responses to the foregoing comments (or the comments of others) until after the close of the public comment period for the recirculated DPEIR.

Sincerely,



David M. Morgan  
City Manager

***Comments on the Draft Program Environmental Impact Report for  
the Proposed Amendment to the Redevelopment Plan for the  
Garden Grove Community Redevelopment Project***

**May 23, 2002**

**Page 16**

**cc: Jack White, City Attorney  
Tom Wood, Assistant City Manager  
Joel H. Fick, Executive Director, Planning and Community Development  
Elisa Stipkovich, Executive Director, Community Development  
Brad Hobson, Community Development  
Gary Johnson, Public Works Director  
Marcie Edwards, Public Utilities General Manager**



CITY OF ANAHEIM, CALIFORNIA

Office of the City Manager

October 5, 2001

Mr. Paul Wernquist  
Urban Planner  
Community Development Department  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92842

**Subject: Comments in Response to Notice of Preparation of a Draft  
Program Environmental Impact Report**

Dear Mr. Wernquist:

Thank you for the opportunity to comment on the above-referenced document. City staff have reviewed the document as well as the preliminary plan for the proposed amendment (the "Amendment") to the Redevelopment Plan for the Garden Grove Community Project Area.

Anaheim has some serious concerns about the potential impacts of the Amendment. Marketing materials for the Grove entertainment and hotel district indicate that Garden Grove is contemplating intensive land uses such as hotel and entertainment uses in the added territory along Harbor Boulevard. If this is the case, these developments will likely pose significant strain on our existing infrastructure, e.g., streets, sewer and drainage, along Harbor Boulevard. Moreover, we believe shifting of land uses away from residential will exacerbate the affordable housing shortage in North and Central Orange County.

In addition to these general concerns, City staff offer the following specific comments:

**COMMUNITY DEVELOPMENT**

1. The conditions documented in the Preliminary Plan do not appear to exhibit physical and economic blight required by California Community Redevelopment Law. The blight justification for the sub-areas generally along Harbor Boulevard, including deferred maintenance, "external obsolescence", aging infrastructure, adjacency to major commercial/hotel development, and small lot size, is questionable and appears to be legally insufficient.

Page 2

Comments in Response to Notice of Preparation of a  
Draft Program Environmental Impact Report  
October 5, 2001

2. The Draft Program Environmental Impact Report (the "DPEIR") checklist does not designate population/housing as an environmental factor potentially affected. Should Garden Grove pursue theme park/hotel developments, these developments will likely necessitate acquisition of several hundred housing units and the related relocation of several hundred people. In addition, such development is likely to create a large number of low paying jobs which should be balanced by affordable housing developments. The DPEIR should address these impacts.

#### **PLANNING DEPARTMENT**

1. The DPEIR should indicate whether any land use and zoning changes are contemplated to implement the proposed amended Redevelopment Plan and analyze the impacts of any of such changes.

#### **PUBLIC WORKS DEPARTMENT**

##### **Traffic and Transportation Division**

1. The DPEIR should include a traffic analysis analyzing the peak hour traffic impacts at the following intersections:
  - Oranewood/9<sup>th</sup> Street
  - Oranewood/West Street
  - Oranewood/Harbor Boulevard
  - Katella Avenue/Euclid Street
  - Katella Avenue/Brookhurst Street
  - Chapman/Willowbrook Lane

##### **Design Services Division**

1. A master plan of drainage needs to be completed that considers all tributary areas to determine existing and build-out drainage impacts.
2. A master plan of sanitary sewers needs to be prepared that includes all tributary areas to determine existing and built-out sewer impacts.

#### **UTILITIES DEPARTMENT (ELECTRICAL DIVISION)**

1. Staff recommends that the amended Redevelopment Plan provide for the upgrading of street lighting and undergrounding of utilities along



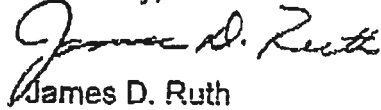
Page 3

Comments in Response to Notice of Preparation of a  
Draft Program Environmental Impact Report  
October 5, 2001

Katella Avenue between Euclid Street and Dale Street and that an  
analysis of these enhancements be provided in the DPEIR.

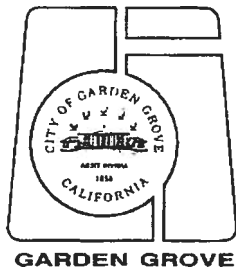
City staff look forward to receiving the DPEIR and preparing additional  
comments at that time. Again, thank you for this opportunity to comment on the  
preparation of the DPEIR. If you have any questions about this response,  
please contact Brad Hobson at (714) 765-4319.

Sincerely,



James D. Ruth  
City Manager

- c. Tom Wood, Assistant City Manager, Development  
Dave Morgan, Assistant City Manager  
Joel Fick, Planning Director  
Elisa Stipkovich, Community Development, Executive Director  
Gary Johnson, Public Works, Director  
Marcie Edwards, Public Utilities, General Manager



**CITY OF GARDEN GROVE  
PUBLIC WORKS DEPARTMENT**

Bruce A. Broadwater  
*Mayor*  
Mark Rosen  
*Mayor Pro Tem*  
William J. Dalton  
*Councilman*  
Mark Leyes  
*Councilman*  
Van T. Tran  
*Councilman*

Phil Martin  
Laguna Pacifica  
100 Pacifica Suite 250  
Irvine, CA. 92618

May 21, 2002

Dear Mr. Martin,

The City of Garden Grove is the water purveyor within our City Limits. The Garden Grove water system has adequate capacity to serve proposed development consistent with the City's adopted General Plan for land use.

Terry E. Lane  
Water Services Manager

By: Kenneth J. Anderson  
Associate Engineer

# GARDEN GROVE UNIFIED SCHOOL DISTRICT

10331 Stanford Avenue  
Garden Grove, California 92840-6353  
(714) 663-8000 Fax: (714) 663-6100

**BOARD OF EDUCATION**

Bob Harden, President  
Terry Cantrell, Vice-President  
Lynn Hambl  
Linda Paulsen  
J. Tilman Williams

**SUPERINTENDENT**  
Laura Schwalm, Ph.D.

May 23, 2002

Ms. Susan Emery  
Redevelopment Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, Ca. 92842

Re: Draft Program EIR – Comment

Dear Ms. Emery:

Thank you for the opportunity to review and comment on the Garden Grove Agency for Community Development's Draft Program Environmental Impact Report for the Amendment to the Redevelopment Plan.

The school district reviewed added territory and existing project areas. The district has received questions from community members regarding the number of students located within each added area. I have enclosed information that was provided to the interested parties. In reference to the student enrollment information provided, I have explained that the district tabulates student enrollment counts by defined "quarter section" areas rather than street addresses. As a professional courtesy, I am providing your agency a copy of the information.

If you have any questions, please feel free to give me a call at (714) 663-6446 or e-mail me at [smccann@ggusd.k12.ca.us](mailto:smccann@ggusd.k12.ca.us).

Sincerely,



Sue McCann  
Assistant Superintendent  
Business Services

Encl.:

GARDEN GROVE UNIFIED SCHOOL DISTRICT  
Office of Business Services

Information Requested - - EIR - Amendment to Redevelopment Plan - Added Areas:

**Sub Area K - (affects Eisenhower, Walton Int., Santiago HS)**  
(located within district QS 60 - north of GG Fwy, So. Of GG Blvd,  
Palm St-west boundary / Haster St. - east boundary)

Students living within this area currently attending:

Eisenhower	349	
Walton	42	
Santiago	72	
Peters	5	
Doig	18	
GGHS	7	
Other GGUSD schools	39	
		532

**Sub Area I - (affects Violette, Walton Int., Santiago HS)**  
(located within district's QS 37 - generally north of Lampson, south of Chapman,  
between West. St (actual Nadine Circle), and Harbor Blvd. (actual Thackery Dr.))

Students living within this area currently attending:

Violette	266	
Walton	65	
Santiago HS	78	
GGHS	9	
Other GGUSD schools	38	
		456

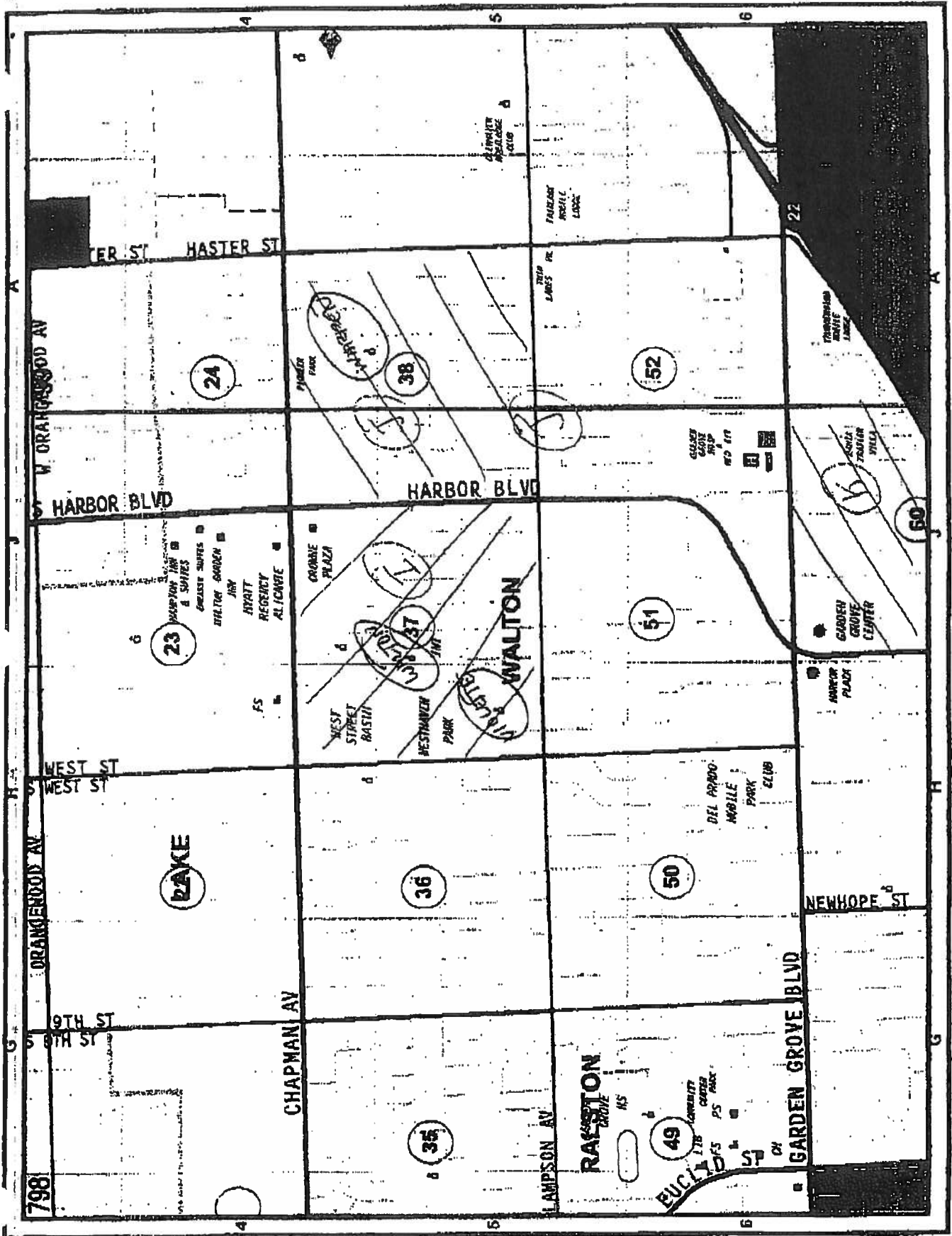
**Sub Area J - (affects Warren, Walton Int., Santiago HS)**  
(located within district's QS 38 - generally south of Chapman, north of GG Blvd (actual Aspenwood Ln),  
east of Harbor Blvd (actual Cholsser St-crosses Lampson); west of Volwood St.)

Students living within this area currently attending:

Warren	336	
Walton	69	
Santiago	108	
GGHS	7	
Other GGUSD schools	35	
		555

**NOTE:** The information provided above represents the number of students living within the district's Quarter Section area, and the area is greater than the Sub-Area per the proposed Added-Areas in the Garden Grove Community Development Plan. .  
A more finite student count would require Street number range and Street names.

OBS - 4/30/02



798

---

**3 Final Program Environmental Impact  
Report**

---

**Subject:** Re: Grace Lee sent you "2002 EIR For Site C.pdf"

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Mon, 16 May 2016 11:14:04 -0700

**To:** Grace via Dropbox <no-reply@dropbox.com>

**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On May 16, 2016, at 11:05 AM, Grace via Dropbox <[no-reply@dropbox.com](mailto:no-reply@dropbox.com)> wrote:



Grace shared a file with you on Dropbox

*Hi Matt, I know Greg mentioned I would get this to you. Sorry it took so long. It's a large file so I had to use my dropbox.*



2002 EIR For Site C.pdf

[View file](#)

**Subject:**

**From:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**Date:** Tue, 17 May 2016 14:08:04 -0700 (PDT)

**To:** Matt Reid <matt.reid@landanddesign.com>

Let me know when SCG wants to meet to discuss final due diligence

Greg Blodgett  
SR Project Manager  
City of Garden Grove  
Economic Development



Re: Fwd:

**Subject:** Re: Fwd:  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 18 May 2016 10:12:06 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Sent!

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On May 18, 2016, at 9:54 AM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Can you send the SCG to James this morning  
Greg Blodgett  
SR Project Manager  
City of Garden Grove  
Economic Development

----- Forwarded Message -----

From: "James H. Eggart" <[JEggart@wss-law.com](mailto:JEggart@wss-law.com)>  
To: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>  
Sent: Wednesday, May 18, 2016 9:53:55 AM  
Subject: RE:

Thanks, Greg.

I have not yet received any financial information from SCG's attorneys.

I will send a separate email to Lisa and Scott.

James

CONFIDENTIALITY NOTICE – This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY

PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone at (714) 415-1062 or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

-----Original Message-----

From: Greg Blodgett [<mailto:greg1@ci.garden-grove.ca.us>]

Sent: Tuesday, May 17, 2016 5:51 PM

To: James H. Eggart <[JEggart@wss-law.com](mailto:JEggart@wss-law.com)>

Subject:

No scg meeting tommorow will get a new time to meet

Can you send Lisa scott and I what approvals for the scg assignment are needed

Greg Blodgett  
SR Project Manager  
City of Garden Grove  
Economic Development

**Subject:** Re: SCG Company Information

**From:** Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>

**Date:** Wed, 18 May 2016 13:06:51 -0700

**To:** "Scott C. Stiles Icma-Cm" <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)>

**CC:** Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>, James Eggart <[jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us)>, Tom Crosbie <[tcrosbie@cgs3.com](mailto:tcrosbie@cgs3.com)>, "Carrie M. Risatti" <[risattic@gtlaw.com](mailto:risattic@gtlaw.com)>, Lisa Kim <[lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)>

Thank you Scott. I look forward to meeting Lisa!

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On May 18, 2016, at 12:34 PM, Scott Stiles <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)> wrote:

Matt:

Thank you for the update. We will let you know if anything else is needed. I am including Lisa in this email as she is our Community & Economic Development Director. We will get her introduced to you if that has not already occurred. Regards,  
Scott

**Scott C. Stiles, ICMA-CM**

City Manager / City of Garden Grove

11222 Acacia Parkway

Garden Grove, CA 92840

714-741-5100 (o) / 714-719-1810 (c)

[www.ci.garden-grove.ca.us](http://www.ci.garden-grove.ca.us)

---

**From:** "Matthew Reid" <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>

**To:** "Scott C. Stiles" <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)>

**Cc:** "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>, "James Eggart" <[jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us)>, "Tom Crosbie" <[tcrosbie@cgs3.com](mailto:tcrosbie@cgs3.com)>, "Carrie M. Risatti" <[risattic@gtlaw.com](mailto:risattic@gtlaw.com)>

**Sent:** Wednesday, May 18, 2016 11:26:20 AM

**Subject:** SCG Company Information

Scott,

Attached please find Shanghai Construction Group, LTD (SCG) corporate background information and sampling of projects for your review.

Earlier this morning, SCG's Audited Financials ending December 31, 2014 were sent to James Eggart (City attorney) as a confidential document not for public release for review as we finalize documents and agreements with SCG for the development of Site C.

As I explained to Greg yesterday, we anticipate by end of business day June 3rd (end of SCG's due diligence period) to submit a written request for city consent of an assignment of 90% of our rights in the Grove District Hotel Resort Development Agreement dated April 9, 2013 to SCG. We are hopeful, once the request is made, the City would provide its consent and/or approval in accordance with our Agreement within a reasonable timeframe.

Please note, **this is NOT to be considered a request for approval/consent of SCG at this time**. This and SCG's financial information are provided for your review in advance in hope to expedite the approval/consent if/when requested at the end of SCG's due diligence period and our agreements with SCG fully executed.

Please advise if there is any additional information that is needed.

Thank you

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

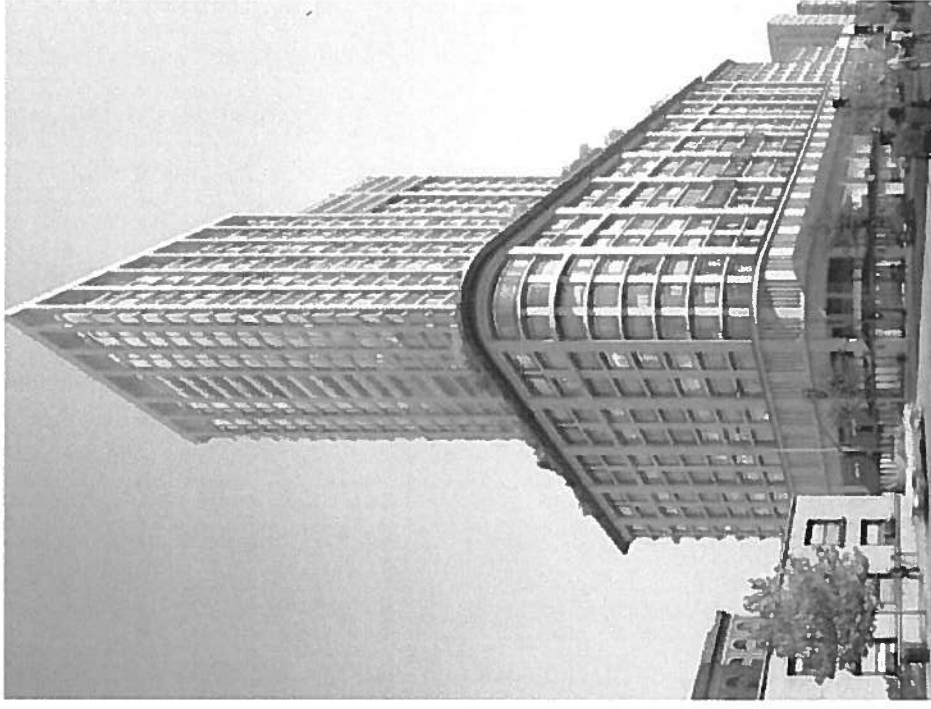
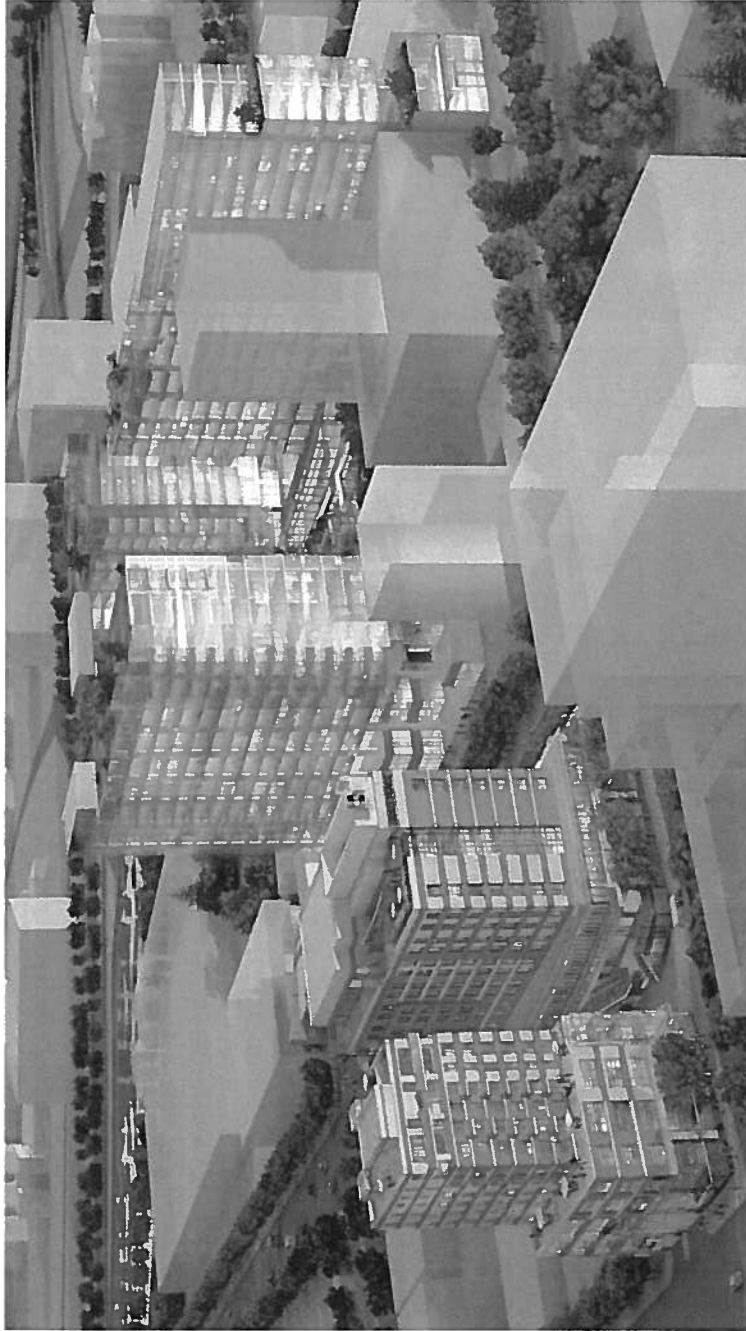
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

<SCGA U.S. Projects 2016.pdf>



上海建工·美洲公司



2016

SCG America Projects and Properties in the United States

Wed 18 May 2016  
13:06:51 - 0700

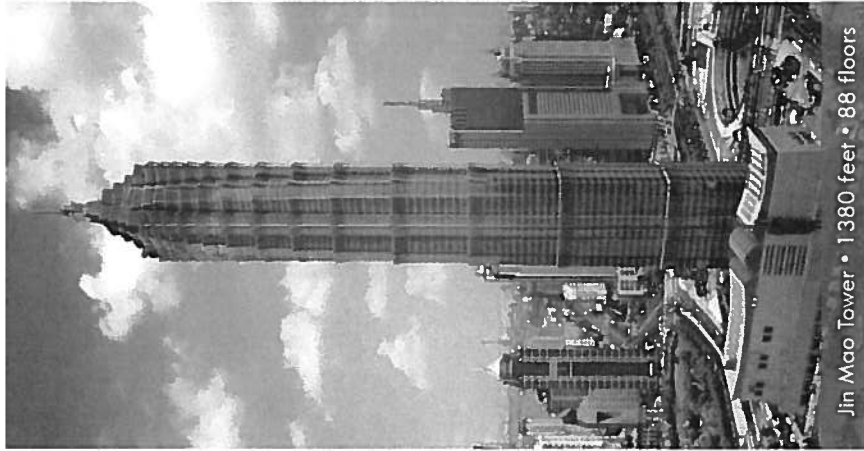


# Contents

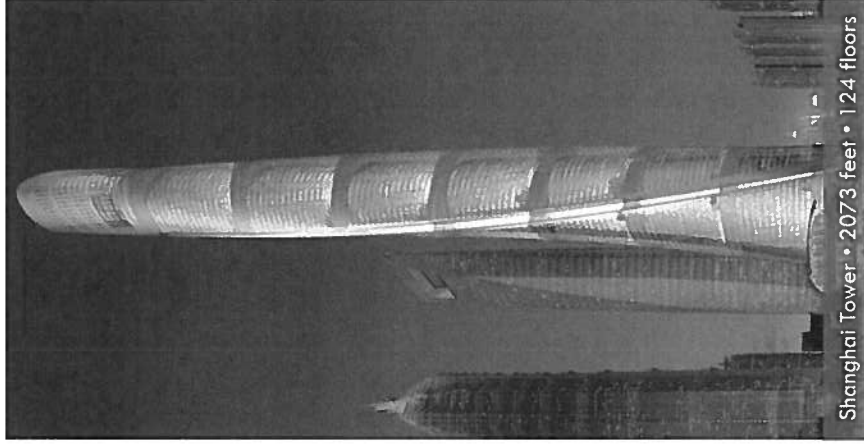
- About SCG America
- SCG America in the U.S.
  - SCG America Government Projects in the U.S.
  - SCG America Projects and Properties in the U.S.



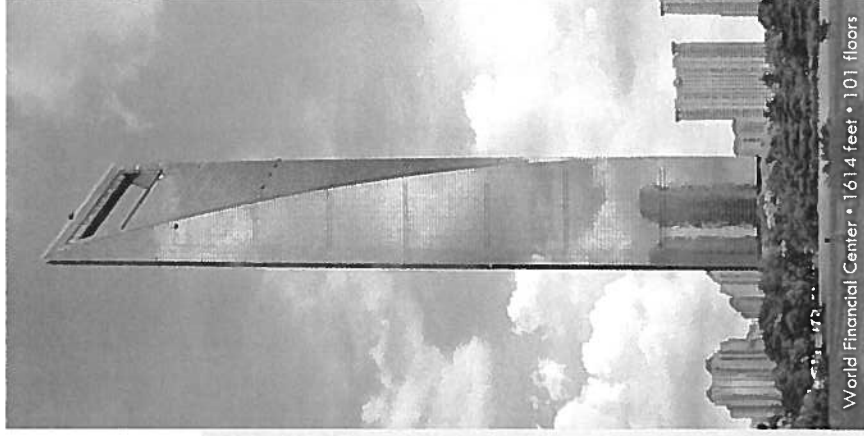
# About SCG America



Jin Mao Tower • 1 380 feet • 88 floors



Shanghai Tower • 2 073 feet • 1 24 floors



World Financial Center • 1 614 feet • 101 floors

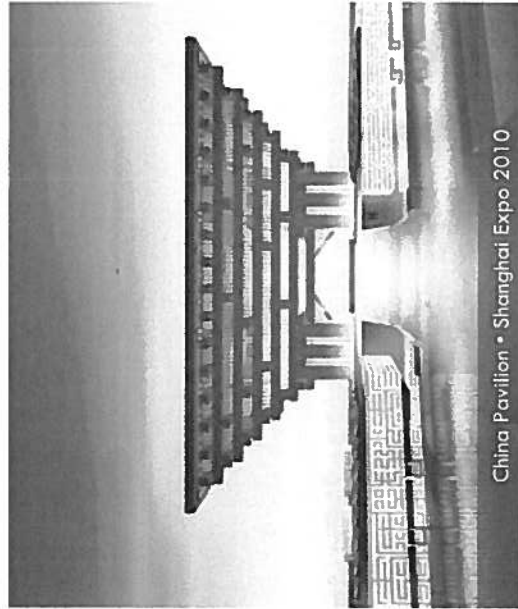
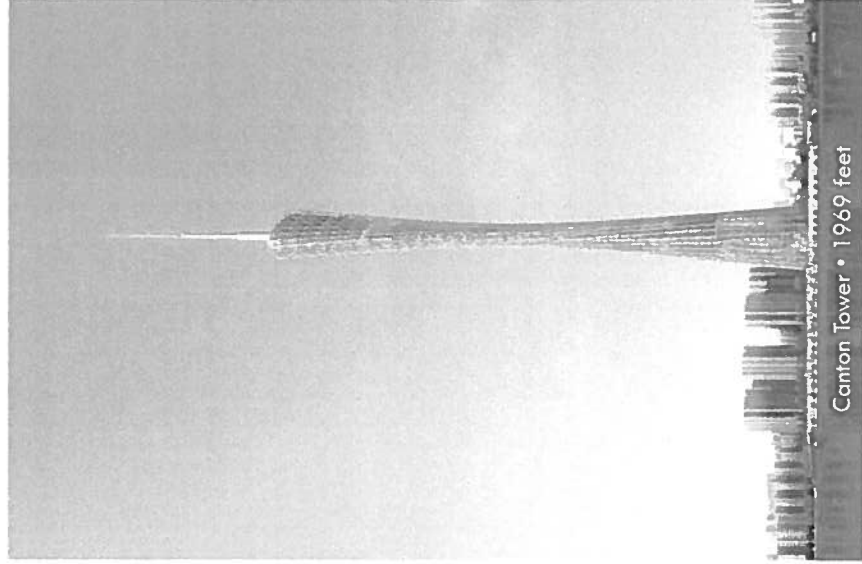


Shanghai Construction Group, one of the leading construction companies in China for over sixty years, has registered numerous new records in the course of China's development over the decades, particularly in the country's construction industry.

Publicly listed on the Shanghai Stock Exchange since 1997, SCG's portfolio features projects of all sizes and levels of complexity attributable to the possession of core technologies in the construction of high-rise buildings, infrastructure and transportation projects, public institutional facilities, industrial plants, major environment projects and more.

In 2014, Engineering News-Record ranked SCG as the 11th-largest contractor globally by revenue, and the sixth-largest in China by the same measure.



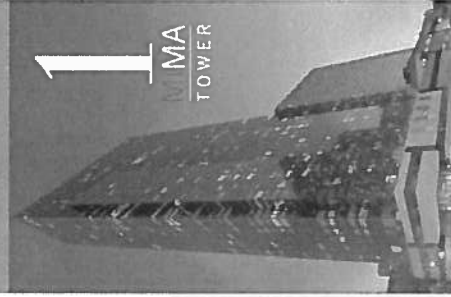


SCG, with its business covering nearly the entire building industry, is capable of integrating all related resources in its business. In the field of real estate development, construction, investment and management of urban infrastructure, SCG owns a competitive and leading professional workforce and is comprised of more than 300 subordinate state-owned and affiliate companies. In addition to its success in China, SCG has also completed over 100 landmark projects in more than 30 countries and regions. SCG, as a pioneer in construction and engineering in China, regards technology innovation as the constant impetus to its development. SCG follows the mission statement, "With harmony as the fundamental principle, always pursuing the best", to accomplish more remarkable achievements in the years to come, making sustained efforts in technical and management innovation, to create more architectural wonders which will be passed down from generation to generation.

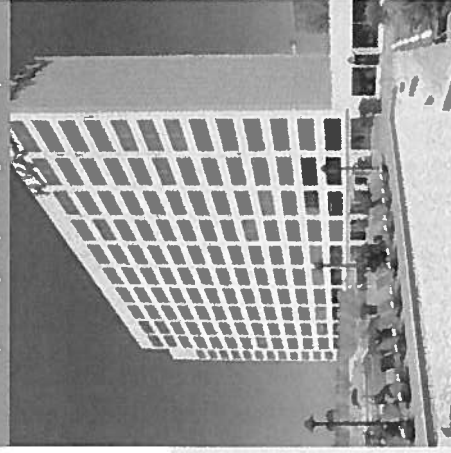
## About SCG America



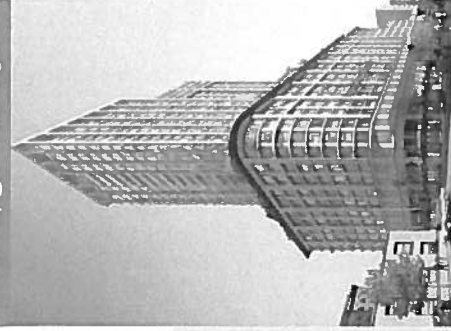
1 MiMA Tower • New York



Hyatt Regency Orange County



Broadway@4th • Los Angeles



SCG Plaza I & SCG Plaza II • Development Projects in New York



Hyatt Place Hotel • SCG Plaza I • One Fulton Square



SCG America, a wholly owned subsidiary of Shanghai Construction Group, was established in the U.S. more than 25 years ago with branch offices and projects in New York City, NY; Los Angeles, CA; Washington, D.C.; Houston, TX; Toronto, Canada; Edmonton, Canada; Trinidad and Tobago; Barbados; Jamaica; Antigua; Guyana; Grenada; and Dominica. SCGA's services range from construction management, general contracting, real estate development, real estate fund management, to international trading of construction materials and equipment.

With SCGA's long lasting efforts and its utilization of Chinese and American talents and capital resources, a strong foundation for continued growth and development has been solidified.

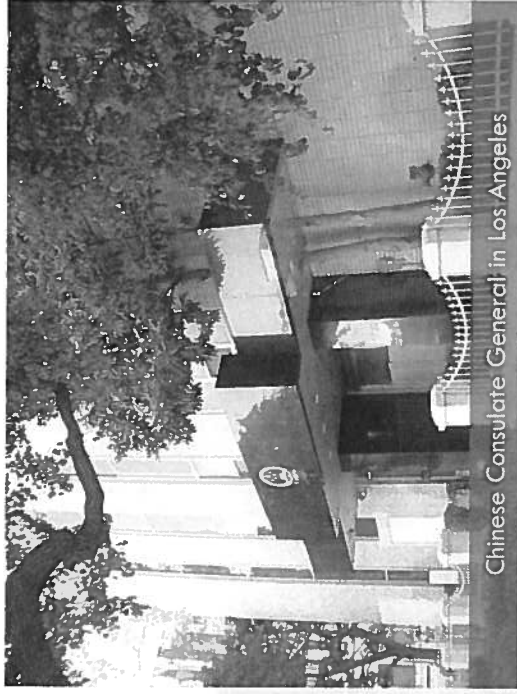


Government projects in the U.S.

SCG America Government Projects in the U.S.



Chinese Embassy Residential Building in Washington, D.C.



Chinese Consulate General in Los Angeles

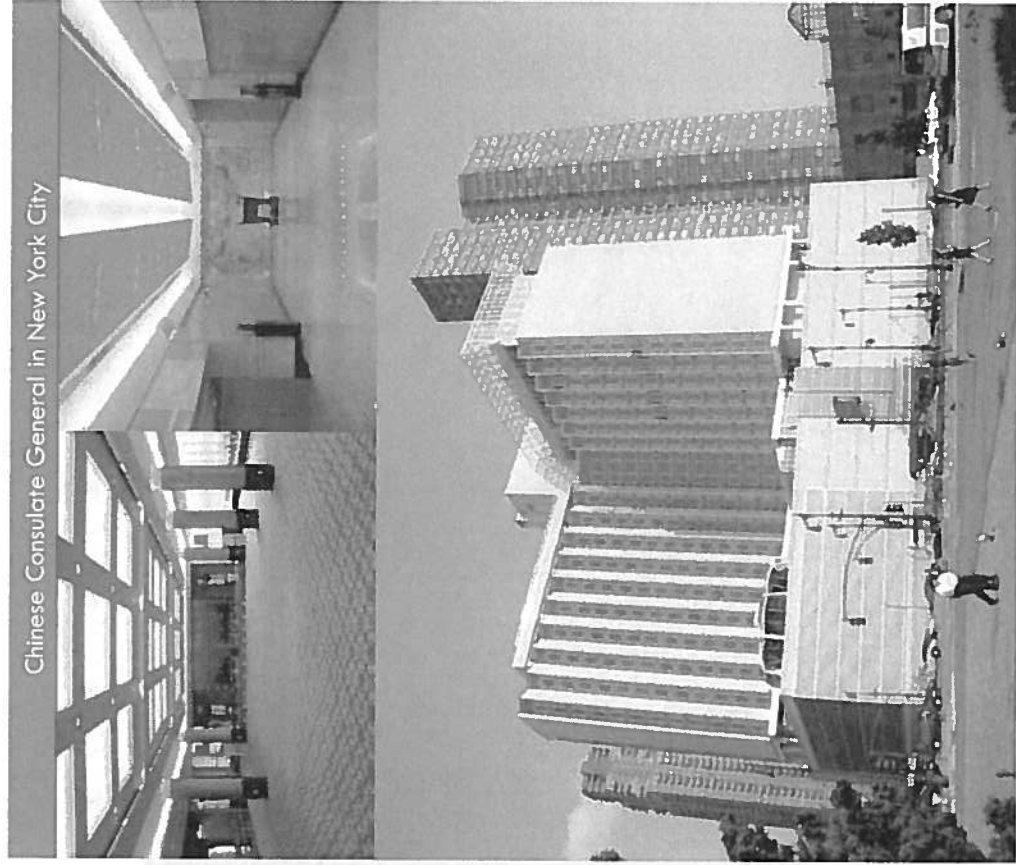


Chinese Embassy in Washington, D.C.

SCG America Government Projects in the U.S.



Chinese Consulate General in Houston

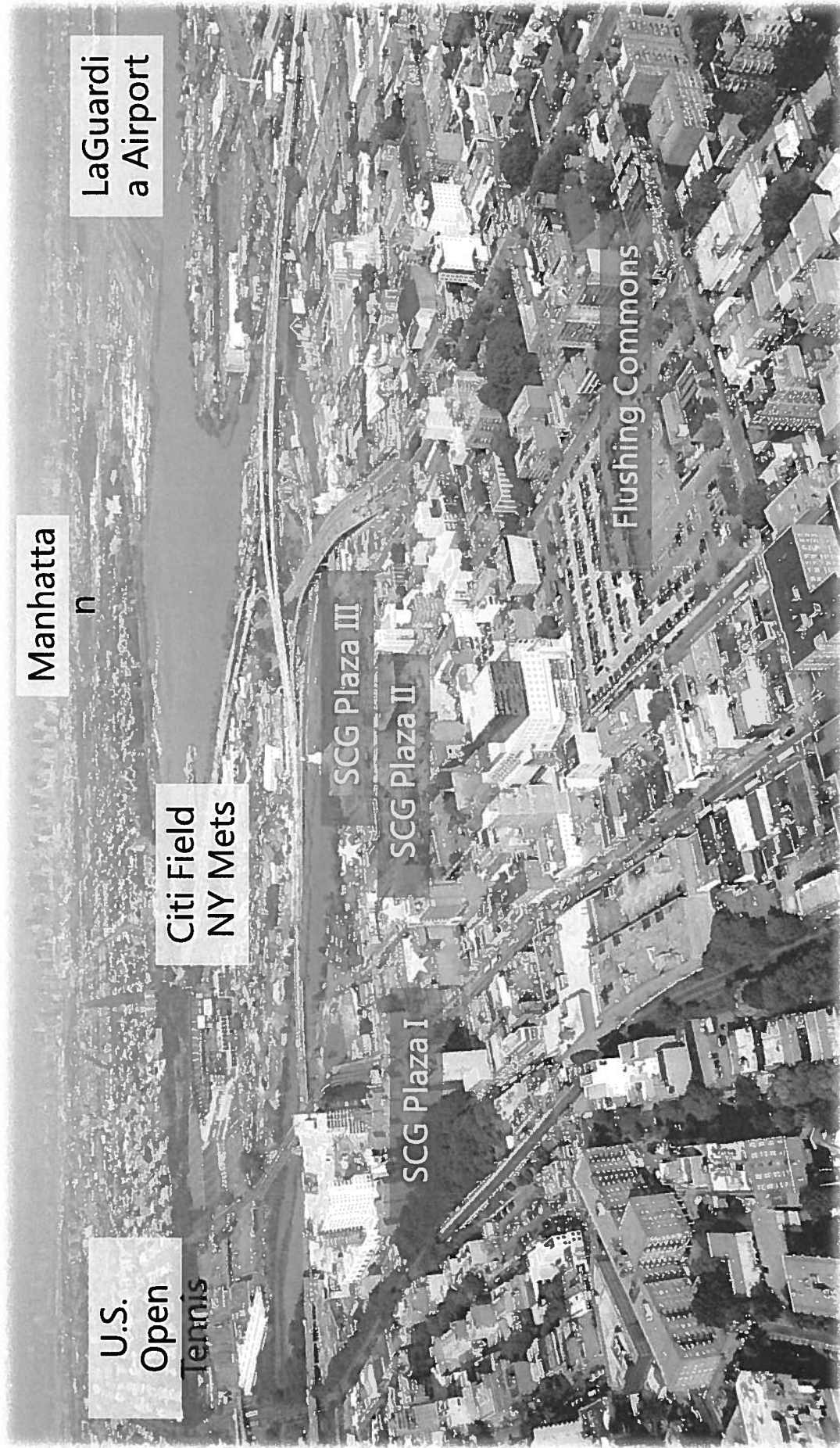


Chinese Consulate General in New York City





Projects and Properties in the U.S.



U.S.  
Open  
Tennis

Citi Field  
NY Mets

Manhattan

LaGuardia  
Airport

SCG Plaza III

SCG Plaza II

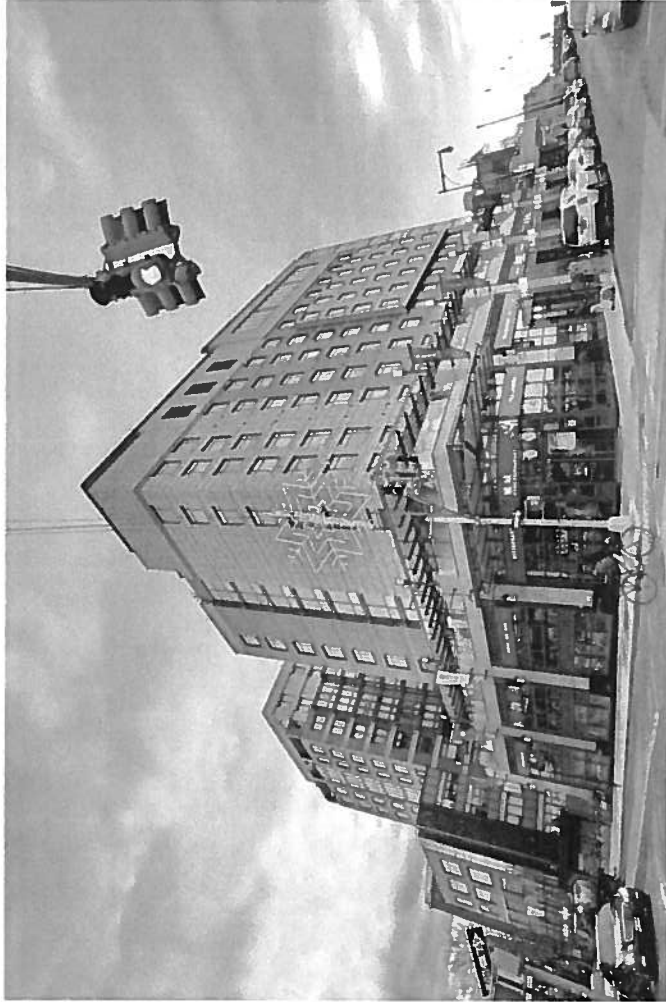
SCG Plaza I

Flushing Commons



ONE  
FULTON  
SQUARE

One Fulton Square • SCG Plaza I • Mixed-Use Development



**One Fulton Square • SCG Plaza I** one of SCG America's recently completed ventures, is a vibrant, mixed-use project with a total floor area of approximately 330,000 square feet. The project is the latest exciting development to come to downtown Flushing, and will play an important part in the growth and development of the surrounding area. The plaza of One Fulton Square provides a public space for local events and gatherings, bringing the community together through concerts, family activities, and cultural festivals, in addition to the exciting array of restaurants, bars and shops which opened throughout 2015.

The project consists of a 168-key Hyatt Place hotel, a separate office condominium containing 22 professional and medical offices, 43 luxuriously furnished residential condominiums and 300 parking spaces.

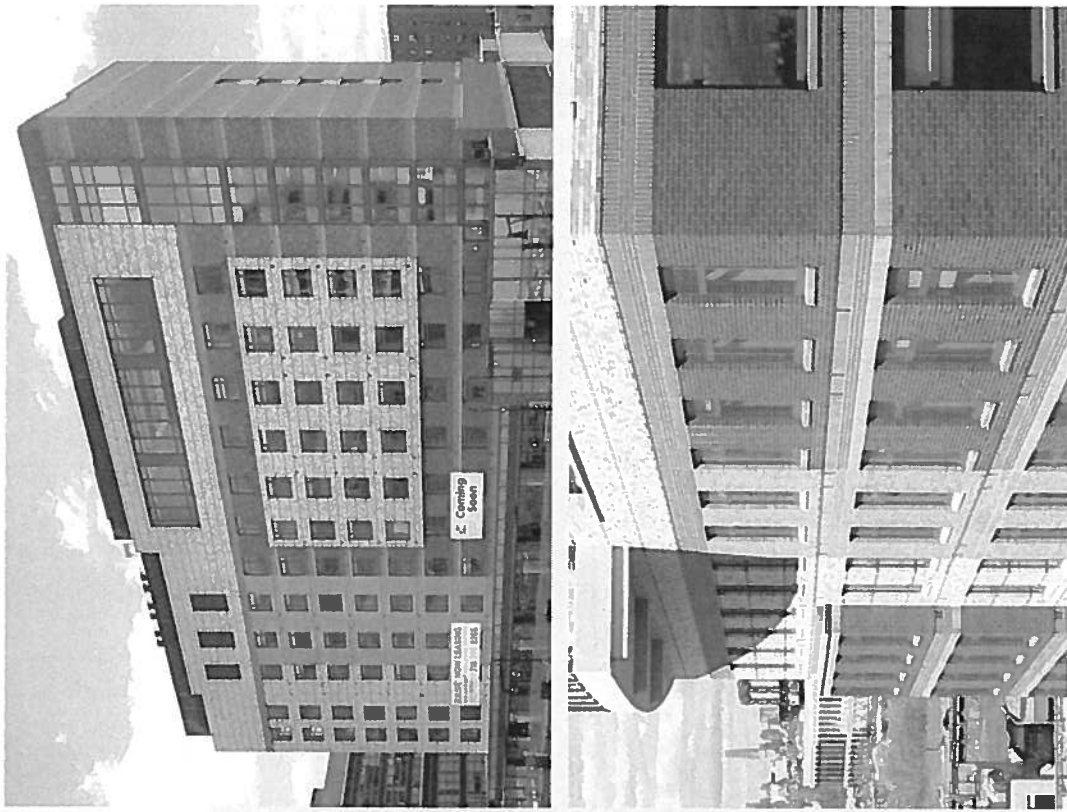
The One Fulton Square project broke ground in March, 2011. The Hyatt Place hotel, celebrated its soft opening during the third quarter of 2014, with closings happening in rapid succession on the retail, residential and commercial units.



SCG America Development Projects in Queens • New York



One Fulton Square • SCG Plaza I





One Fulton Square • Rong Restaurant



One Fulton Square • Presso Cafe

One Fulton Square • Leaf Bar



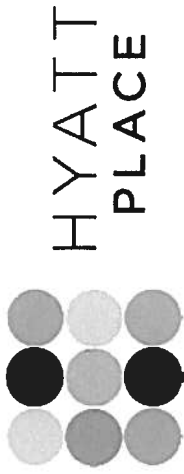
ONE  
FULTON  
SQUARE



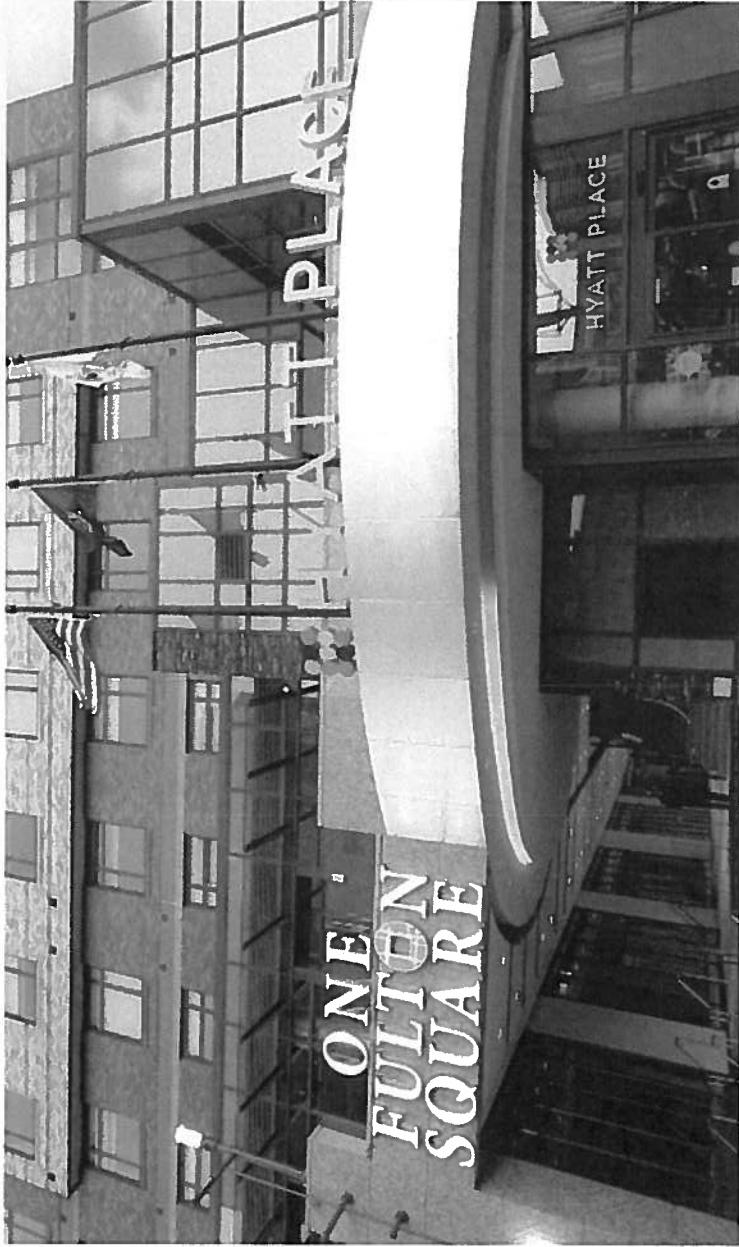
One Fulton Square • Hyatt Place



One Fulton Square • Iki Restaurant



Hyatt Place • One Fulton Square • Hotel Development



Hyatt Place Flushing/LaGuardia Airport is built atop of a three-level glass retail podium inside One Fulton Square. Ranked the #1 hotel on TripAdvisor, the Hyatt Place also features an expansive rooftop bar and outdoor garden with an indoor swimming pool located on the top floor of the tower with spectacular views of the Manhattan skyline.

After three years of meticulous work, the Hyatt Place hotel, which is the north tower of One Fulton Square, celebrated its soft opening during the third quarter of 2014.





# TANGRAM PLAZA

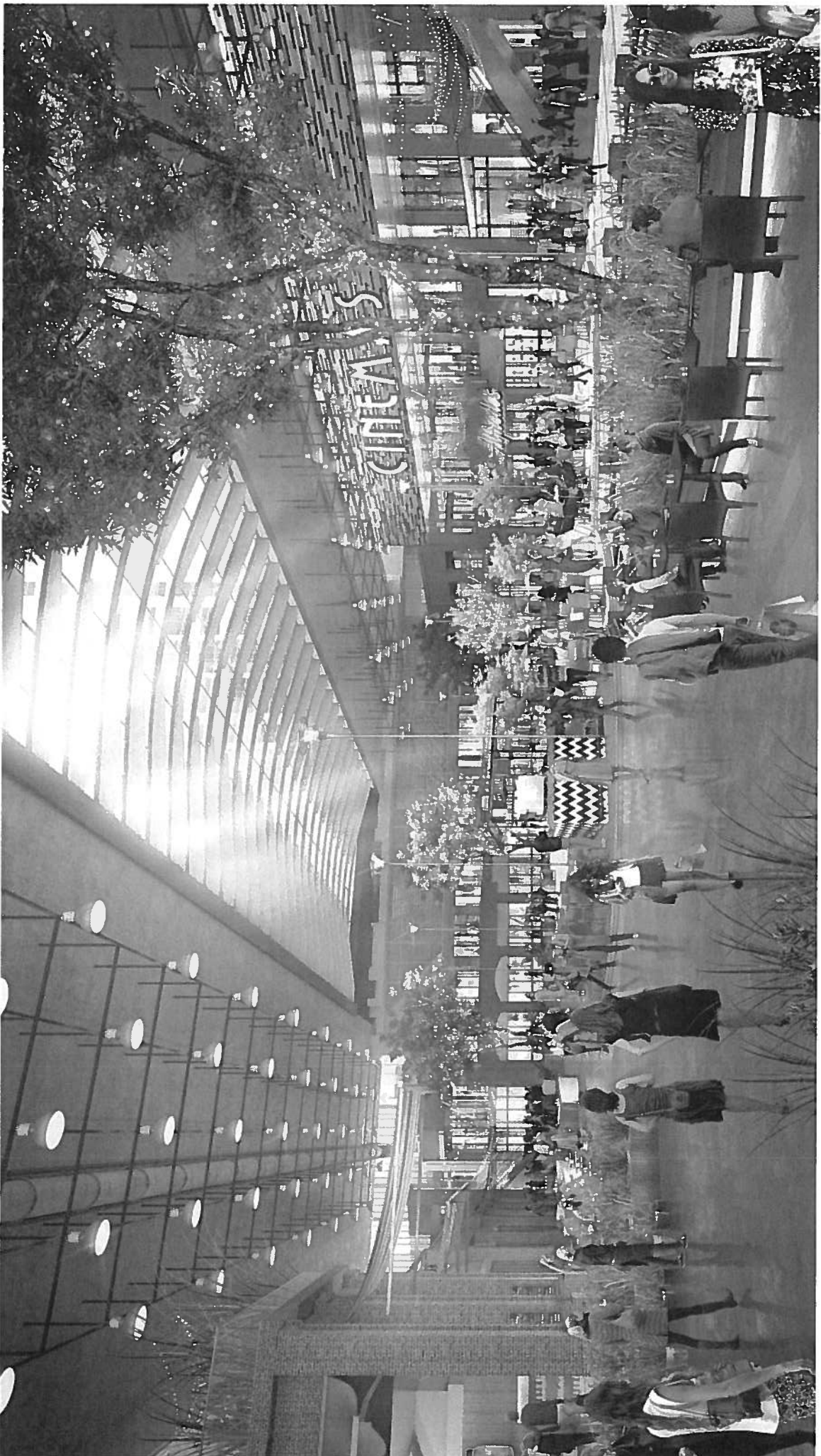
Tangram Plaza • SCG Plaza II • Mixed-Use Development



**Tangram Plaza • SCG Plaza II** is a transformative project which will be the premier mixed-use commercial and residential building located in the heart of Downtown Flushing. With approximately 1.4 million gross square feet, Tangram will include retail and community facility space, an underground parking garage for more than 1,100 vehicles, two residential towers, an office tower and a boutique hotel.

The center of Tangram will be a retail complex which will be partially covered by an enclosed architecturally unique atrium with skylight. Tangram will create a year-round lifestyle destination which will draw residents, the business community and local and international tourist/visitors alike.

Construction started in the 3<sup>rd</sup> quarter of 2015. The project is being constructed in phases through 2020.







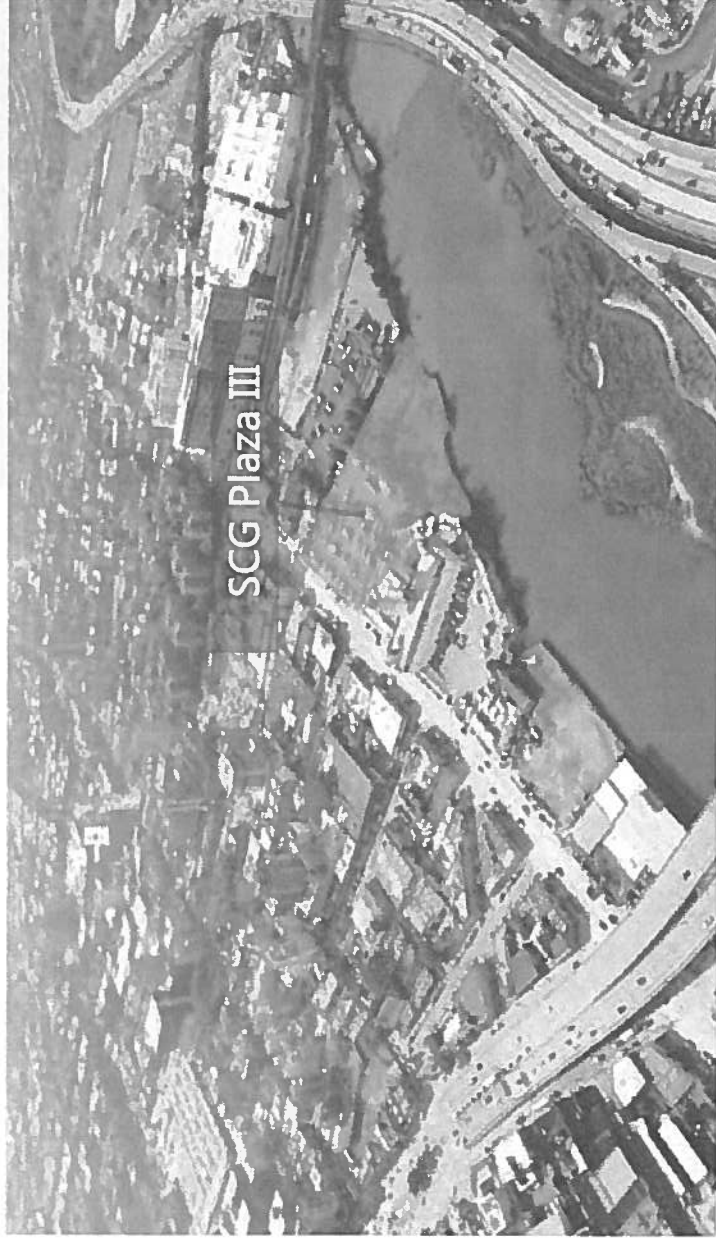


Tangram Plaza • SCG Plaza II

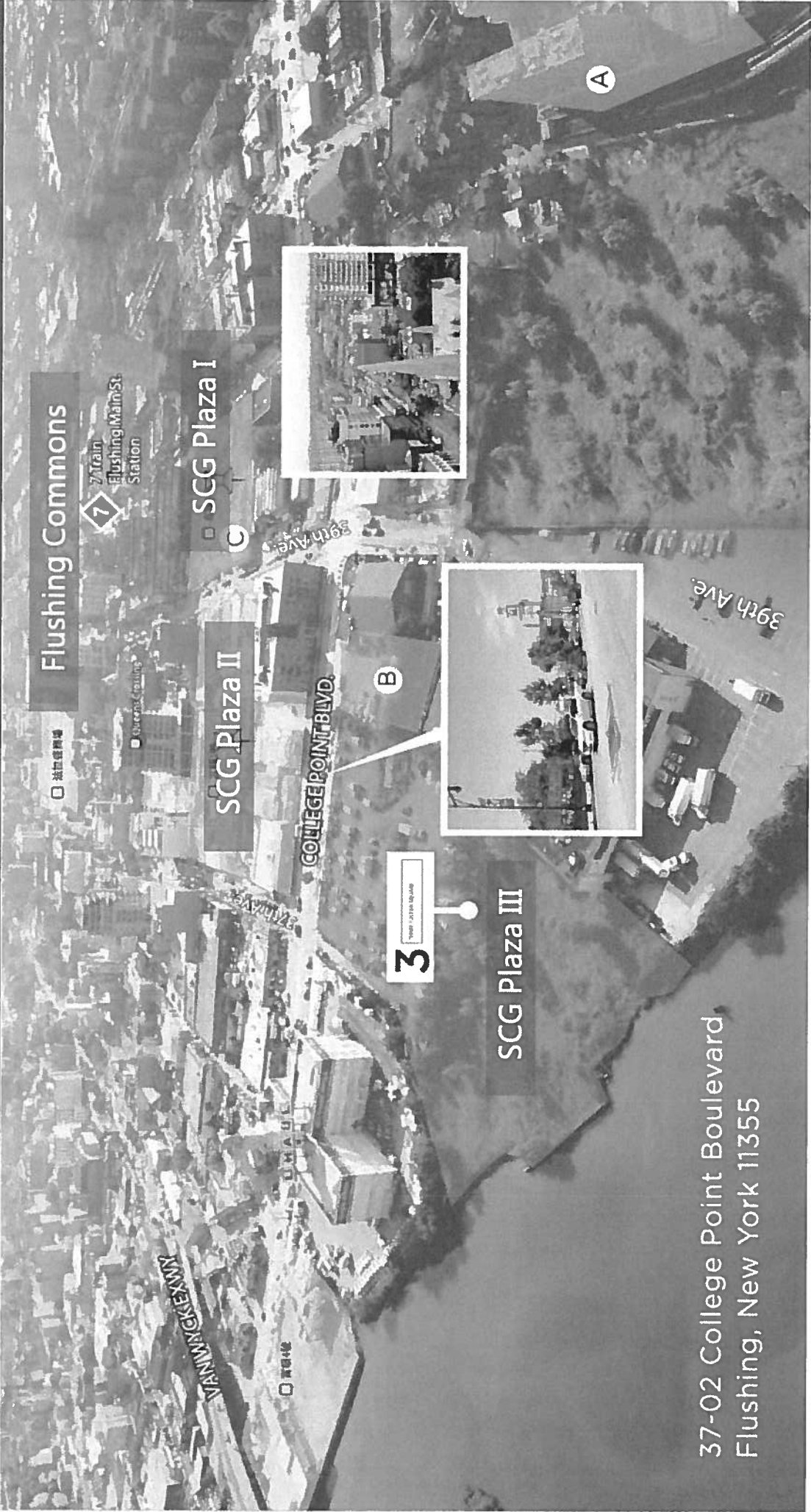
# TANGRAM PLAZA



Three Fulton Square • SCG Plaza III • Mixed-Use Development



Three Fulton Square • SCG Plaza III will signify the revitalization of the waterfront area of Flushing. Development of open space at Flushing waterfront will attract local residents and tourists. With land area of more than 4 acres, the development will transform the neighborhood into a booming area with a vibrant commercial center and open leisure space.



37-02 College Point Boulevard,  
Flushing, New York 11355



**SCG**  
AMERICA





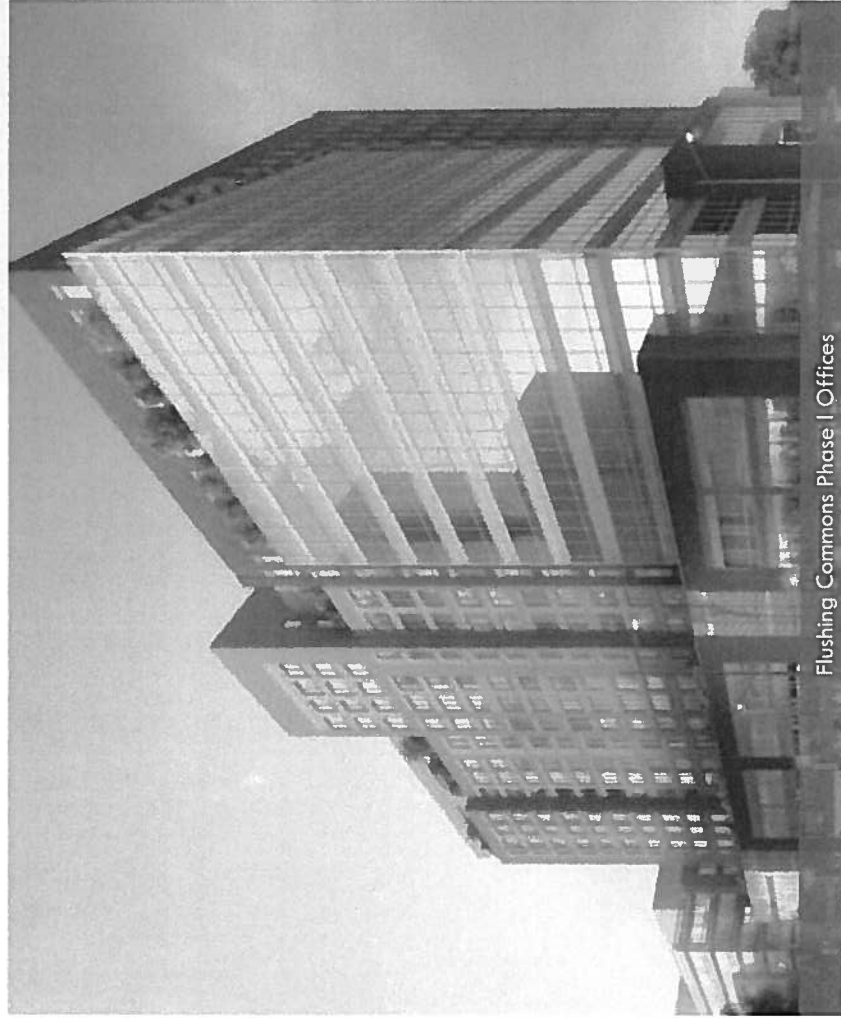
## Flushing Commons • Mixed-Use Development



Flushing Commons is a joint venture of SCG America, F & T Group, the Rockefeller Group Development Corporation, and AECOM Capital to redevelop a five-acre site in Downtown Flushing, Queens. The project will transform what is now a municipal parking lot into a vibrant new mixed-use development, creating approximately 2,600 construction jobs and 1,900 permanent jobs.

The Flushing Commons development includes: 1.5-acre town square of open space with a fountain plaza; 600 residential units; more than 200,000 square feet of commercial space for retail and offices; 62,000-square-foot YMCA facility; 36,000 square feet of community space; parking for 1,600 vehicles.

Flushing Commons • Mixed-Use Development



Flushing Commons Phase I Offices

The Flushing Commons project broke ground in June 2014.

Phase 1 of the project is anticipated to be completed by the end of 2016.

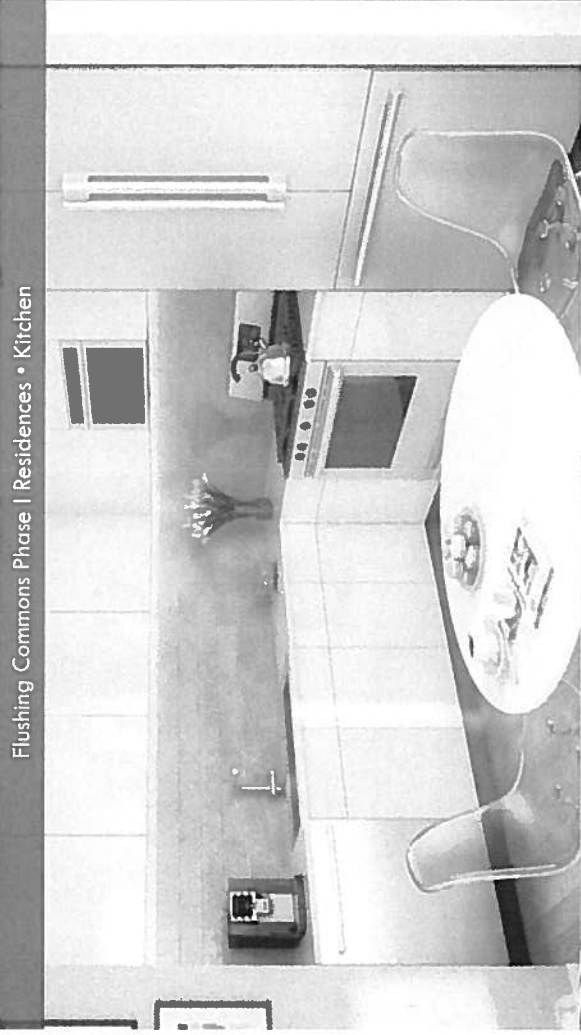
Phase 2 of the project is anticipated to commence construction in 2018.



Flushing Commons Phase I Residences • Living Room



Flushing Commons Phase I Residences • Kitchen



Flushing Commons Phase I Residences • Balcony



Flushing Commons Phase I Residences • Main Lobby

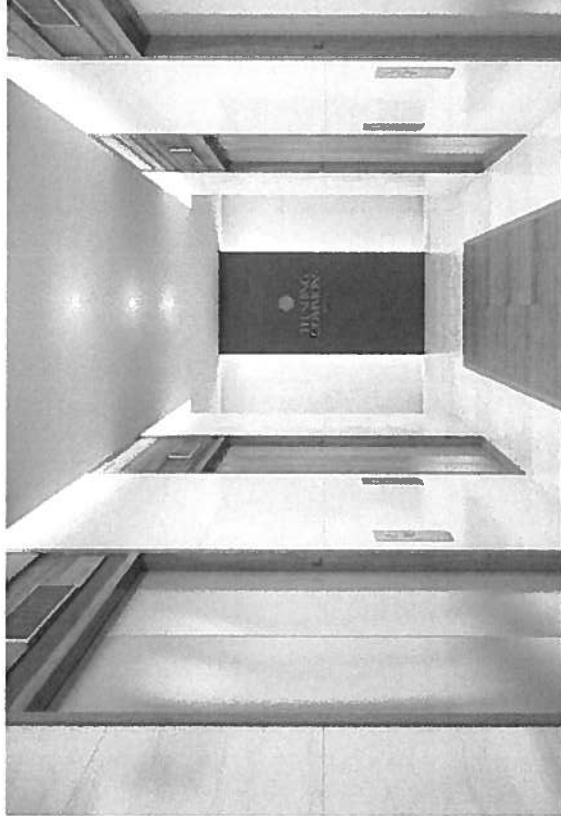


Flushing Commons Phase I Residences • Residents' Lounge

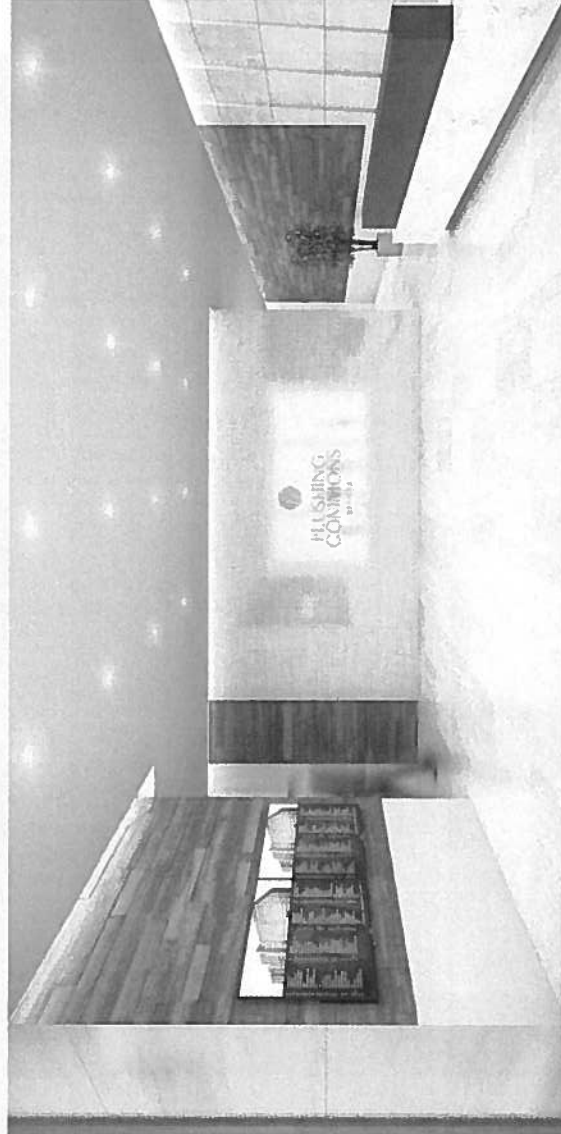




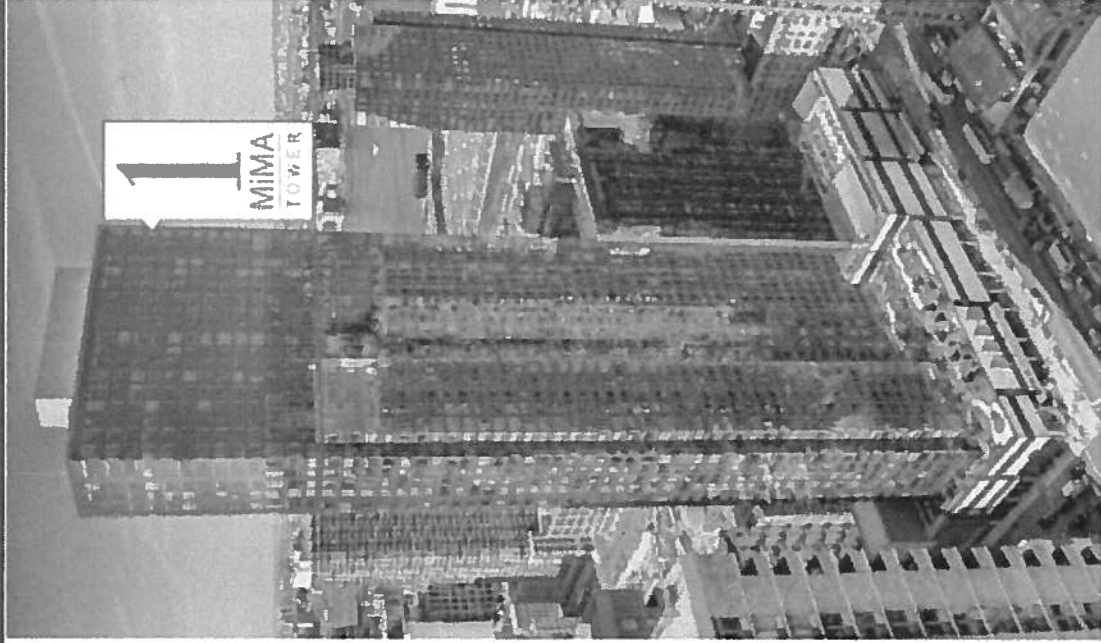
  
**FLUSHING  
COMMONS**  
RESIDENCES | OFFICES



Flushing Commons Phase | Offices • High-Speed Elevators



Flushing Commons Phase | Offices • Building Lobby



Manhattan View MiMA • Luxury Condominium Redevelopment

MiMA – Middle of Manhattan  
*Prime location on West 42nd Street,  
evoking its name.*

Manhattan View MiMA is an exclusive block of 151 luxury residential units located in Midtown Manhattan, accessed through an intimate, private lobby and elevator. Incomparable lifestyle is over 500 feet above street level, with the largest amenity package in Manhattan of 44,000 square feet, creates a first class living experience.

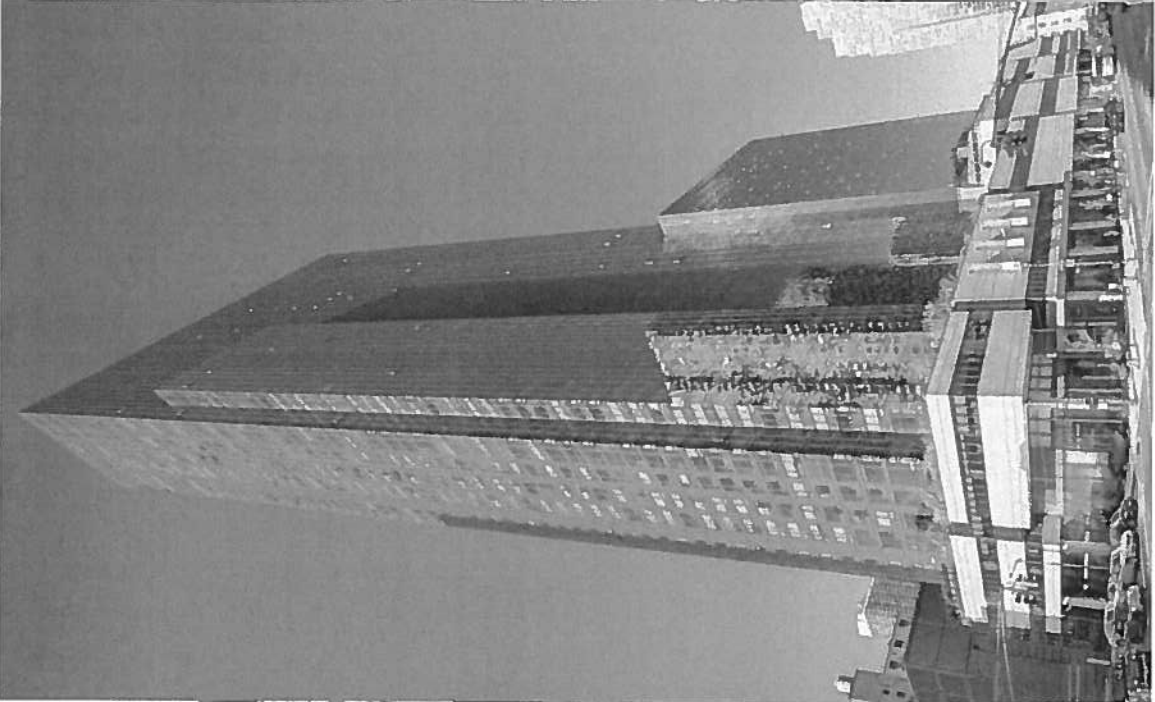
## Manhattan View MiMA • Luxury Condominium Redevelopment



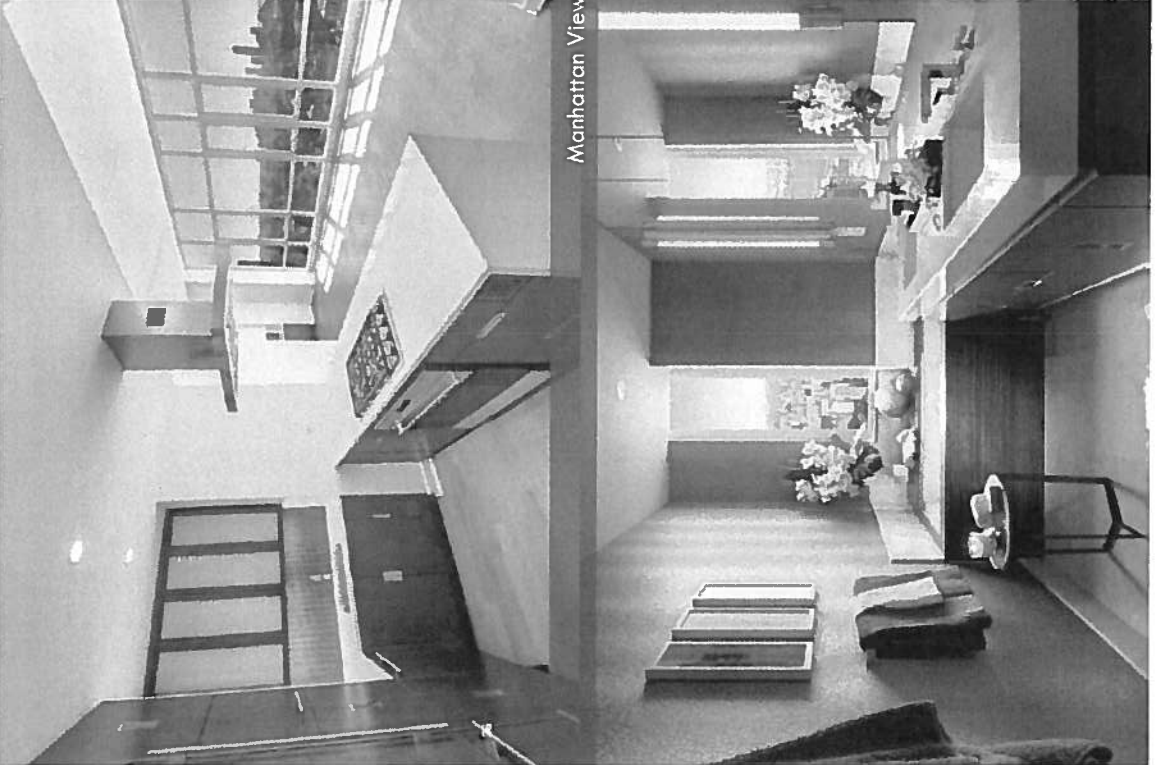
LEED Gold Certified, Manhattan View MiMA combines state-of-the-art technology with:

- flawless exterior architecture of Arquitectonica
- world-renowned interior design by Rockwell Group
- apartment layouts by Ismael Leyva Architects

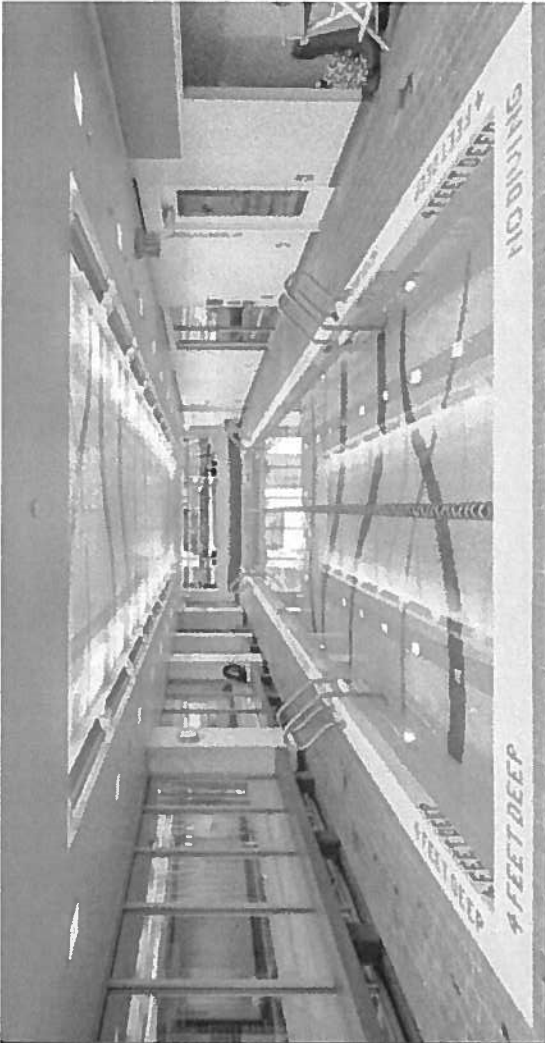
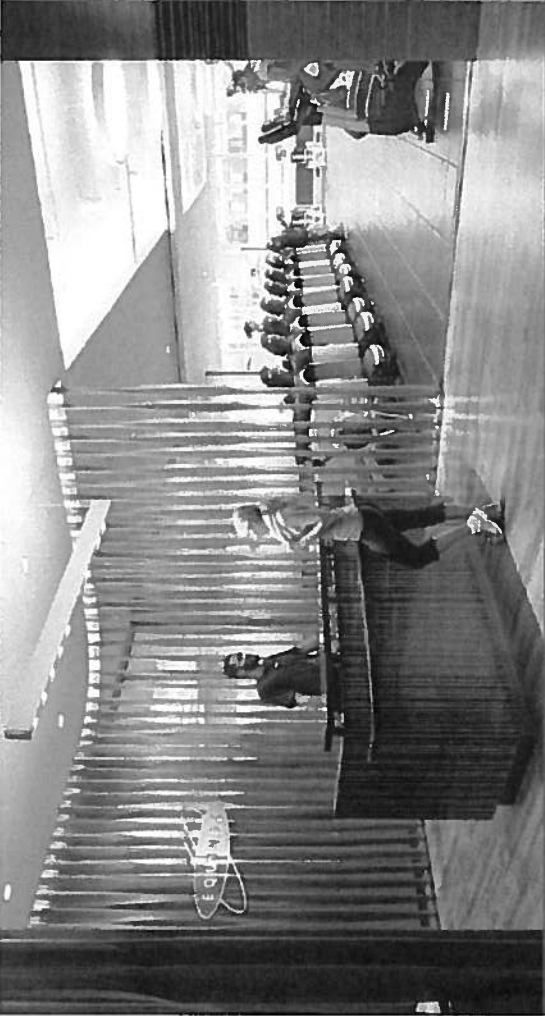
Core location in the Middle of Manhattan allows asset to draw from multiple market segments.



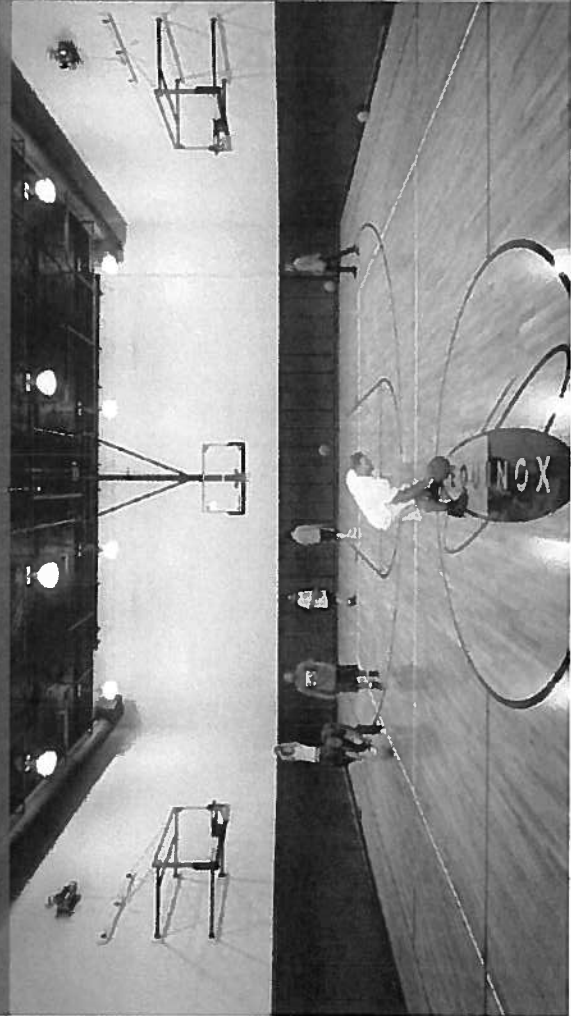


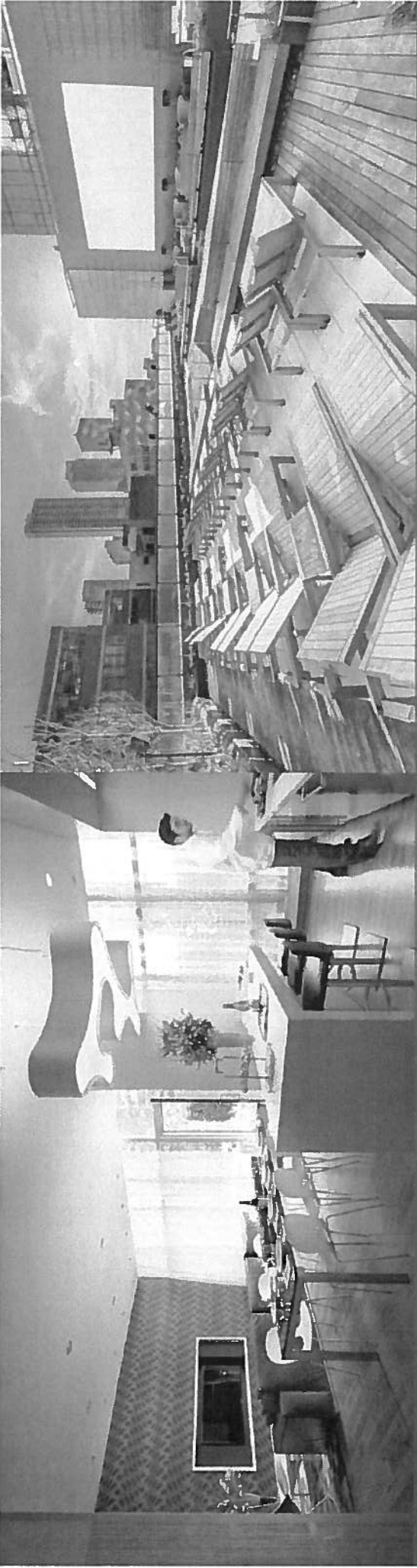


Manhattan View MIMA • Interiors

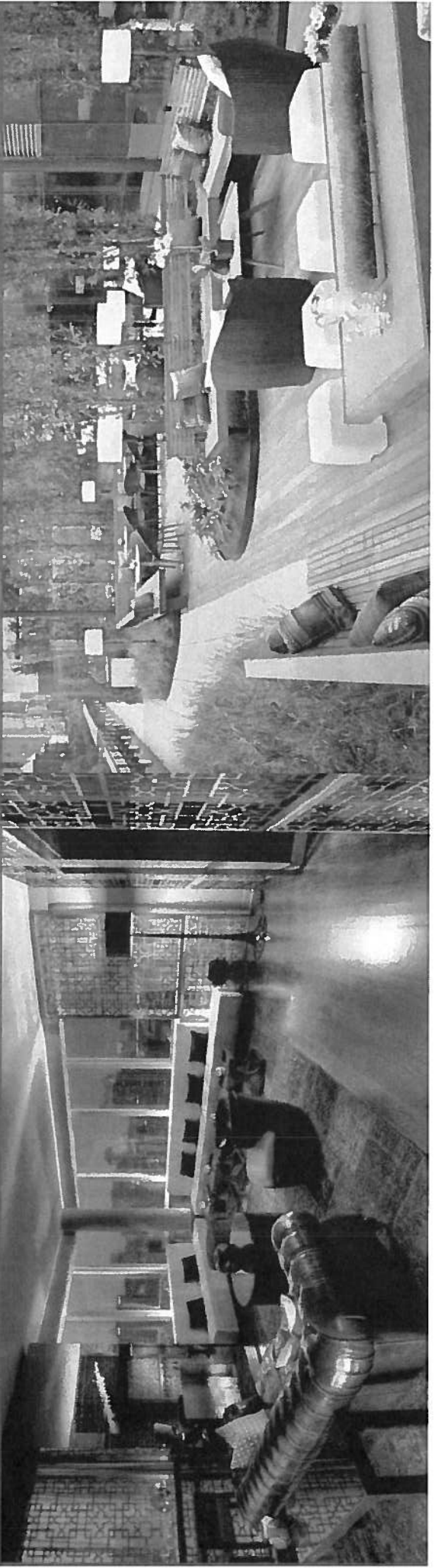


Manhattan View MiMA • Amenities

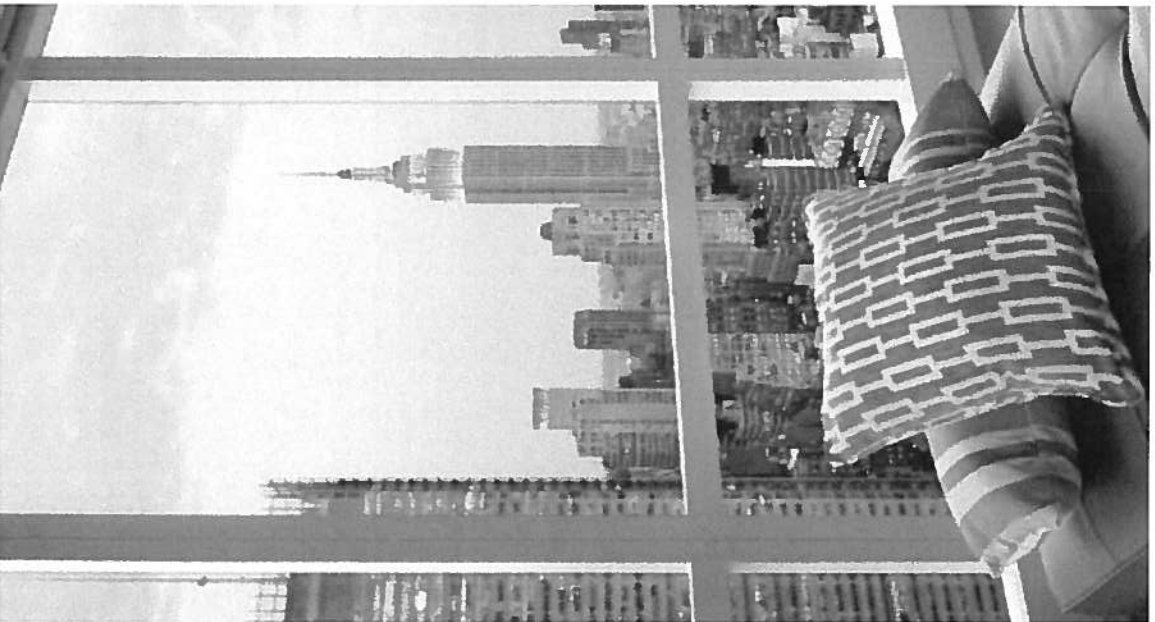
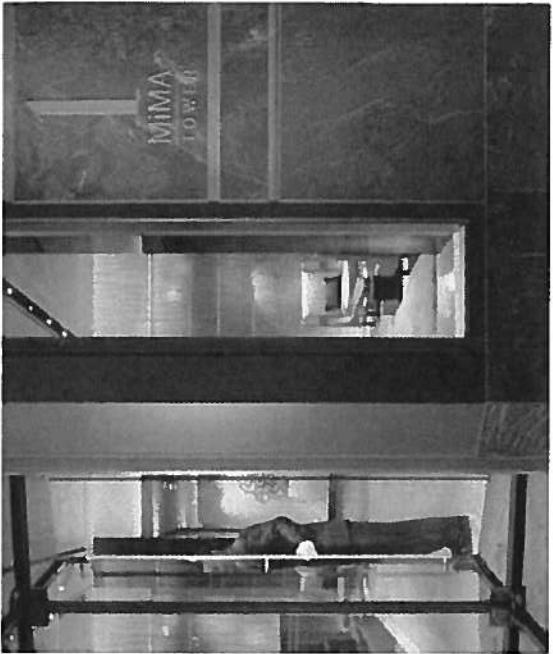




Manhattan View MiMA • Amenities

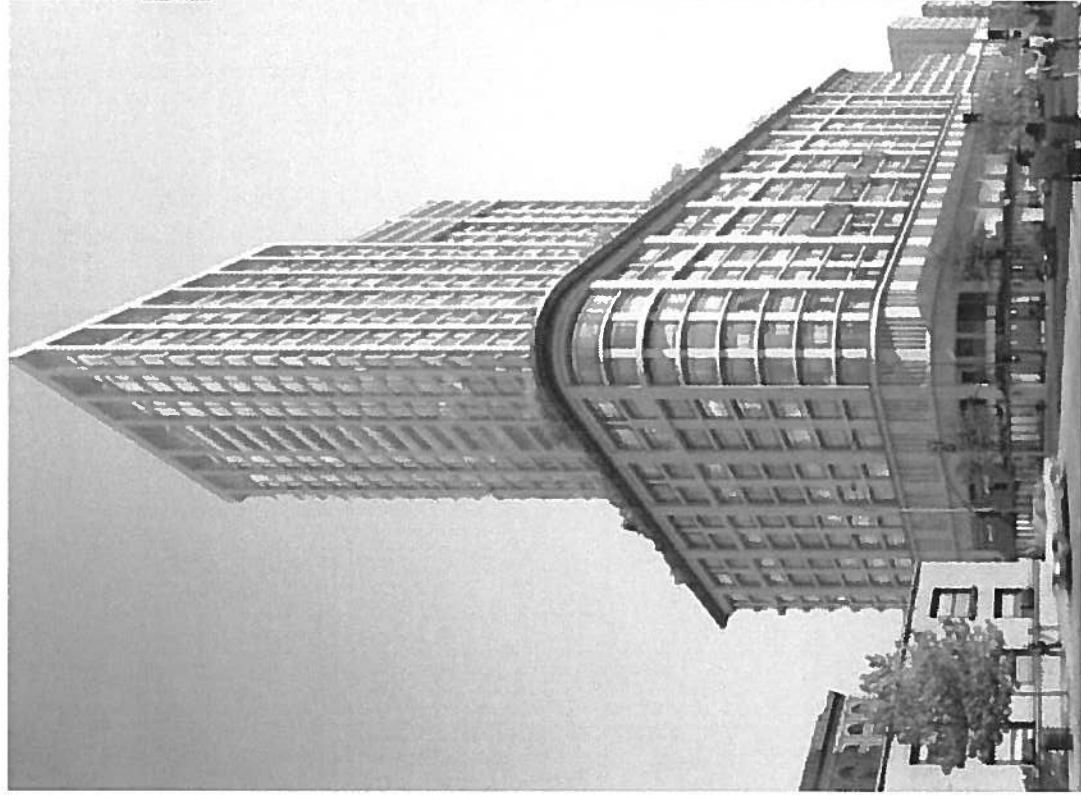








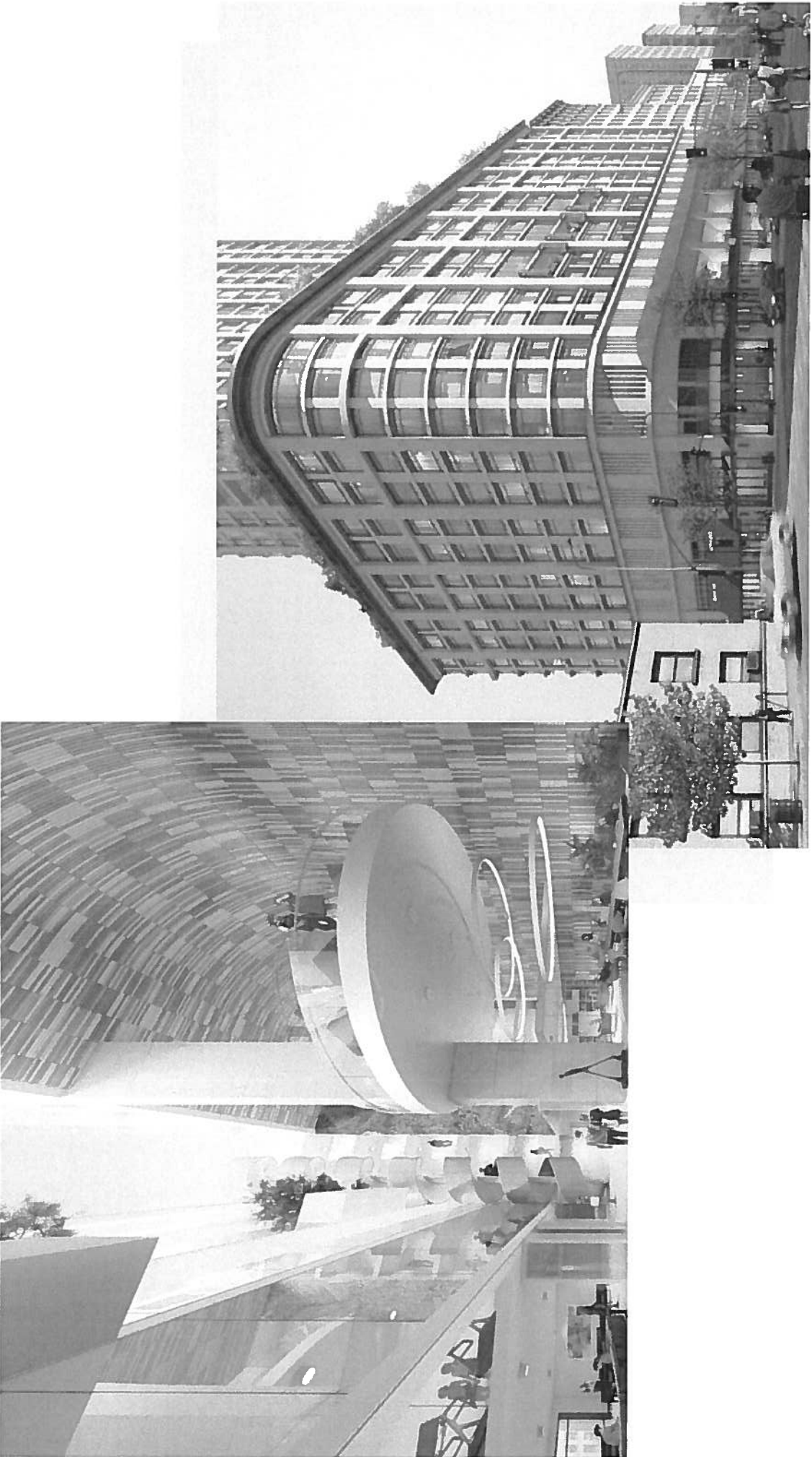
Broadway@4<sup>th</sup> • Luxury Condominium Development

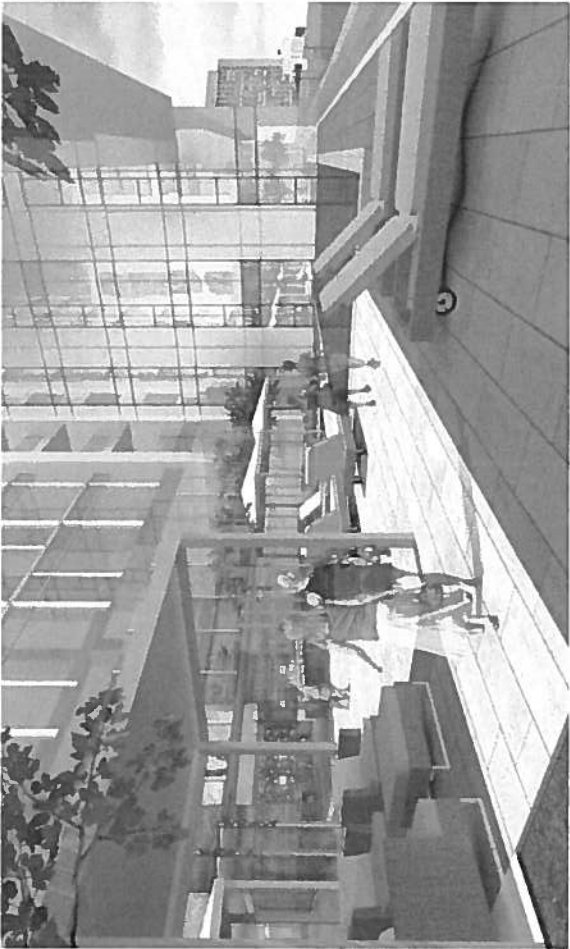
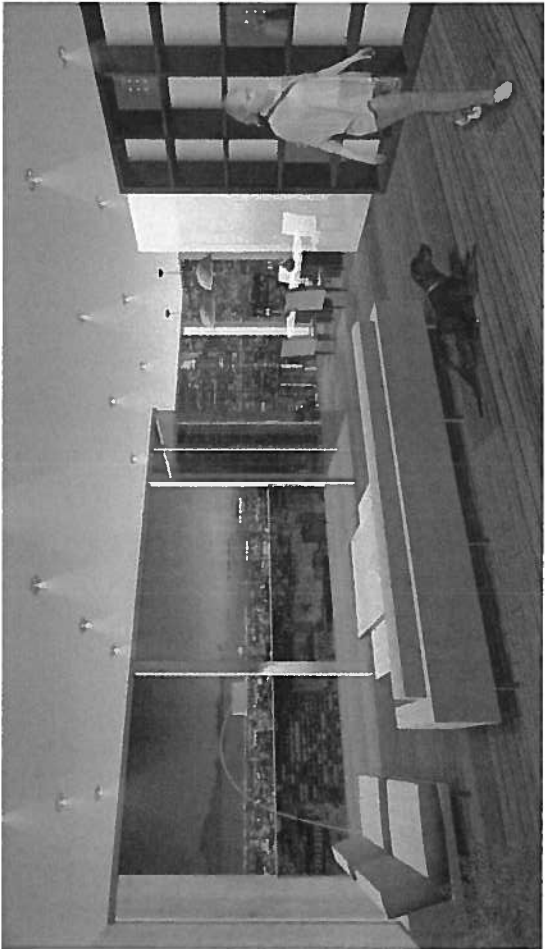
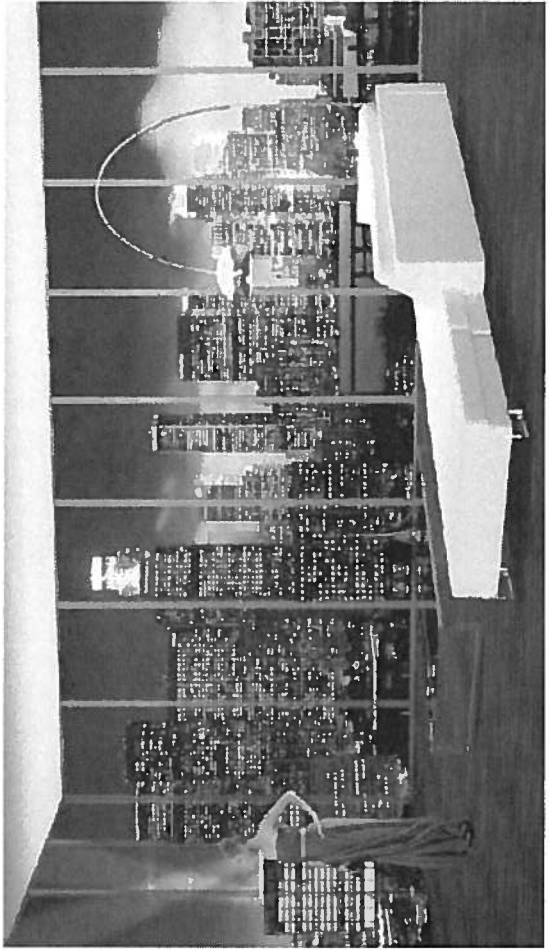


**Broadway@4<sup>th</sup>** is a high-rise luxury condominium development in the heart of Downtown Los Angeles. The project will bring state-of-the-art amenities and refined urban living to the Historic Core neighborhood.

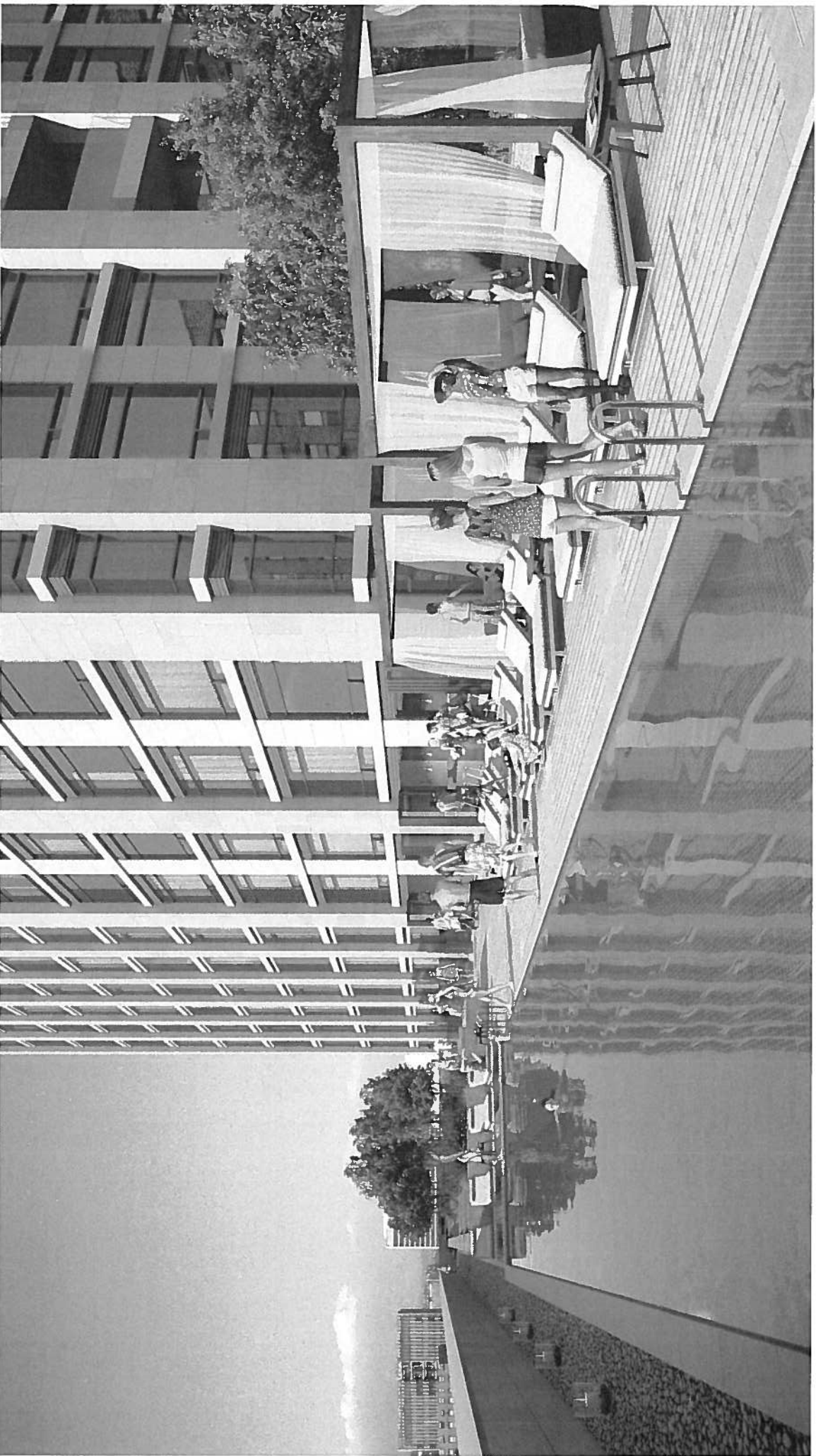
The building will contain approximately 450 condominium units, with land area of 39,569 square feet. The 34-story building has gross square footage of more than half a million, which includes parking and street-front retail space.



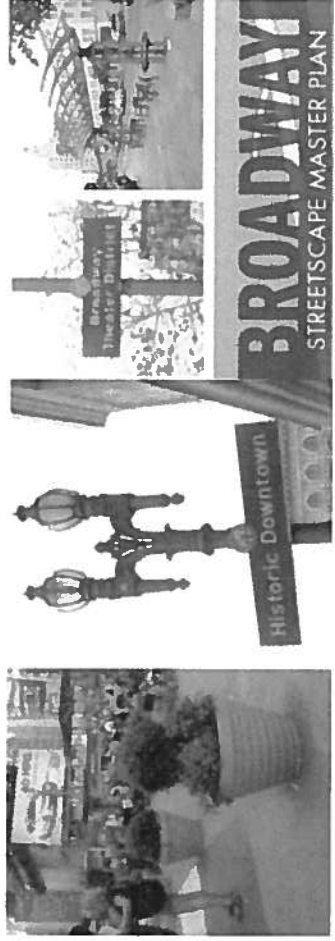




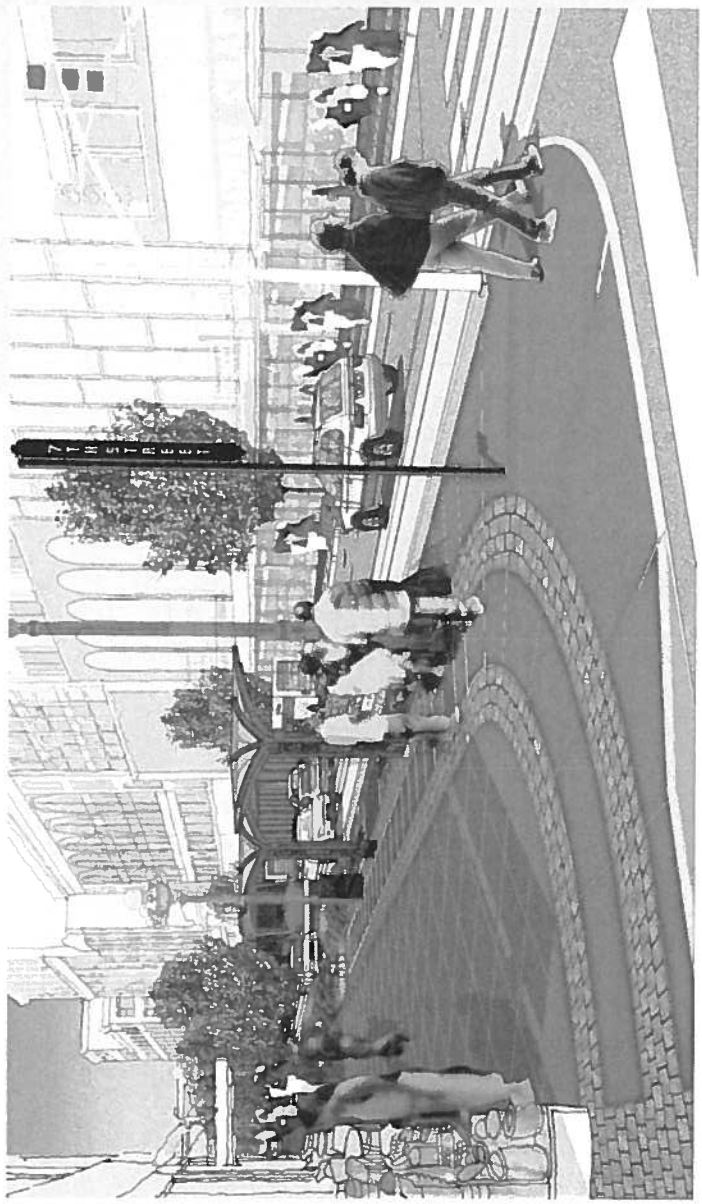








Broadway@4<sup>th</sup> • Luxury Condominium Development

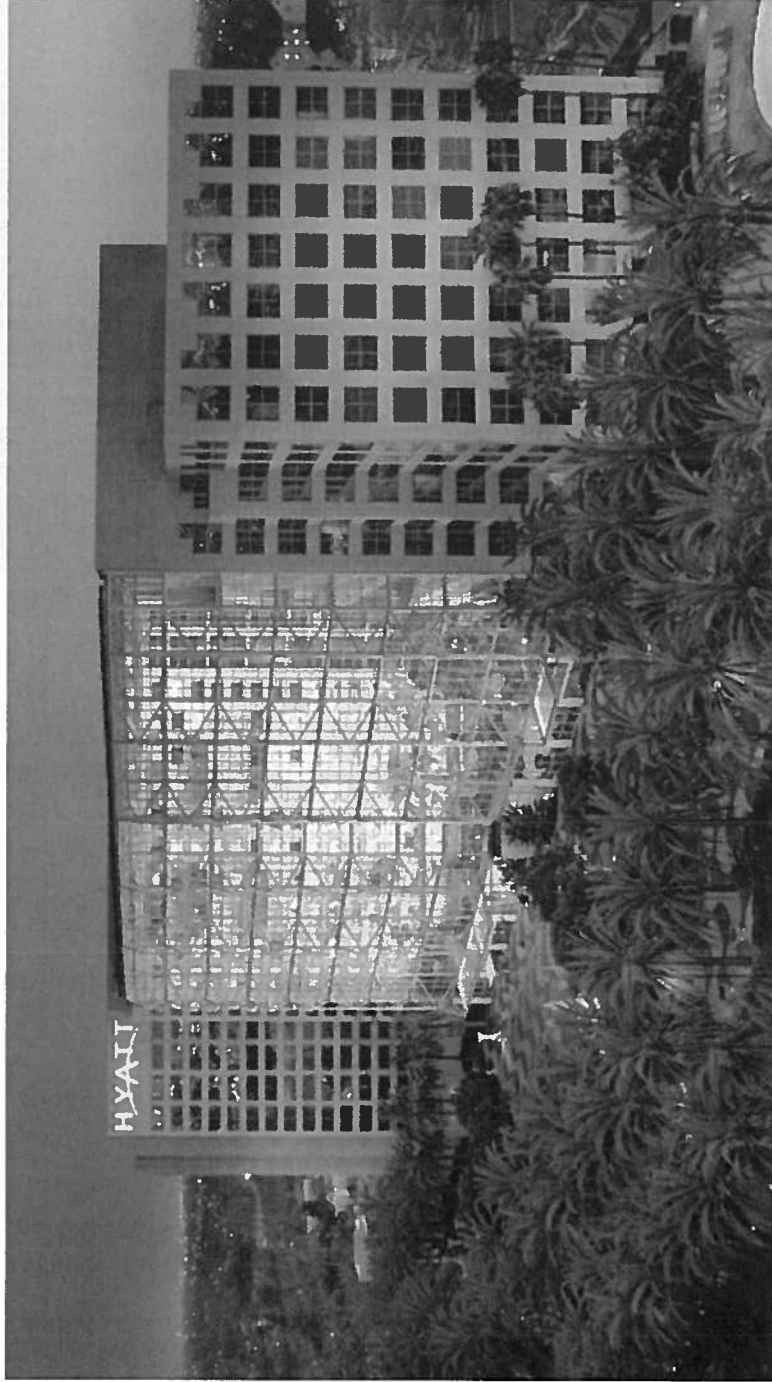


Broadway@4<sup>th</sup> will capitalize on the local government's "Bringing Back Broadway" initiative to create a multi-modal, pedestrian-focused street that will support a thriving, revitalized historic theatre district.

The ten-year plan will reactivate theatres and more than 1 million square feet of commercial space, restore historic streetcar service in downtown, and encourage cultural, entertainment and retail uses on Broadway that will sustain generations.

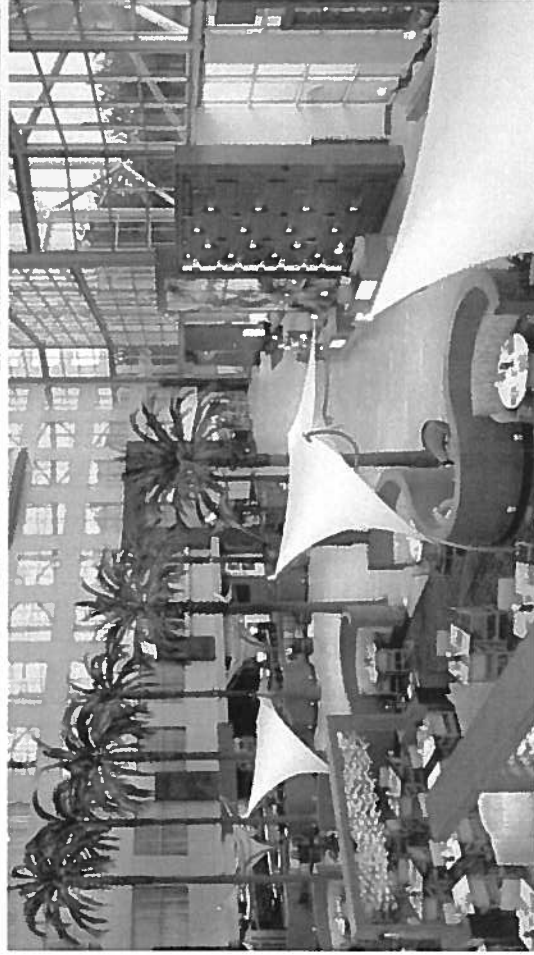
**HYATT**  
R E G E N C Y  
O R A N G E C O U N T Y

Hyatt Regency Orange County • Hotel Acquisition

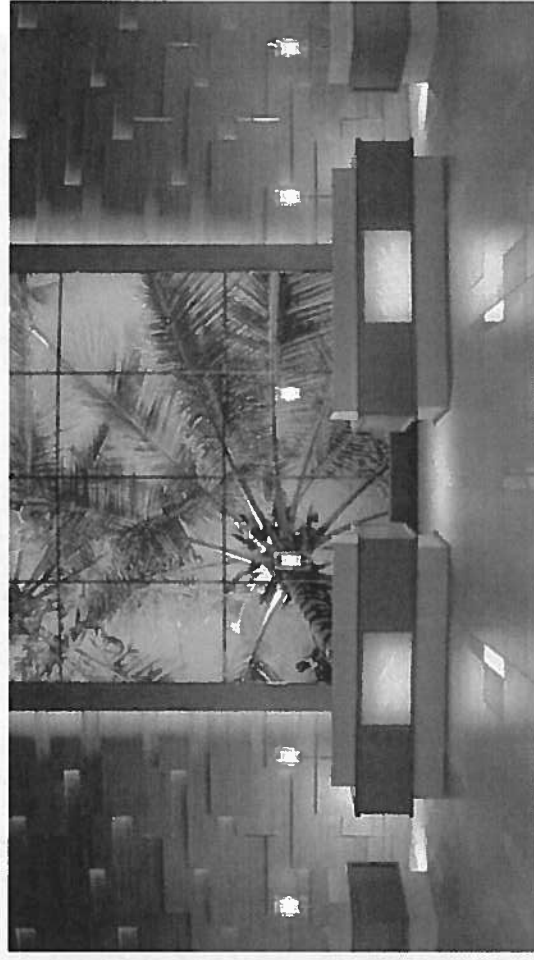


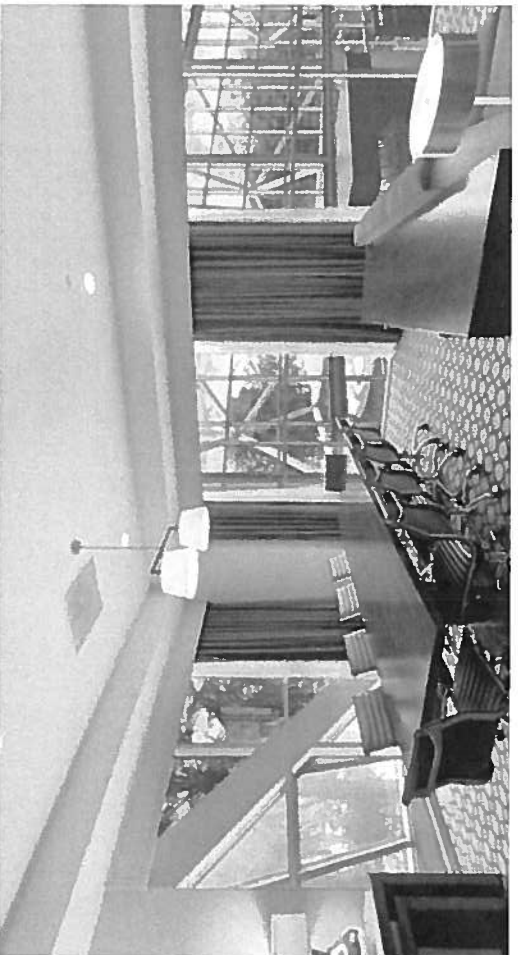
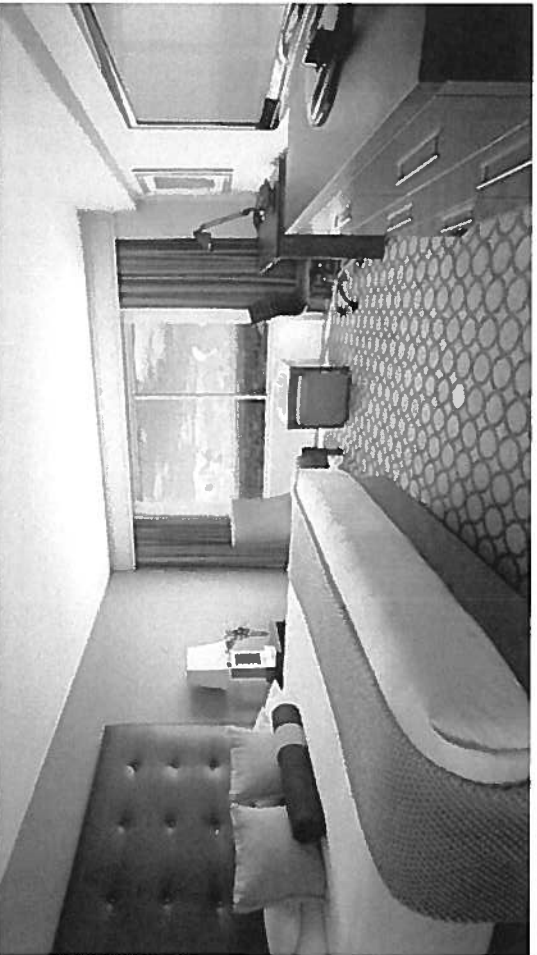
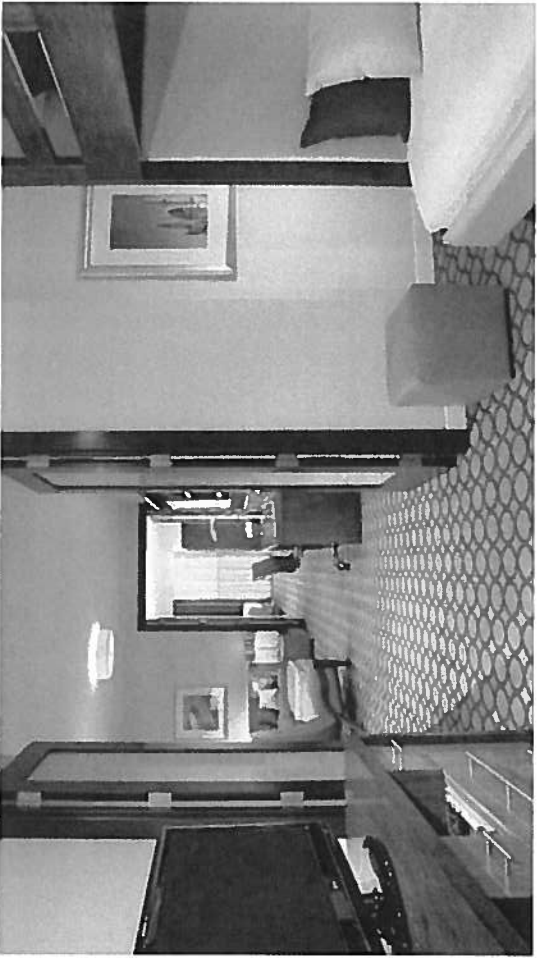
Hyatt Regency Orange County is a Class-A, 656-room, 17-story high-rise structured hotel located in the Disneyland Anaheim Resort Area. The Hyatt represented an extraordinary opportunity to invest into a world-renowned destination market that is anticipating a strong upswing from the Anaheim convention center expansion and Disney theme park expansion. With over 77,000 square feet of meeting space and abundance of suites, the hotel is able to attract significant group business and also appeal to families in the Anaheim Resort Area destination market.

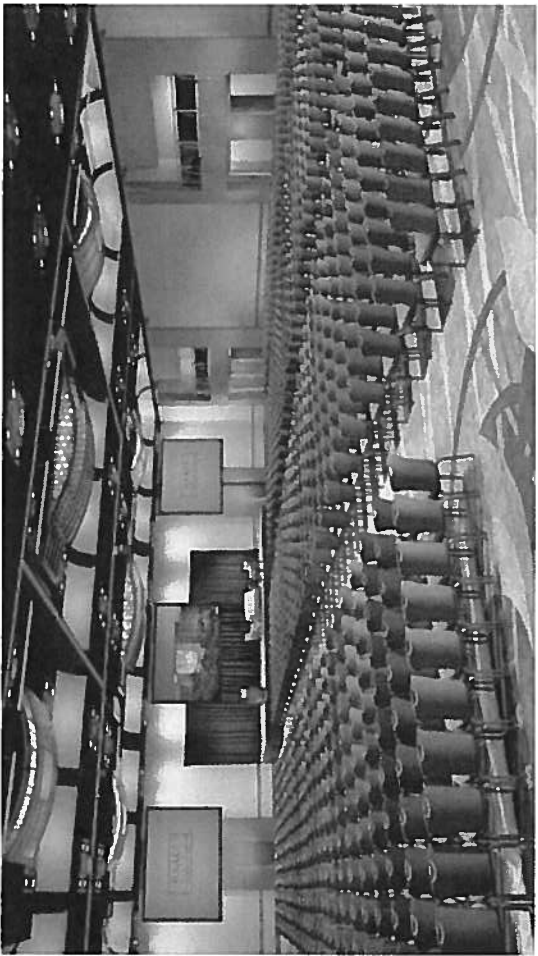




Hyatt Regency Orange County • Hotel Acquisition









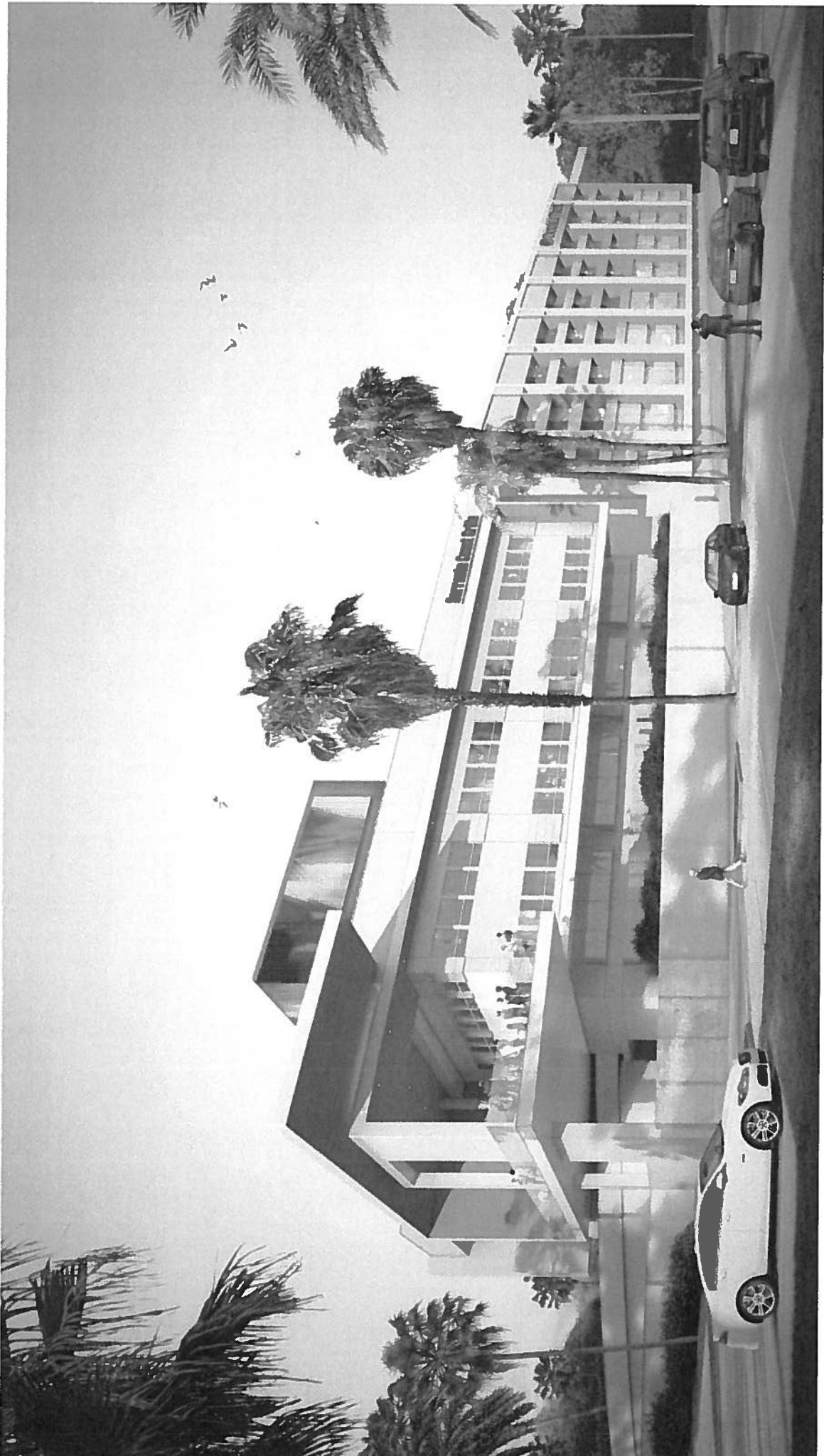
DOUBLETREE  
BY HILTON™

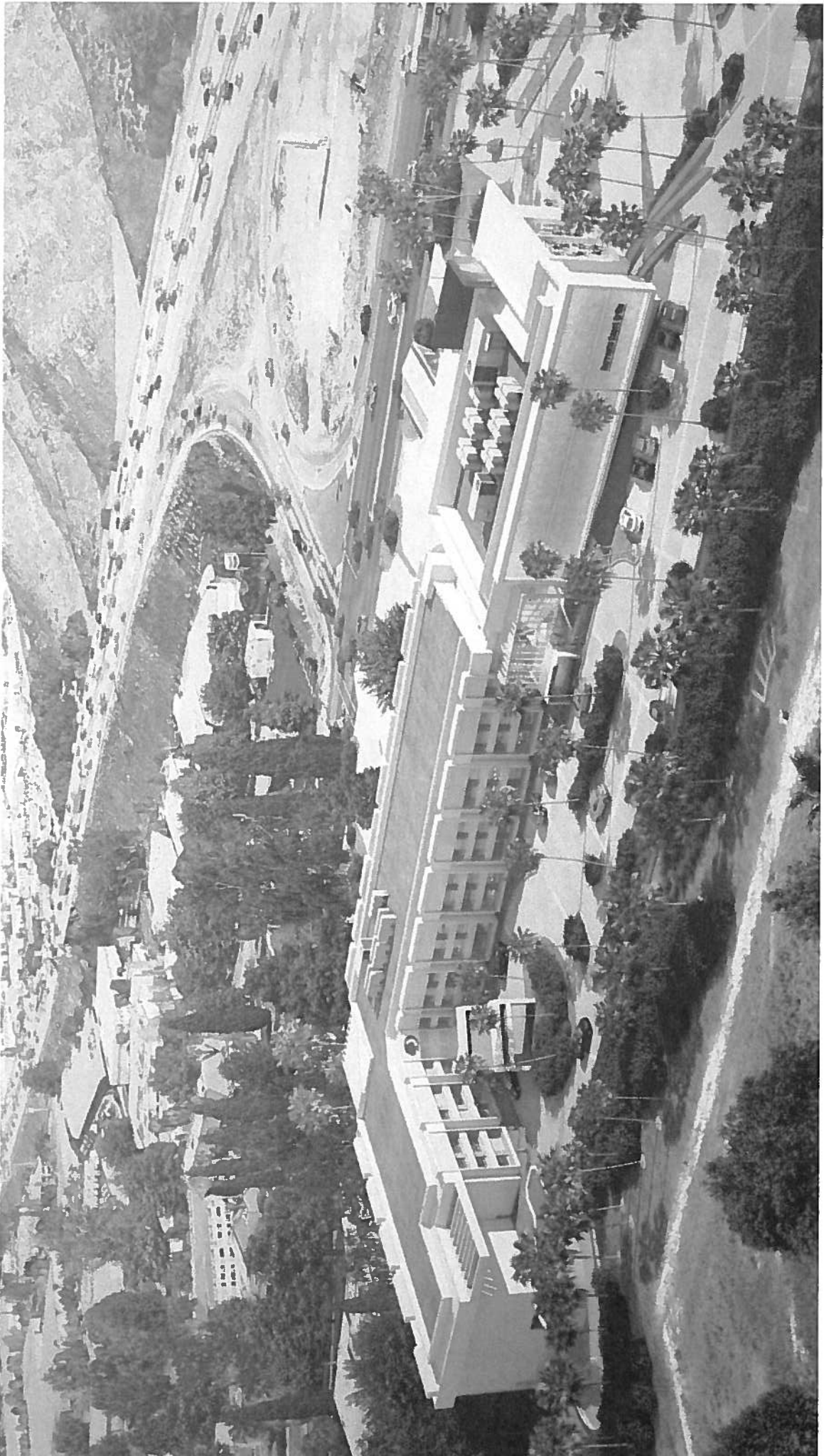
DoubleTree Pomona • Hotel Acquisition & Redevelopment



DoubleTree Pomona is a full-service hotel equipped with meeting space, ballroom, full-service restaurant, sauna and steam room, outdoor swimming pool, whirlpool spa and much more. Newly rebranded as DoubleTree, the 131-room hotel is the warm, comfortable and smart option that suits the needs of all types of travelers.



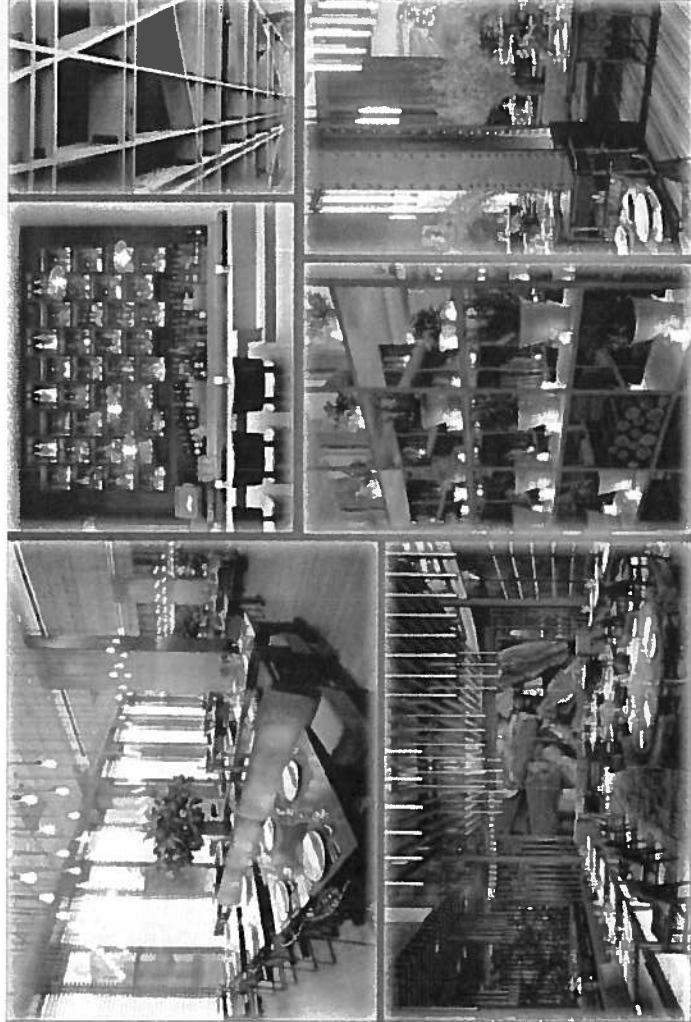






Hotel Ballroom

Sorrento Coast Grill Restaurant • DoubleTree Pomona



Restaurant Interior Elements



Restaurant Entrance









**LA QUINTA**  
INNS & SUITES  
wake up on the bright side<sup>®</sup>

La Quinta Inn & Suites Pomona • Hotel Acquisition & Redevelopment



La Quinta Inn & Suites Pomona is a 4-story, 161-room hotel that offers just what any traveler needs to wake up on the bright side. The property is comprised of three freestanding buildings, where the lobby and amenities are separate from the main guest room building. Conveniently located on route 10 in Pomona, travelers and visitors will find La Quinta to be the ideal stopping point. Guests can take full advantage of the many indulgences offered standard at the hotel, including free breakfast, free high-speed internet and fitness center.

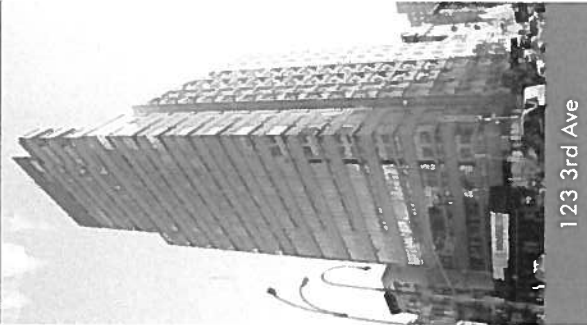






Construction Projects • New York

2008-2011



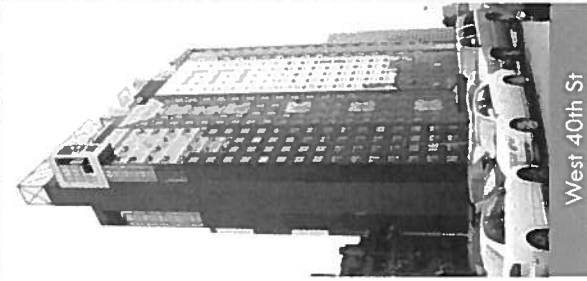
123 3rd Ave

2008-2010



16 W21st St

2005-2008



West 40th St

Construction Projects • Los Angeles



Luxury Residences



Luxury Residences



Condominiums



TEL 1 718 888 0600

FAX 1 718 395 8167

136-20 38th Ave, 12th Fl.

Flushing, NY 11354, U.S.A.

[WWW.SCGAMERICA.COM](http://WWW.SCGAMERICA.COM)

**Subject:** Re: City Meetings  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 18 May 2016 14:56:30 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

yes, 10am?

**Matthew Reid**  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On May 18, 2016, at 2:42 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

can we meet thursday

Greg Blodgett  
SR Project Manager  
City of Garden Grove  
Economic Development

----- Original Message -----

From: "Matthew Reid" <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>  
To: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>  
Sent: Wednesday, May 18, 2016 1:47:53 PM  
Subject: City Meetings

Greg,  
SCG's attorney would like to meet next wednesday at 10am with engineering and fire. SCG (or their attorney) is most concerned with fire life safety issues for some reason....  
Please let me know if that works.  
Thanks

Matthew Reid  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)



**Subject:** Re: SCG Company Information  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Thu, 19 May 2016 18:28:21 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Why did you send this to me?

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** www.landanddesign.com

On May 19, 2016, at 5:30 PM, Greg Blodgett <greg1@ci.garden-grove.ca.us> wrote:

Greg Blodgett  
SR Project Manager  
City of Garden Grove  
Economic Development

----- Forwarded Message -----

From: "Matthew Reid" <matt.reid@landanddesign.com>

To: "Scott Stiles" <sstiles@ci.garden-grove.ca.us>

Cc: "Greg Blodgett" <greg1@ci.garden-grove.ca.us>, "James Eggart" <jamese@ci.garden-grove.ca.us>, "Tom Crosbie" <tcrosbie@cgs3.com>, "Carrie M. Risatti" <risattic@gtlaw.com>

Sent: Wednesday, May 18, 2016 11:26:20 AM

Subject: SCG Company Information

Scott,

Attached please find Shanghai Construction Group, LTD (SCG) corporate background information and sampling of projects for your review.

Earlier this morning, SCG's Audited Financials ending December 31, 2014 were sent to James Eggart (City attorney) as a confidential document not for public release for review as we finalize documents and agreements with SCG for the development of Site C.

As I explained to Greg yesterday, we anticipate by end of business day June 3rd (end of SCG's due diligence period) to submit a written request for city consent of an assignment of 90% of our rights in the Grove District Hotel Resort Development Agreement dated April 9, 2013 to SCG. We are hopeful, once the request is made, the City would provide its consent and/or approval in accordance with our Agreement within a reasonable timeframe.

Please note, this is NOT to be considered a request for approval/consent of SCG at this time. This and SCG's financial information are provided for your review in advance in hope to expedite the approval/consent if/when requested at the end of SCG's due diligence period and our agreements with SCG fully executed.

Please advise if there is any additional information that is needed.

Thank you

Matthew Reid  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](mailto:matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com) <<http://www.landanddesign.com/>>

Scott,

Attached please find Shanghai Construction Group, LTD (SCG) corporate background information and sampling of projects for your review.

Earlier this morning, SCG's Audited Financials ending December 31, 2014 were sent to James Eggart (City attorney) as a confidential document not for public release for review as we finalize documents and agreements with SCG for the development of Site C.

As I explained to Greg yesterday, we anticipate by end of business day June 3rd (end of SCG's due diligence period) to submit a written request for city consent of an assignment of 90% of our rights in the Grove District Hotel Resort Development Agreement dated April 9, 2013 to SCG. We are hopeful, once the request is made, the City would provide its consent and/or approval in accordance with our Agreement within a reasonable timeframe.

Please note, this is NOT to be considered a request for approval/consent of SCG at this time. This and SCG's financial information are provided for your review in advance in hope to expedite the approval/consent if/when requested at the end of SCG's due diligence period and our agreements with SCG fully executed.

Please advise if there is any additional information that is needed.

Thank you

Matthew Reid  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com) <<http://www.landanddesign.com>>  
<SCGA U.S. Projects 2016.pdf>

**Subject:** FW: Garden Grove - Title Comment Letter  
**From:** <risattic@gtlaw.com>  
**Date:** Fri, 27 May 2016 05:19:40 +0000  
**To:** <greg1@garden-grove.org>, <JEggart@wss-law.com>  
**CC:** <macej@gtlaw.com>, <changeu@gtlaw.com>, <Lorraina\_usa@yahoo.com>, <dannywei@scgamerica.com>, <zwf@scgamerica.com>, <tcrosbie@cgs3.com>, <matt.reid@landanddesign.com>

Greg and James,  
Attached is the Title Comment letter we from SCG that we discussed in today's meeting. Thank you!

Sincerely,  
Carrie

Carrie M. Risatti  
Shareholder  
Greenberg Traurig, LLP | 3161 Michelson Drive | Suite 1000 | Irvine, CA 92612  
Tel 949-732-6617  
[risattic@gtlaw.com](mailto:risattic@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)



---

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at [postmaster@gtlaw.com](mailto:postmaster@gtlaw.com), and do not use or disseminate such information.

<b>Title Comment Letter - Garden Grove.pdf</b>	<b>Content-Description:</b> Title Comment Letter - Garden Grove.pdf <b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
--	--



David Edington  
Law Clerk/JD  
Tel 702.792.3773  
Fax 702.792.9002  
edingtond@gtlaw.com

May 26, 2016

VIA E-MAIL AND HAND DELIVERY

First American Title Insurance Company  
4380 La Jolla Village Drive, Suite 110  
San Diego, CA 92122  
Attn: Vince Tocco and Linda Slavik

City of Garden Grove  
11222 Acadia Parkway  
Garden Grove, CA 92840  
Attention: City Manager

Re: First American Title Company Order No. NCS-604754-SD, dated as of March 14, 2016, at 7:30 A.M. (the "**Title Report**"), from First American Title Insurance Company (the "**Title Company**")  
Parcels A1, A, B, C, D, E, F G, H and I (as set forth in the Title Report)  
(collectively, the "**Property**") owned by the City of Garden Grove, a municipal corporation (as to Parcels A1, A, B, C, D, E, G, H and I), and Mann Enterprises Inc., a Delaware corporation (as to Parcel F)

Ladies and Gentlemen:

We represent SCG America Group, Inc. ("**Purchaser**") in connection with the Proposed Purchase of the Property.

We are in receipt of the Title Report from the Title Company. Below are our preliminary comments. We may have further comments as we continue our review of the materials. As we have not yet received an up to date ALTA survey, the attached do not reflect any comments associated with our review of the same.

We request that Title Company provide a pro forma 2006 ALTA Extended Coverage Owner's Policy (the "**Pro Forma**") as follows:

**Schedule A**

1. The insured shall be SCG America Group, Inc., a \_\_\_\_\_ corporation, its successors and/or assigns as their interests may appear.
2. The liability amount of the owner's title policy is still to be determined.
3. Title to the fee simple estate shall be vested in the Purchaser.

OC 287539799v2

4. The Owner's title policy shall be dated as of the date and time of recording of the insured deed(s).

### **Legal Description**

1. The Parcel C – Parcel 1 legal description references “Range 1.0 West” and it appears that the correct reference should be “Range 10 West.” Please confirm which is correct, and revise the Title Report as necessary.

### **Schedule B – Section II**

2. General Exceptions. Please do not include any general exceptions in the Pro Forma.
3. Exceptions 1 – 16. Taxes and assessments must be paid current as of the closing date (including payment of any delinquent taxes and penalty fees) and should be shown as "not yet due and payable."
4. Exception 17. Please revise to read as follows: "The lien of supplemental taxes, if any, assessed pursuant to the provisions of (Chapter 3.5 commencing with Section 75) of the Revenue and Taxation Code of the State of California, as the result of a change in ownership or the completion of new construction occurring on or after the date of this policy."
5. Exceptions 18 and 19. Please delete and replace with “Intentionally deleted” so that the sequential numbering of the exceptions that follow remain the same, or provide specific recorded document references as well as the underlying documents for review.
6. Exception 20. The document is partially illegible. Please provide more a legible copy or confirm that copy provided is the best copy available.
7. Exceptions 21- 23, 26, 31, 33, 38, 41 – 45, 49 – 56, 60, 62 – 65, 71 – 73, and 76 – 77. Please delete the references to “incidental purposes” from the description of exception documents.
8. Exceptions 28, 46, and 58. Please delete and replace with “Intentionally deleted” so that the sequential numbering of the exceptions that follow remain the same. These financing documents will be released and/or satisfied at closing.
9. Exception 29. Please delete and replace with “Intentionally deleted” so that the sequential numbering of the exceptions that follow remain the same. This document is entirely illegible.
10. Exception 54. Please provide the underlying document. The Title Report does not include a hyperlink for this document.

11. Exceptions 67 and 81. Please delete and replace with “Intentionally deleted” so that the sequential numbering of the exceptions that follow remain the same. The agreements have expired by their terms (see Section 6 of the underlying document).
12. Exception 78. Please delete and replace with “Intentionally deleted” so that the sequential numbering of the exceptions that follow remain the same. The agreement has expired by its terms (see Section 1 of the underlying document).
13. Exception 92. Please replace this exception with “Rights of those certain tenants in possession under those certain unrecorded leases, as tenants only and with no rights or options to purchase, as set forth on the rent roll attached hereto as Exhibit [ ].”

### **Endorsements**

Purchaser requests that the following endorsements, if applicable, be attached to the Pro Forma, subject to pricing and availability:

1. ALTA 28.1-06 with respect to Exceptions 20 – 23, 26, 29 – 35, 38 – 39, 41 – 45, 47 – 56, 59 – 66, 68 – 73, 76 – 77, 82 – 83, and 84 – 91
2. ALTA 9.1 (comprehensive) with respect to Parcels A and F
3. ALTA 9.2-06 (comprehensive) with respect to all Parcels except for Parcels A and F
4. Access
5. Contiguity (multiple parcels)
6. Environmental Protection Liens
7. Utility Access
8. Subdivision
9. Multiple Tax Parcels
10. Survey
11. Zoning (ALTA 3.1 with parking)
12. Waiver of Arbitration
13. Assessments
14. Mineral Rights

May 26, 2016

Page 4

15. ALTA 35.1
16. Water Rights
17. ALTA 41-06 (with respect to exceptions 30 and 36)
18. Location of Improvements and Land

Please advise if any of these endorsements are not available or applicable. Purchaser may request additional endorsements or other affirmative coverage, and may object to title matters in addition to the matters set forth above.

I look forward to receipt of the Pro Forma.

Sincerely,



David Edington  
Law Clerk/ JD

OC 287539799v2



**Subject:** FW: POI Project No. 7869, Phase I ESA, 12202-12302 Harbor Blvd., 12511-12571 Twintree Ln., Garden Grove, CA - Draft Text  
**From:** <risattic@gtlaw.com>  
**Date:** Fri, 27 May 2016 05:49:15 +0000  
**To:** <matt.reid@landanddesign.com>, <tcrosbie@cgs3.com>, <greg1@garden-grove.org>  
**CC:** <dannywei@scgamerica.com>, <zwf@scgamerica.com>, <Lorraina\_usa@yahoo.com>, <macej@gtlaw.com>, <changeu@gtlaw.com>

Matt, Tom and Greg,  
Attached is the draft Phase I for the property.

Sincerely,  
Carrie

Carrie M. Risatti  
Shareholder  
Greenberg Traurig, LLP | 3161 Michelson Drive | Suite 1000 | Irvine, CA 92612  
Tel 949-732-6617  
[risattic@gtlaw.com](mailto:risattic@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)



---

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at [postmaster@gtlaw.com](mailto:postmaster@gtlaw.com), and do not use or disseminate such information.

7869PEA.doc	<b>Content-Description:</b> 7869PEA.doc
	<b>Content-Type:</b> application/msword
	<b>Content-Encoding:</b> base64

Fri. 27 May 2016  
05:49:15 +0000

# ***PHASE I ENVIRONMENTAL SITE ASSESSMENT***

**FOR**

**INVESTEL HARBOR RESORTS, LLC**

**12202-12302 HARBOR BOULEVARD  
12511-12571 TWINTREE LANE  
GARDEN GROVE, CA 92840**

**REPORT DATE: MAY 2016**



## ***PHASE ONE INC.***

---

**THE NATIONWIDE ENVIRONMENTAL SPECIALISTS**

*"Setting the Due Diligence Industry Standard"*

# ***PHASE ONE INC.***

ENVIRONMENTAL ASSESSMENT SPECIALISTS

---

May 23, 2016

Danny Wei  
Investel Harbor Resorts, LLC  
11999 Harbor Blvd. #1711  
Garden Grove, CA 92840

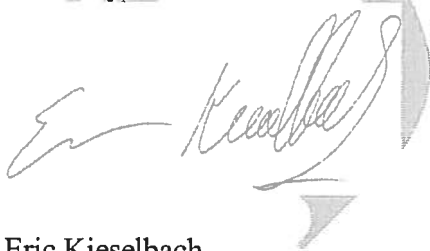
RE: ***PHASE ONE INC.*** Project No. 7869  
Phase I Environmental Site Assessment Report  
Subject Site Location: 12202-12302 Harbor Boulevard, 12511-12571 Twintree Lane  
Garden Grove, CA 92840

Dear Mr. Wei:

Enclosed with this letter are copies of the Phase I Environmental Site Assessment Report completed by ***PHASE ONE INC.*** for the site referenced above. As you will note in the report, our conclusions regarding the environmental condition of the site are summarized both in Section 1.0, ***Executive Summary***, and Section 6.0, ***Conclusions and Recommendations***.

Please don't hesitate to contact us should you have any questions regarding the environmental assessment, or if we can be of additional assistance. We look forward to working with you again in the future.

Sincerely,



Eric Kieselbach  
President

Enclosure

**PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT**

**12202-12302 HARBOR BOULEVARD  
12511-12571 TWINTREE LANE  
GARDEN GROVE, CA 92840**

**PROJECT NO. 7869**

BY

***PHASE ONE INC.***  
23282 MILLCREEK DRIVE, SUITE 160  
LAGUNA HILLS, CA 92653  
(800) 524-8877

THIS REPORT WAS PREPARED FOR THE SOLE USE AND BENEFIT OF OUR CLIENT, INVESTEL HARBOR RESORTS, LLC, AND IS BASED, IN PART, UPON DOCUMENTS, WRITINGS, AND INFORMATION OWNED AND POSSESSED BY OUR CLIENT. NEITHER THIS REPORT, NOR ANY OF THE INFORMATION CONTAINED HEREIN, SHALL BE USED OR RELIED UPON FOR ANY PURPOSE BY ANY PERSON OR ENTITY OTHER THAN OUR CLIENT. ALL STANDARD TERMS, CONDITIONS, AND LIMITATIONS BY ***PHASE ONE INC.*** APPLY AT ALL TIMES AND FOR THIS REPORT AND ALL REPORTS ISSUED BY ***PHASE ONE INC.***

## **TABLE OF CONTENTS**

### **SECTION 1.0 EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS**

- 1.1 FINDINGS
- 1.2 CONCLUSIONS SUMMARY
- 1.3 SITE FACTS
- 1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527

### **SECTION 2.0 INTRODUCTION**

- 2.1 PURPOSE OF A PHASE I ESA
- 2.2 SCOPE OF WORK
  - 2.2.1 Site Description
  - 2.2.2 Site Reconnaissance
  - 2.2.3 Review of Historical Information
  - 2.2.4 Interviews
  - 2.2.5 Conclusions and Recommendations
- 2.3 INTERPRETATION OF THE REPORT

### **SECTION 3.0 SITE DESCRIPTION AND RECONNAISSANCE**

- 3.1 SITE PHOTOGRAPHS
- 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS
- 3.3 EXISTING STORAGE TANKS
- 3.4 PREVIOUSLY EXISTING STORAGE TANKS
- 3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING
- 3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE
  - 3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)
  - 3.6.2 Details of Specific Hazardous Substances Sampling/Observations
- 3.7 POLYCHLORINATED BIPHENYLS (PCBS)
- 3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES
- 3.9 SURFACE CONDITIONS
- 3.10 STRESSED VEGETATION
- 3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE
- 3.12 OTHER ENVIRONMENTAL CONDITIONS
- 3.13 VISUAL OBSERVATIONS, ADJOINING SITES

### **SECTION 4.0 REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS**

- 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW
- 4.2 HISTORICAL MAP REVIEW
- 4.3 HISTORICAL CITY OR STREET DIRECTORY REVIEW
- 4.4 AGENCY CONTACTS (RECORDS SEARCH)
  - 4.4.1 Water Quality Agency Records
  - 4.4.2 Oil and Gas Agency Records or Maps

- 4.4.3 Other Pertinent Records/File Reviews
- 4.5 REVIEW OF ENVIRONMENTAL RECORDS SEARCH
- 4.6 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW
- 4.7 ADDITIONAL ENVIRONMENTAL DOCUMENTS
- 4.8 HISTORICAL SITE USE
- 4.9 IDENTIFICATION OF HISTORICAL DATA GAPS
- 4.10 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)

## **SECTION 5.0 INTERVIEWS**

- 5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS
- 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

## **SECTION 6.0 CONCLUSIONS AND RECOMMENDATIONS**

- 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS
- 6.2 *DE MINIMIS* CONDITIONS, HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS, AND CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITIONS

## **SECTION 7.0 LIMITATIONS**

## **SECTION 8.0 FIGURES**

## **SECTION 9.0 APPENDICES**

- Appendix A Site Photographs
- Appendix B Summary of Agency Contacts
- Appendix C Copies of Records
- Appendix D One-Mile Radius Regulatory Database Report
- Appendix E Sampling and Analysis Documents
- Appendix F Interview Notes
- Appendix G Miscellaneous Information
- Appendix H References
- Appendix I Resumes
- Appendix J Environmental Acronyms and Definitions

## SECTION 1.0

### EXECUTIVE SUMMARY: FINDINGS AND CONCLUSIONS

#### 1.1 FINDINGS

This report presents the results of the Phase I Environmental Site Assessment conducted by **PHASE ONE INC.** at 12202-12302 Harbor Boulevard, 12511-12571 Twintree Lane, Garden Grove, CA 92840 (see Figure 2, *Site Location Map*). The Phase I assessment was undertaken at the request of Danny Wei of Investel Harbor Resorts, LLC, in accordance with **PHASE ONE INC.**'s *Standard Terms and Conditions*, as outlined in **PHASE ONE INC.**'s *Letter of Intent/Authorization* for Project N<sup>o</sup> 7869. The findings and conclusions of this investigation are based upon a review of historic site-use activities, contact with and records from governmental regulatory agencies, regulatory database searches, as well as a site reconnaissance and interviews with the client, site personnel, and possibly others who may have knowledge of various aspects of the subject site.

At the time of this assessment, the site consisted of approximately 5.0 acres of vacant/developed land consisting of vacant land (12202-12292 Harbor Boulevard), a vacant commercial building (12302 Harbor Boulevard), vacant residences (12511, 12531, and 12551 Twintree Lane) and one occupied residence (12571 Twintree Lane). Information gathered in the course of this assessment indicates that the subject site is currently owned by the City of Garden Grove.

The principal findings of **PHASE ONE INC.**'s Phase I Environmental Site Assessment for this site are as follows:

The subject site is currently affected by

- No recognized environmental condition(s) (REC); and
- Five *de minimis* condition(s), historical recognized environmental condition(s) (HREC), or controlled recognized environmental condition(s) (CREC).
- The potential for soil or groundwater contamination of the subject property from either on or off-site sources appears to be low.
- Given the findings and conclusions of **PHASE ONE INC.**'s Phase I Environmental Site Assessment, further investigation is not recommended at this time.
- **PHASE ONE INC.** has performed this Phase I Environmental Site Assessment of the subject site in conformance with the scope and limitations of the Environmental Protection Agency, Standards and Practices for All Appropriate Inquiries, 40 CFR Part 312 and the standard practice set forth in the American Society for Testing and Materials (ASTM) Designation: E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." Any exceptions to, or deletions from, these practices are described in Section 1.4 of this report.

- This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for those listed in Section 1.2.

## 1.2 CONCLUSIONS SUMMARY

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following recognized environmental condition(s):

### RECOGNIZED ENVIRONMENTAL CONDITION(S)

Condition #	Location	Description of Condition
None	N/A	No evidence of recognized environmental conditions were found during this investigation.

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions and the estimated costs of completing any recommended next-step action. **PHASE ONE INC.** classifies a recognized environmental condition, per the ASTM Standard E 1527-13 definition, as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.

Based on the findings of this Phase I Environmental Site Assessment, **PHASE ONE INC.** has identified the following *de minimis* condition, historical recognized environmental condition, and/or controlled recognized environmental condition:

### DE MINIMIS CONDITIONS HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS, OR CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITIONS

Condition #	Location	Description of Condition	Condition
1	Subject Structures and Residential Yards	During the site reconnaissance, materials were identified that are suspected of containing asbestos. The presence of asbestos-containing materials has been confirmed through sampling and laboratory analysis. According to the owner, asbestos abatement activities are underway and are expected to be completed in June. Asbestos-containing materials are considered to be hazardous materials, and their eventual disposal and handling are subject to federal and state regulatory guidelines.	<i>De minimis</i>
2	Subject Site	Although the site was used for agricultural purposes in the past, the planned commercial development of the site minimizes the probability of occupants to come in contact with possible residual agricultural chemicals in the soil or groundwater.	<i>De minimis</i>



Condition #	Location	Description of Condition	Condition
3	Subject Structures	Given the pre-1979 construction date of the subject structures, the past use of lead-based paints and leaded piping and/or fixtures is suspected. Based on sampling results from reviewed reports, trace levels of lead were detected in all structures and the residential structure at 12551 Twintree Lane was found to have lead levels that are considered lead containing. Deteriorating paint may pose a significant health hazard if ingested or inhaled, particularly for children. Due to the planned demolition of the onsite structures, the possibility of children being affected is low. Lead-containing paint is considered hazardous waste, and the eventual disposal of lead-containing paint may be subject to regulatory restrictions. Lead-containing water is considered hazardous to health at certain levels.	<i>De minimis</i>
4	Multiple Locations, See Figure 3.	Pole- and pad-mounted transformers were observed. Given the pre-1979 date of development of the subject site, the presence of fluids containing polychlorinated biphenyls (PCBs) in the transformer(s) is possible. No leakage or staining was visible on or around the transformer(s).	<i>De minimis</i>
5	Subject Structure	The parcels of the subject site have changed significantly over the decades including many structures and features which have been demolished or abandoned. Caution should be observed during the grading of the site as subsurface structures such as filled in pools or other features may be encountered.	<i>De minimis</i>

Note: Descriptions of conditions are given again in further detail in Section 6.0, *Conclusions and Recommendations*, along with recommendations as to how to address the conditions. **PHASE ONE INC.** classifies an environmental condition as a *de minimis* (potential or possible) condition when it appears to pose no immediate threat to the subject site and/or requires no immediate action given the current knowledge of site conditions. It is a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. This condition with time, groundwater movement, demolition or other disturbances, or sometimes with the acquisition of further information, may come to pose a long-term, immediate, or chronic environmental risk; and/or this condition may appear to have a negligible monetary/physical impact on the subject property, and therefore, does not require additional investigation at this time. Conditions determined to be *de minimis* conditions are not recognized environmental conditions nor controlled recognized environmental conditions. **PHASE ONE INC.** classifies a historical recognized environmental condition (HREC) as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. An HREC is limited to include only past releases that have been addressed to unrestricted residential use. **PHASE ONE INC.** classifies a Controlled Recognized Environmental Condition (CREC) as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable agency, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

### 1.3 SITE FACTS

Current Owner(s): City of Garden Grove

Current Use: 12202-12292 Harbor Blvd. - Vacant land (Some commercial structures were recently demolished.)

12302 Harbor Blvd. Vacant - Commercial building.

12511, 12531, 12551 Twintree Lane - Vacant residences.

12571 Twintree Lane - Occupied residence.

Current Occupants: None; except 12571 Twintree Lane, residents.

Total # of Existing Buildings: 6; 1 Commercial building; 4 residences, 1 garage.

Total Sq. Ft. of Buildings: Approximately 8,500.

Date Oldest Building was Built: Circa 1962.

Total # of Buildings Visually Inspected: 6; only exterior of 12302 Harbor Blvd.

The subject site obtains its potable water from municipal sources.

The subject site disposes of its sewage through use of the local municipal sewage system.

The subject building is heated and/or cooled by a heating and air-conditioning system. The heating and air-conditioning system obtains its fuel from unknown sources.

Site Contact: Lorraina Pang and Harry Pflueger

Field Assessor: Kelsey Mori

Report Writer: Eric Exton

Assessor's Parcel #: 231-521-01, 231-521-02, 231-521-03, 231-521-04, 231-521-05, 231-521-06, 231-521-07, 231-521-08, 231-521-09, 231-521-10, 231-491-20, 231-491-21

Address(es) Provided by Client: 12202-12302 Harbor Boulevard and 12511, 12531, 12251, 12571 Twintree Lane, Garden Grove, CA 92840

Additional/Previous Address(es): None

Total Acreage of Land: ~5.0

Date of Site Reconnaissance: May 3, 2016

Total # of Wells (water, oil, gas, other) identified onsite: None

Areas/Units that were inaccessible to the **PHASE ONE INC.** field assessor:

12202 Harbor Blvd.: Vacant parcel (Fenced, entire lot visible through fencing).

12302 Harbor Blvd: Interior.

12511, 12531, 12551, and 12571 Twintree Lane: Interior of all residences.

Were enough (units/offices/buildings/acres) inspected to ensure that the inspection was homogenous?  
Yes

Did the field assessor notice any unusual odors on or from the subject site or adjoining sites during the site reconnaissance? No

#### **1.4 EXCEPTIONS AND/OR DELETIONS TO ASTM E 1527**

There are exceptions to ASTM E 1527. The exceptions are as follows:

Due to safety concerns related to vagrants/squatters, the interiors of the residences were not inspected. The interior of the commercial building was not inspected; it was locked. Also, the northern most parcel, 12202 Harbor Blvd., was fenced with chain link fencing, so a thorough inspection of the surface could not be performed. These issues are unlikely to impact the conclusions of the report.

Although the subject site is listed in the environmental records search in Section 4.5, the listing pertains to the disposal of asbestos-containing materials. Therefore; a file review was deemed unlikely to produce significant information that would impact the conclusions of the report.

An occupant questionnaire was not completed by the residential occupant; this is unlikely to affect the conclusions of this report based on the residential use.

DRAFT

## SECTION 2.0

### INTRODUCTION

#### 2.1 PURPOSE OF A PHASE I ESA

The purpose of this Phase I Environmental Site Assessment is to assess (1) the likelihood of contamination of the subject site as a result of either past or present land-use practices; and (2) the potential for future environmental contamination which may occur as a result of current conditions or operations and maintenance activities at either the subject site or properties adjoining the subject site, thereby identifying real or potential environmental or economic impact to the subject site. In this way, the client may satisfy a requirement to qualify for the innocent landowner defense to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) liability by completing "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial and customary practice." To meet these objectives, *PHASE ONE INC.* attempted to complete the tasks outlined in this section except as noted in Section 1.4.

#### 2.2 SCOPE OF WORK

The Scope of Work that has been followed for this assessment is identified in Section 1.1, Page 1-1.

##### 2.2.1 Site Description

Site photographs were taken during the site reconnaissance. The photographs and their summary descriptions can be found in **Appendix A**.

*PHASE ONE INC.* reviewed pertinent, reasonably ascertainable information on the soil types and groundwater conditions in the vicinity of the subject site. For the purposes of this assessment, the depth from the ground surface and the direction (or gradient) of the groundwater flow are of particular significance. Such findings are used by *PHASE ONE INC.* report writers, in conjunction with additional information about environmental conditions on nearby sites, to assess the risk that is faced by the subject site from off-site sources of contamination.

It should be noted that *PHASE ONE INC.*'s geological and hydrological research does not include investigation of seismological concerns (i.e., fault lines) that may affect the area of the subject site. Although the existence of faults in an area may be of concern to property owners and residents in that area, it is not considered to be an environmental concern, and so is not usually a component of a Phase I Environmental Site Assessment. (However, in the event that it is required, *PHASE ONE INC.* can assist the client in completing a seismological investigation.)

## 2.2.2 Site Reconnaissance

A **PHASE ONE INC.** field assessor conducted a visual reconnaissance of the subject property to identify observable signs of environmental impairments, including on-site operations and maintenance activities which may lead to possible environmental impairment. As a part of the site reconnaissance, **PHASE ONE INC.** visually inspected the site for obvious indications of:

- Existing and previously existing storage tanks (aboveground and underground)
- Hazardous substances storage and handling
- Clarifiers, sumps, trenches, and industrial discharge sources
- Equipment which may contain polychlorinated biphenyls (PCB) (fluorescent light ballasts are not inspected)
- Indications of spillage of hazardous substances, and the general condition of concrete, asphalt, soil, and other surfaces
- Indications of stressed vegetation as a result of on-site contamination

During the site reconnaissance, **PHASE ONE INC.** field assessors may make note of basic compliance issues which, may be environmental in nature, however are not issues directly associated with the potential for site contamination (i.e., the specific objective of our assessment). However, as a service to our clients, and because these compliance issues may contribute to our overall understanding of site operations, **PHASE ONE INC.** may comment on the site's basic compliance status. The review of the site's compliance status is not intended to be complete or comprehensive and may or may not include all items identified during the site reconnaissance.

Again, the compliance review is not intended as a comprehensive compliance audit. Rather, the compliance review is only intended to aid **PHASE ONE INC.** in determining the likelihood that the subject site may have been impacted by releases of hazardous substances.

When the storage or use of hazardous substances are encountered on a site, the **PHASE ONE INC.** field assessor will look for or inquire about the on-site presence of Material Safety Data Sheets (MSDSs). MSDSs are prepared by the manufacturers of hazardous substances (pursuant to OSHA's Hazard Communication Standard), and they detail the components, dangers, and proper handling procedures for the hazardous substance for which they have been prepared. The presence or absence of MSDSs for on-site hazardous substances will be noted in 3.5, **Hazardous Substances Storage and Handling**. However, some sites may use or store hundreds of various chemical compounds. In such cases, it is practically impossible for the field assessor to match-up each substance with its corresponding MSDS. Still, the field assessor will inquire about MSDSs and copies of representative MSDSs that were made available will be included in Appendix G.

**PHASE ONE INC.** may have (based on contract) inspected and reviewed information for the subject site regarding the presence of specific hazardous substances which are relatively common sources of environmental concern. The substances in question include:

- Common building materials that may contain or are suspected of containing asbestos
- Radon (at elevated levels)
- Lead-contaminated drinking water
- Lead-based paints

Based on ASTM E1527, federal, state, and other regulatory agency guidelines, the following presumptions were in force if and when **PHASE ONE INC.** inspected the subject site for specific hazardous substances:

- Structures built after 1980 are considered asbestos-free.
- Structures built after 1979 are considered lead-free (with respect to both water and painted surfaces).
- Fluorescent light ballasts will be considered PCB-free and will not be noted in the report regardless of their date of manufacture, unless **PHASE ONE INC.** is instructed to do otherwise in writing by the client.

**PHASE ONE INC.** also inspected the properties that adjoin the subject site. In general, this inspection included a "drive-by" survey to note the operations which may pose an imminent or potential environmental threat to the subject site.

### **2.2.3 Review of Historical Information**

For this assessment, **PHASE ONE INC.** may have reviewed reasonably ascertainable historical aerial photographs and United States Geologic Survey (U.S.G.S.) topographic maps of the subject site and vicinity. This review consisted of examining the reasonably ascertainable available photographs and topographic maps for evidence of activities on or development of the subject site and adjoining sites that may show an environmental condition or concern which may currently affect the subject site. The specific aerial photographs and U.S.G.S. maps that were reviewed for this assessment are identified and their environmentally relevant features are described in Section 4.1.

**PHASE ONE INC.** may have also reviewed any reasonably ascertainable Historic Maps of the subject site and vicinity. Such maps have been prepared by fire insurance companies in order to determine the potential risk of fire damage to buildings in metropolitan areas. These maps have been produced since the mid-1850s and, for some areas, they are still produced today. For the purposes of a Phase I Environmental Site Assessment, these maps may contain helpful information on the ages and past uses of buildings, as well as information about on the storage of hazardous and flammable substances. However, because it was only worthwhile for fire insurance companies to map metropolitan areas, the scope of coverage of these maps is somewhat limited. If Historic Maps

have provided coverage of the subject site, and if the specific maps were reasonably ascertainable, then the specific maps that were reviewed for this assessment are identified, and their environmentally relevant features described, in Section 4.2.

One of the least known yet most complete and comprehensive historical sources are historical city or street directories. These texts may have been reviewed by **PHASE ONE INC.** to the extent that they have provided coverage of the subject site and were reasonably ascertainable. **PHASE ONE INC.** reviews historical city or street directories (also known as criss cross or reverse indexed directories) for information on the past occupants of and activities on the subject site and adjoining sites. These directories were prepared by companies that catered to the needs of salespeople by providing the names of the occupants at a given address (that is, unlike a traditional telephone book, the entries of a reverse directory are arranged by address, not by name). However, like Historical Maps, the scope of coverage of these directories is limited to mostly metropolitan areas. If they were reasonably ascertainable, they were reviewed and Section 4.3 contains listings of the current or past occupants of the subject site that were found by researching historical city or street directories.

**PHASE ONE INC.** has contacted various state, county, and municipal agencies having current or past jurisdiction over the subject site, in an attempt to review reasonably ascertainable records that contain specific information about environmental conditions on the subject site that these agencies may have on file, or to establish that no environmentally relevant records are on file for the subject site. The client should be aware that most regulatory agencies file their records by address or corporate name (as opposed to parcel number or site name). If no specific address has been assigned to a site, then, typically, no environmental records related to the site will be forthcoming from the state, county, or municipal regulatory agencies.

The findings of this records search are reported in Section 4.4, **Agency Contacts**. The addresses, phone numbers, names of the persons contacted within the various agencies are listed on the Regulatory Contacts Sheet, which is included in Appendix B. Copies of any records obtained from regulatory agencies can be found in Appendix C. In some instances, **PHASE ONE INC.** may not yet have received a reply from one or more of the agencies that were contacted. (Some agencies will take six weeks or longer to reply to a verbal or written request.) In the event of such delays in response, rather than delaying the issuance of the report, **PHASE ONE INC.** has indicated in the report that a response to the request for records is pending, and a copy of the regulatory request form has been included in Appendix B. Any pertinent information that is subsequently received from the pending agency will be addressed and forwarded to the client in the form of an addendum to this report.

**PHASE ONE INC.** has also reviewed a vendor-supplied, computer-generated federal, state, and regional one-mile regulatory database search in an effort to determine whether the subject site is listed on an agency environmental database and to identify possible regulatory-listed sites of concern within a one-mile radius of the subject site. In general, these documents list known or suspected hazardous-waste generators, release sites, landfills, unauthorized disposal sites, sites with registered underground storage tanks, and sites currently under investigation for known or suspected environmental violations or releases. In conjunction with the findings on the geological and hydrological conditions, information obtained from the database search can be used to assess the environmental risk faced by the subject site from past or present off-site sources of contamination. Additionally, the database search may provide information about on-site sources of contamination.

The regulatory database review can be found in Section 4.5; a copy of the complete database search document and a detailed description of the databases that were searched are included in Appendix D.

When requested, **PHASE ONE INC.** will compile and review a chain-of-title abstract for the subject property. The chain-of-title abstract can help the client and **PHASE ONE INC.** to better understand the history of the use of the subject site. The chain-of-title abstract is typically compiled from documents obtained from the County Recorder's Office or Tax Assessor's Office. The chain-of-title abstract review, if completed for this report, can be found in Section 4.6. The County Assessor also may be contacted to determine whether the subject site has been assigned addresses in the past which are different from its current address. It is the client's responsibility to supply **PHASE ONE INC.** with any records of environmental liens or other such documents.

On occasion, the client, the client's representatives, or on-site personnel will make available environmental documents pertaining to the subject site. These documents may be prior Phase I Reports, environmental site remediation reports, foundation soil reports, or occupancy records, among others. If these are made available prior to the issuance of the report, **PHASE ONE INC.** will review the conclusions of these documents, which may help to confirm or disprove any tentative findings that **PHASE ONE INC.** has developed independently. If the client has supplied environmental documents for review as part of this assessment, the findings are included in Section 4.7.

After the above information from existing historical records, regulatory agencies, interviews, and other additional environmental documents has been reviewed and evaluated, **PHASE ONE INC.** presents the site uses for the subject property as well as adjoining site uses in a chronological table. This historic site use summary assists the client, as well as the field assessors and reviewers to have a perspective of the historical uses of the subject site. The *Historical Site Use* is presented in Section 4.8.

#### **2.2.4 Interviews**

**PHASE ONE INC.** attempts to interview various individuals who may have knowledge of various aspects of the subject site. Typically, the interviewees might include:

- Current and previous owners
- Site and operations managers
- Tenants
- Local regulatory personnel

The interviews are summarized in Section 5.0 and interview notes are included in Appendix F.



## 2.2.5 Conclusions and Recommendations

Section 6.0, *Conclusions and Recommendations*, provides detailed descriptions of the recognized environmental conditions, the *de minimis* conditions, historical recognized environmental conditions, and controlled recognized environmental conditions that, in the professional opinion of **PHASE ONE INC.**, currently affect the subject site. Section 6.0 also recommends or suggests the next-step actions that may be required to begin addressing the conditions.

The essential information on a condition at a given location is contained in the "Description of Condition" and the "Action Suggested" boxes of the table for that location. The section numbers refer to those sections in the report that describe the research tasks and findings behind the conclusions. This reporting method allows the reader to quickly go to those sections that are pertinent to the condition.

## 2.3 INTERPRETATION OF THE REPORT

Following the completion of the tasks outlined above, **PHASE ONE INC.** prepared this report to present our findings and conclusions clearly and consistently. In an attempt to aid the reader and bring organization to pieces of seemingly unrelated information, **PHASE ONE INC.** has developed a report format that is both innovative and concise. Each piece of information is described in the context of the research or assessment task under which it was found. Typically, an environmental condition will incorporate a number of specific findings. So, in Section 6.0, *Conclusions and Recommendations*, the various particular findings are grouped together and collectively presented with the description of the environmental condition that is corroborated by those findings.

## SECTION 3.0

### SITE DESCRIPTION AND RECONNAISSANCE

The subject site is surrounded by an area of predominantly residential and commercial properties. On the date of the site reconnaissance the subject site consisted of vacant land (12202-12292 Harbor Boulevard), a vacant commercial building (12302 Harbor Boulevard), vacant residences (12511, 12531, 12551 Twintree Lane) and one occupied residence (12571 Twintree Lane). The four parcels on Harbor Blvd., other than 12302 Harbor Blvd., previously contained structures that have been demolished. These parcels still have some paved areas from the prior development. The following subsections describe the physical characteristics of the subject site and are a compilation of the observations made during the visual site inspection.

#### 3.1 SITE PHOTOGRAPHS

A **PHASE ONE** INC. field assessor completed a reconnaissance of the subject site, at which time a number of photographs were taken to document the current condition and use of the site. Please see Figure 3, *Site Plan*, for photograph locations. The photographs with their descriptions can be found in **Appendix A**.

#### 3.2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS

According to United States Geological Survey (U.S.G.S.) STATSGO data, the most common native soil type in the vicinity of the subject site is Hueneme Fine Sandy Loam, It is not known whether imported fill materials were used during the grading or development of the site; therefore, it is unknown if fill materials are a concern for the subject site. There were two pools that were filled in, however there is no documentation for the source of the fill which represents a de minimis condition. The elevation of the subject site appears to be 116 feet above mean sea level.

Groundwater in the site vicinity is reported by *Arcadis' Groundwater Monitoring Report - First Quarter 2016 for ARCO Station No. 05202, 12502 Harbor Boulevard, Garden Grove, California*, to occur at a depth of approximately 30-35 feet below ground surface and flow towards the West. It should be noted that the flow direction and depth of groundwater may be influenced by rainfall, tidal activity (shore properties), and local groundwater pumping operations. It should also be noted that shallower, unreported, perched groundwater zones may occur in the immediate site vicinity.

During the site reconnaissance and the review of historical maps and photographs, the following was determined to exist or not to exist on the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons

- No ponds

In-addition, the following was determined to exist or not to exist immediately adjacent to the subject site:

- No waterways
- No wetlands
- No pits
- No lagoons
- No ponds

According to FEMA Q3 Data, the site is located within a greater than 100-year flood zone. Storm water discharge across the site appears to flow multidirectionally and to the west. The storm water runoff appears to discharge to street gutters. The direction and destination of storm water discharge does not appear to be a source of environmental concern to the subject site.

### **3.3 EXISTING STORAGE TANKS**

No evidence of any existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.4 PREVIOUSLY EXISTING STORAGE TANKS**

No evidence of previously existing aboveground or underground storage tanks was observed on the subject site during the site reconnaissance nor noted in the research conducted for this assessment.

### **3.5 HAZARDOUS SUBSTANCE STORAGE AND HANDLING**

With the possible exception of common janitorial and/or office supplies, no storage or handling of hazardous substances greater than 20 gallon containers was observed in the areas inspected during the site reconnaissance.

### **3.6 SPECIFIC HAZARDOUS SUBSTANCES RECONNAISSANCE**

#### **3.6.1 Summary of Specific Hazardous Substances Reconnaissance (Beyond ASTM Scope)**

In addition to a general inspection of the subject site for evidence of the presence of hazardous substances or environmental concerns, the field assessor also conducted a reconnaissance for a set of specific hazardous substances that are not addressed in the scope of the ASTM Standard. The results of this specific reconnaissance are given in the following table(s). If a specific suspected hazardous

substance was sampled or otherwise tested, this will be indicated in the table, and the results of the laboratory analysis or other tests will be given in Section 3.6.2.

### SPECIFIC HAZARDOUS SUBSTANCES (BEYOND ASTM SCOPE)

ID #	Substance	Sampled?	Description	Condition
1	Asbestos	No	Sampling of materials in the commercial building and all the residences has confirmed the presence of asbestos-containing materials. See Section 4.7 for details on sampling.	<i>De minimis</i>
2	Radon	No	The subject property is located in an area that is considered to have a low occurrence of radon. However, the occurrence of radon is site-specific; only testing can determine the actual radon level at the site.	None
3	Lead Paint	No	Sampling has confirmed trace amounts of lead in all subject structures. Only the structure at 12551 Twintree Lane was found to have lead levels that are considered lead containing. See Section 4.7 for details on sampling.	<i>De minimis</i>
4	Lead Water	No	Based on the date of construction of onsite structures (pre-1979), there is the potential for the presence of lead in the plumbing fixtures and/or pipes on-site.	<i>De minimis</i>

Note: If the table indicates that a given substance has been sampled, then a related table can be found in Section 3.6.2, which will give the results of the laboratory analysis of the sample or samples

### 3.6.2 Details of Specific Hazardous Substances Sampling/Observations

No sampling or testing of suspected hazardous substances was performed or authorized for this assessment.

### 3.7 POLYCHLORINATED BIPHENYLS (PCBS)

The **PHASE ONE INC.** site reconnaissance does not include checking on-site fluorescent light fixtures for potential PCB content. Although fluorescent light ballasts may contain PCBs, the amount contained is considered to be so inconsequential that the ASTM (*Standard Practice*, E 1527) has stated: "Fluorescent light ballast likely to contain PCBs does not need to be noted." in a Phase I Environmental Site Assessment Report.

During the site reconnaissance, equipment or materials known or suspected of containing PCBs were observed on-site. The following table details the identified equipment or materials.

**POLYCHLORINATED BIPHENYLS (PCB) SUSPECTED EQUIPMENT**

<b>ID #</b>	<b>I/O</b>	<b>Location and Photo #</b>	<b>Equipment Type</b>	<b>Ownership (Public Utility, Site)</b>	<b>Condition</b>
1	O	East Side 12202 Harbor Blvd.  (OP15)	Pole-mounted transformer	Public Utility	<i>De minimis</i>
2	O	East Side 12262 Harbor Blvd.  (OP13)	Pole-mounted transformer	Public Utility	<i>De minimis</i>
3	O	South Side 12296 Harbor Blvd.  (OP14)	Pole-mounted transformer	Public Utility	<i>De minimis</i>
4	O	West Side 12252 Harbor Blvd.  (OP17)	Pad-mounted transformer	Public Utility	<i>De minimis</i>

Note: Each piece of equipment or material noted above is marked on Figure 3, *Site Plan*, by the ID number given above.  
I/O = Inside/Outside

**3.8 CLARIFIERS, SUMPS, TRENCHES, AND INDUSTRIAL DISCHARGE SOURCES**

No clarifiers, sumps, trenches, industrial floor drains, or industrial discharge points were noted during the site reconnaissance, historical and/or regulatory research.

**3.9 SURFACE CONDITIONS**

No significant areas of staining or other unusual surface conditions were observed during the site reconnaissance.

**3.10 STRESSED VEGETATION**

No disfigured, discolored, dying, or otherwise stressed vegetation was observed on-site during the site reconnaissance.

**3.11 PRIOR OR CURRENT AGRICULTURAL LAND USE**

On the basis of a review of aerial photographs, U.S.G.S. topographic maps, site observations, regulatory research, and/or interviews, **PHASE ONE INC.** has concluded that the site was currently used for agricultural purposes. This information is detailed in the following table.

### PRIOR OR CURRENT AGRICULTURAL LAND USE

ID #	Approx. Date Range	Description	Condition
1	1938 – 1961	Orchards covered the majority of the subject site and surrounding sites.	<i>De minimis</i>

### 3.12 OTHER ENVIRONMENTAL CONDITIONS

During the site reconnaissance, further evidence of environmental conditions that were not already noted in this section, or that were not yet fully discussed in this section, were observed on the subject site. These observations are described in the following table.

#### OTHER ENVIRONMENTAL CONDITIONS

ID #	Location and Photo #	Description	Condition
1	Garage at 12531 Twintree Lane (OP04, OP05)	Bags of construction materials were piled up in the garage.	<i>De minimis</i>
2	12511, 12531 and 12551 Twintree Lane (OP01, OP03, OP06, OP07)	Construction materials piled up in the yard areas.	<i>De minimis</i>
3	12511, 12531 and 12551 Twintree Lane (OP02, OP06, OP08)	Building materials in the interiors and exteriors are damaged.	<i>De minimis</i>
4	Northern Boundary 12222 Harbor Boulevard (OP16)	A soil pile was observed during the site inspection. The pile seems to contain mostly gravel. As such, it is unlikely to represent a significant concern.	None

### 3.13 VISUAL OBSERVATIONS, ADJOINING SITES

During the site reconnaissance, the **PHASE ONE INC.** field assessor also visually inspected and documented the use of those properties which immediately adjoin the subject property. The observations of the adjoining properties were made by the **PHASE ONE INC.** field assessor on the date of the site reconnaissance.

### VISUAL OBSERVATIONS, ADJOINING SITES

Description	Condition
<p><b><u>Northerly View:</u></b>                      Address: 12220, 12100 Harbor Boulevard                      Company Name: Viva Bargain &amp; Target Shopping Center                      Apparent Current Use of Property: Commercial                      Visual Concerns: None</p>	None
<p><b><u>Easterly View:</u></b>                      Address: 12581 Twintree Lane, 12233-12291 Choisser Road                      Company Name: N/A                      Apparent Current Use of Property: Residential                      Visual Concerns: None</p>	None
<p><b><u>Southerly View:</u></b>                      Address: 12522 &amp; 12542-12572 Twintree Lane                      Company Name: Oneida's Hair Salon , N/A                      Apparent Current Use of Property: Commercial, Residential                      Visual Concerns: None</p>	None
<p><b><u>Westerly View:</u></b>                      Address: 12221 , 12241-12321 Harbor Boulevard                      Company Name: Sheraton Hotel &amp; Vacant Parcel                      Apparent Current Use of Property: Commercial, Vacant Land                      Visual Concerns: None</p>	None

DRAFT

## SECTION 4.0

### REVIEW OF HISTORICAL INFORMATION AND REGULATORY AGENCY RECORDS

#### 4.1 HISTORICAL AERIAL PHOTOGRAPH AND U.S.G.S. TOPOGRAPHIC MAP REVIEW

**PHASE ONE INC.** reviewed readily available and reasonably ascertainable aerial photographs and U.S.G.S. topographic maps of the area of the subject site. (A copy of a U.S.G.S. map, if available, has been included as Figure 1.) These aerial photographs and maps may have been obtained from **PHASE ONE INC.**'s library and/or another source (all sources identified in Appendix B). Each aerial photograph was reviewed for the subject property and, where applicable, adjacent property use. In addition, each photograph was reviewed to identify the presence of areas of dumping, staining, buildings, and/or aboveground storage tanks.

Aerial photographs for the years of 1938, 1953, 1963, 1972, 1995, 2003, 2004, 2005, 2009, 2010, 2012 and U.S.G.S. topographic maps for the year(s) of 1896, 1906, 1912, 1922, 1935, 1947, 1950, 1956, 1967, 1972, 1977, 1981 were reviewed and a *de minimis* condition was identified in the following aerial photographs and/or topographic maps and are discussed in the table below:

#### HISTORICAL AERIAL PHOTOGRAPH/U.S.G.S. TOPOGRAPHIC MAP

Collection Reference #	Date of Document	Description of Condition	Condition
In House	1938 – 1961	Aerial Photographs and USGS Topographic Maps show orchards on the majority of the subject site and adjacent sites.	<i>De minimis</i>

#### 4.2 HISTORICAL MAP REVIEW

**PHASE ONE INC.** contacted the source(s) identified in Appendix B in an effort to review readily available historical and fire insurance maps with coverage of the subject site and vicinity that might be included in their collections. However, a search of the reasonably ascertainable historical and fire insurance maps found that none provided coverage of the area of the subject site.

#### 4.3 HISTORICAL CITY OR STREET DIRECTORY REVIEW

**PHASE ONE INC.** reviewed readily available historical city or street directories with coverage of the subject site and vicinity. These historical city or street directories were obtained from **PHASE ONE INC.**'s in-house library and/or the source identified in Appendix B.



Historical directories for the years of 1955, 1960, 1965, 1972, 1976, 1980, 1985, 1990, 1992, 2000, 2005 were reviewed and no recognized environmental conditions or *de minimis* conditions, historical or controlled recognized environmental conditions were identified.

#### 4.4 AGENCY CONTACTS (RECORDS SEARCH)

##### 4.4.1 Water Quality Agency Records

**PHASE ONE INC.** submitted a request to the Water Quality Agency for the purpose of determining if past and present businesses at the subject site are listed on regulatory lists (such as leaking underground tank lists, site cleanup lists, etc.). However, **PHASE ONE INC.** was informed that no records for the subject site are on file with this agency (all sources identified in Appendix B).

##### 4.4.2 Oil and Gas Agency Records or Maps

**PHASE ONE INC.** submitted a request to the local Oil and Gas Agency for copies of readily available oil and gas related records pertaining to environmental issues on the subject site. However, **PHASE ONE INC.** was informed that no records for the subject site are on file with this agency (all sources are identified in Appendix B).

##### 4.4.3 Other Pertinent Records/File Reviews

There are no additional regulatory agencies known to **PHASE ONE INC.** that are likely to have further relevant environmental information pertaining to the subject site. No agency file reviews were conducted for the subject site or the adjacent sites for this investigation.

#### 4.5 REVIEW OF ENVIRONMENTAL RECORDS SEARCH

The **PHASE ONE INC.** review of the computer-generated, environmental records search document (the complete environmental records search document is included in Appendix D) found the subject site is a regulatory-listed site. The environmental records search occurrence summary table below identifies the number of sites listed in each database included in the record search document (the complete environmental records search document is included in Appendix D).

#### ERS RECCECK REPORT OCCURRENCE SUMMARY

FEDERAL ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED (MILES)	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
BF-US	0.5	0	0	0	0	-	0
CERCLIS-Archived-US	0.5	0	0	0	0	-	0

FEDERAL ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED (MILES)	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
CERCLIS-US	0.5	0	0	0	0	-	0
Controls-RCRA-US	0.5	0	0	0	0	-	0
Controls-US	0.5	0	0	0	0	-	0
Debris-US	0.5	0	0	0	0	-	0
Delisted-NPL-US	1	0	0	0	0	0	0
ERNS-US	0.0625	0	0	-	-	-	0
FEMA-UST-US	0.25	0	0	0	-	-	0
FTTS-ENF-US	0.0625	0	0	-	-	-	0
Hist-Dumps-US	0.5	0	0	0	0	-	0
Hist-US-EC	0.5	0	0	0	0	-	0
Hist-US-IC	0.5	0	0	0	0	-	0
HMIS-US	0.0625	0	0	-	-	-	0
LIENS-US	0.0625	0	0	-	-	-	0
NPL-US	1	0	0	0	0	0	0
PADS-US	0.0625	0	0	-	-	-	0
PCB-US	0.25	0	0	0	-	-	0
Proposed-NPL-US	1	0	0	0	0	0	0
RCRA-CESQG-US	0.25	0	0	1	-	-	1
RCRA-COR-US	1	0	0	0	0	0	0
RCRA-LQG-US	0.25	0	0	0	-	-	0
RCRA-NON-US	0.25	0	0	0	-	-	0
RCRA-SQG-US	0.25	0	0	1	-	-	1
RCRA-TSD-US	0.5	0	0	0	0	-	0
SAA-Agreements-US	1	0	0	0	0	0	0
Tribal-BF-US	0.5	0	0	0	0	-	0
Tribal-LUST-Closed-Reg9	0.5	0	0	0	0	-	0
Tribal-LUST-Open-Reg9	0.5	0	0	0	0	-	0
Tribal-ODI-US	0.5	0	0	0	0	-	0
Tribal-UST-Reg9	0.25	0	0	0	-	-	0
Tribal-VCP-US	0.5	0	0	0	0	-	0

STATE ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
AST-CA	0.25	0	0	0	-	-	0

STATE ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
Cal-BZ-HazWaste-CA	0.5	0	0	0	0	-	0
Cal-CorAct-Closed-CA	0.5	0	0	0	0	-	0
Cal-CorAct-Open-CA	0.5	0	0	0	0	-	0
Cal-Eval-Hist	0.5	0	0	0	0	-	0
Cal-Eval-Hist-NFA	0.5	0	0	0	0	-	0
Cal-Military-Active	1	0	0	0	0	0	0
Cal-Military-NFA	0.5	0	0	0	0	-	0
Cal-Military-Other	1	0	0	0	0	0	0
Cal-School-Active	0.5	0	0	0	0	-	0
Cal-School-NFA	0.5	0	0	0	0	-	0
Cal-School-Other	0.5	0	0	0	0	-	0
Cal-State-Response-Active	1	0	0	0	0	0	0
Cal-State-Response-NFA	0.5	0	0	0	0	-	0
Cal-State-Response-Other	0.5	0	0	0	0	-	0
Cal-Superfund-Active	1	0	0	0	0	0	0
Cal-Superfund-NFA	1	0	0	0	0	0	0
Cal-Superfund-Other	1	0	0	0	0	0	0
Cal-VCP-Active	0.5	0	0	0	0	-	0
Cal-VCP-NFA	0.5	0	0	0	0	-	0
Cal-VCP-Other	0.5	0	0	0	0	-	0
CBF-CA	0.5	0	0	0	0	-	0
CHMIRS-CA	0.0625	0	0	-	-	-	0
City-AST-CA	0.25	0	0	0	-	-	0
City-CUPA-CA	0.25	0	0	0	-	-	0
City-Others-CA	0.25	0	0	0	-	-	0
City-UST-CA	0.25	0	0	0	-	-	0
Controls-CA	0.5	0	0	0	0	-	0
CORTESE-CA	0.25	0	0	0	-	-	0
County-AST-CA	0.25	0	0	0	-	-	0
County-Hist-CA	0.25	0	0	0	-	-	0
County-LUST-CA	0.5	0	0	0	0	-	0

STATE ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
County-LUST-Closed-CA	0.25	0	0	1	-	-	1
County-LUST-Open-CA	0.5	0	0	1	1	-	2
County-Others-CA	0.25	0	0	2	-	-	2
County-SLIC-Closed-CA	0.25	0	0	0	-	-	0
County-SLIC-Open-CA	0.5	0	0	0	0	-	0
County-SML-CA	0.5	0	0	0	0	-	0
County-SWF-CA	0.5	0	0	0	0	-	0
County-UST-CA	0.25	0	0	0	-	-	0
CUPA-CA	0.25	0	0	0	-	-	0
Deed-CA	0.5	0	0	0	0	-	0
ENF-CA	0.25	0	0	0	-	-	0
HazWaste-CA	0.25	0	0	0	-	-	0
Hist-Controls-CA	0.5	0	0	0	0	-	0
Hist-Cort-CA	0.25	0	0	0	-	-	0
HIST-R4-CA	0.25	0	0	0	-	-	0
Hist-SWF-CA	0.5	0	0	0	1	-	1
Hist-UST-CA	0.25	0	0	3	-	-	3
Hist-WIP-Active-CA	0.5	0	0	0	0	-	0
Hist-WIP-Backlog-CA	0.5	0	0	0	0	-	0
Hist-WIP-Historical-CA	0.5	0	0	0	0	-	0
HWIS-CA	0.0625	0	1	-	-	-	1
ICE-CA	0.25	0	0	0	-	-	0
Land-Disposal-CA	0.5	0	0	1	0	-	1
Liens-CA	0.0625	0	0	-	-	-	0
LUST-Closed-CA	0.25	0	0	1	-	-	1
LUST-Open-CA	0.5	0	0	1	1	-	2
Manifest2-NY	0.0625	0	0	-	-	-	0
Manifest2-RI	0.0625	0	0	-	-	-	0
PR-MOA-CA	0.25	0	0	0	-	-	0
SLIC-Closed-CA	0.5	0	0	0	0	-	0
SLIC-CV-CLOSED-CA	0.5	0	0	0	0	-	0
SLIC-CV-OPEN-CA	0.5	0	0	0	0	-	0

STATE ASTM/AAI DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
SLIC-Open-CA	0.5	0	0	1	0	-	1
SML-Closed-CA	0.5	0	0	0	0	-	0
SML-Open-CA	0.5	0	0	0	0	-	0
SML-Other-CA	0.5	0	0	0	0	-	0
SWIS-CA	0.5	0	0	1	0	-	1
SWRCY-CA	0.5	0	0	0	1	-	1
UST-Abandoned-CA	0.25	0	0	0	-	-	0
UST-CA	0.25	0	0	1	-	-	1
UST-Cleanup-CA	0.5	0	0	0	0	-	0
UST-Closed-CA	0.25	0	0	0	-	-	0
UST-Comp-CA	0.25	0	0	0	-	-	0
UST-Priority-CA	0.5	0	0	2	0	-	2
UST-Proposed-CA	0.25	0	0	0	-	-	0

SUPPLEMENTAL DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
Air-CA	0.25	0	0	0	-	-	0
AIR-DIST-CA	0.25	0	1	9	-	-	10
BioFuel-US	0.25	0	0	0	-	-	0
Cal-TierPer-CA	0.25	0	0	0	-	-	0
CDL-CA	0.0625	0	0	-	-	-	0
CDL-US	0.0625	0	0	-	-	-	0
CHWF-CA	0.5	0	0	0	0	-	0
Coal-Ash-Dams-US	0.5	0	0	0	0	-	0
County-BI-CA	0.25	0	0	0	-	-	0
Dams-CA	0.25	0	0	0	-	-	0
DCF2-CA	0.25	0	0	0	-	-	0
DPR-CA	0.25	0	0	0	-	-	0
DryCleaners-CA	0.25	0	0	0	-	-	0
EGRID-US	0.5	0	0	0	0	-	0
EPA-Watch-List-US	0.25	0	0	0	-	-	0
FA-HW-CA	0.0625	0	0	-	-	-	0
FA-HW-US	0.0625	0	0	-	-	-	0
FA-SWF-CA	0.0625	0	0	-	-	-	0
FRS-US	0.0625	0	0	-	-	-	0
FTTS-INSP-US	0.0625	0	0	-	-	-	0
FUDS-US	1	0	0	0	0	0	0
Haulers-CA	0.0625	0	0	-	-	-	0

**SUPPLEMENTAL DATABASES**

<b>LIST SEARCHED</b>	<b>DISTANCE SEARCHED</b>	<b>SUBJECT SITE</b>	<b>0.125</b>	<b>0.25</b>	<b>0.5</b>	<b>1.0</b>	<b>TOTAL</b>
Hist-AFS2-US	0.25	0	0	0	-	-	0
Hist-AFS-US	0.25	0	0	0	-	-	0
Hist-AST-CA	0.25	0	0	0	-	-	0
Hist-AWS-CA	0.25	0	0	0	-	-	0
Hist-CA	0.0625	0	1	-	-	-	1
Hist-CALSITES-CA	0.25	0	0	0	-	-	0
Hist-Deed-CA	0.25	0	0	0	-	-	0
Hist-DTG-CA	0.25	0	0	0	-	-	0
Hist-FIFRA-US	0.25	0	0	0	-	-	0
Hist-HWS-CA	0.25	0	0	1	-	-	1
Hist-LUSTIS-CA	0.25	0	0	1	-	-	1
HIST-MLTS-US	0.25	0	0	0	-	-	0
HIST-MTBE-CA	0.25	0	0	0	-	-	0
Hist-Orange-County-LF-CA	0.25	0	0	0	-	-	0
Historical-CA	0.5	0	0	0	0	-	0
Hist-Prop65-CA	0.25	0	0	0	-	-	0
Hist-ToxicPits-CA	0.25	0	0	0	-	-	0
Hist-US	0.0625	0	0	-	-	-	0
Hist-USGS-WaterWells-CA	0.0625	0	0	-	-	-	0
HWT-CA	0.25	0	0	0	-	-	0
ICIS-Air-US	0.0625	0	0	-	-	-	0
ICIS-FEC-US	0.0625	0	0	-	-	-	0
ICIS-NPDES-US	0.0625	0	0	-	-	-	0
LA-Waste-Haulers-CA	0.0625	0	0	-	-	-	0
Lead-Smelter-2-US	0.25	0	0	0	-	-	0
Lead-US	0.25	0	0	0	-	-	0
Mines2-CA	0.0625	0	0	-	-	-	0
Mines-CA	0.0625	0	0	-	-	-	0
MINES-US	0.0625	0	0	-	-	-	0
MLTS-US	0.0625	0	0	-	-	-	0
MRDS-US	0.25	0	0	0	-	-	0
MWMP-CA	0.25	0	0	0	-	-	0
NEI-LF-CA	0.25	0	0	0	-	-	0
NPDES-CA	0.0625	0	0	-	-	-	0
NPDES-SW-CA	0.0625	0	0	-	-	-	0
OGW-CA	0.0625	0	0	-	-	-	0
OSCF-CA	0.5	0	0	0	0	-	0
PCS-US	0.25	0	0	0	-	-	0
Perchl-CA	0.25	0	0	0	-	-	0

SUPPLEMENTAL DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
Perch2-CA	0.25	0	0	0	-	-	0
RADINFO-US	0.0625	0	0	-	-	-	0
Response-CA	0.25	0	0	0	-	-	0
RFG-Lab-US	0.25	0	0	0	-	-	0
RMP-US	0.0625	0	0	-	-	-	0
ROD-US	0.5	0	0	0	0	-	0
SDWIS-US	0.25	0	0	0	-	-	0
Spills-SSO-CA	0.25	0	0	0	-	-	0
SSTS-US	0.0625	0	0	-	-	-	0
Tribal-Air-US	0.25	0	0	0	-	-	0
TRIS2000-US	0.0625	0	0	-	-	-	0
TRIS2010-US	0.0625	0	0	-	-	-	0
TRIS80-US	0.0625	0	0	-	-	-	0
TRIS90-US	0.0625	0	0	-	-	-	0
TSCA-US	0.0625	0	0	-	-	-	0
UIC2-CA	0.0625	0	0	-	-	-	0
UIC-CA	0.0625	0	0	-	-	-	0
UMTRA-US	0.0625	0	0	-	-	-	0
USGS-Waterwells-US	0.0625	0	0	-	-	-	0
Vapor-Intrusions-US	0.5	0	0	0	0	-	0
WDR-CA	0.25	0	0	0	-	-	0

PROPRIETARY HISTORIC DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
Hist-Agriculture	0.0625	0	0	-	-	-	0
Hist-Auto Dealers	0.0625	0	0	-	-	-	0
Hist-Auto Repair	0.25	0	0	0	-	-	0
Hist-Chemical Manufacturing	0.0625	0	0	-	-	-	0
Hist-Cleaners	0.25	0	0	0	-	-	0
Hist-Machine Shop	0.0625	0	0	-	-	-	0
Hist-Manufacturing	0.0625	0	0	-	-	-	0
Hist-Metal Plating	0.0625	0	0	-	-	-	0
Hist-Mortuaries	0.0625	0	0	-	-	-	0
Hist-Paint-Stores	0.0625	0	0	-	-	-	0
Hist-Petroleum	0.0625	0	0	-	-	-	0
Hist-Printers	0.0625	0	0	-	-	-	0
Hist-RV-Dealers	0.0625	0	0	-	-	-	0

PROPRIETARY HISTORIC DATABASES							
LIST SEARCHED	DISTANCE SEARCHED	SUBJECT SITE	0.125	0.25	0.5	1.0	TOTAL
Hist-Salvage	0.0625	0	0	-	-	-	0
Hist-Service Stations	0.25	0	0	0	-	-	0
Hist-Transportation	0.0625	0	0	-	-	-	0
Hist-Trucking	0.0625	0	0	-	-	-	0
Hist-Vehicle-Parts	0.0625	0	0	-	-	-	0

The following table identifies, the subject site, adjacent sites, and sites that are either a recognized environmental condition, a de minimis environmental condition, a historical or controlled recognized environmental condition. The listings for the Supplemental Databases and the Proprietary Historic Databases are only reviewed for the subject site and the adjacent sites.

#### ERS RECCEK REPORT SITES OF CONCERN

Map #	Site Name	Site Address	Database	Status	Distance from Site	Condition
1	CITY OF GARDEN GROVE	12252, 12262, 12272 HARBOR BLVD	HWIS-CA	Listed: In 2012, asbestos containing materials were removed from the site, likely from the demolition of commercial structures.	Subject Site	None
2	CITY OF GARDEN GROVE	12241 HARBOR BLVD	Hist-CA	No Longer Listed This site is listed in an ERS Proprietary Historic Database; it is not listed in any governmental database with any violations, spills, releases, or as a handler/generator of hazardous material.	West Adjacent	None
3	154170-SC SHERATON GARDEN GROVE/ ANAHEIM SO. HOTEL	12221 HARBOR BLVD	AIR-DIST-CA	Listed: The listed site has been permitted for air releases. No violations or releases reported.	West Adjacent	None



Map #	Site Name	Site Address	Database	Status	Distance from Site	Condition
4	TARGET CORPORATION #192 FUEL SUPPLY CO INC, STATION #743 PACIFIC OASIS #1237	12100 HARBOR BLVD	AIR-DIST-CA County- Others- CA RCRA- SQG-US	Listed: The listed site has been permitted for air releases.  The listed site is a reported generator of hazardous waste.  No violations or releases reported.	North Adjacent	None
11	RO0002103-ORG ARCO #5202	12502 HARBOR BLVD	County- LUST- Open-CA  LUST- Open-CA  UST- Priority- CA	Listed: Open  The listed site experienced a release from an underground storage tank. The case remains open.  Due to the distance between the identified site and the subject property, the potential for impact is low.	0.26 miles S	None
12	L10004630722 LANDFILL, LONGSDON PIT	CHAPMAN AVE & HARBOR BLVD	Land- Disposal- CA  SLIC- Open-CA  SWIS- CA	Listed: OPEN - INACTIVE  This site is a former landfill. It is currently capped and monitored.  Due to the distance between the identified site and the subject property, the potential for impact is low.	0.27 miles N	None

Note: Map Location #s match the Map ID numbers of the sites used in the document located in Appendix D. Listings of unmapped sites were reviewed to identify the subject site or any sites that are obviously adjacent to the subject property. Other unmapped sites are listed only in Appendix D.

#### 4.6 CHAIN-OF-TITLE ABSTRACT AND/OR REVIEW

At the request of the client, a chain-of-title abstract was not requested or completed for this project.

#### 4.7 ADDITIONAL ENVIRONMENTAL DOCUMENTS

During the course of this assessment, *PHASE ONE INC.* was provided with additional environmental documents regarding the environmental condition of the subject site by others. The conclusions of these materials were reviewed only. *PHASE ONE INC.* relies upon the author/and corresponding companies' conclusions and expertise. *PHASE ONE INC.* does not evaluate the methodology, interpretation of results, analysis type or results, or verify in any way the completeness or correctness of the conclusions or procedures. *PHASE ONE INC.* relies upon the report and associated conclusions of the reports provided to *PHASE ONE INC.* The conclusions of these materials are described in the following table. (Copies of the records, if available, are included in Appendix G.)

DRAFT

**SUMMARY OF ADDITIONAL ENVIRONMENTAL DOCUMENTS**

Date of Document	Document Type and Reference Company	Relevant Information	Condition
12/10/2008	Phase I ESA <b>PHASE ONE INC.</b> Project #: 6891	12222 Harbor Boulevard  At the time of the assessment, the site consisted of approximately 0.8 acres of vacant land that was formerly occupied by a residence and a pool sales business. Three soil and debris piles were observed on the eastern portion of the subject property. The origin of the debris and soil piles was unknown. The subject site as well as the surrounding area was used for agriculture in a 1938 aerial photograph.  The report identified two recognized environmental conditions (RECs):  1. Based on a review of aerial photographs, it appeared that the site was used for agricultural purposes in the past. The concern existed that agricultural chemicals remain in near surface soils and that future site occupants may be exposed to these chemicals. In addition, the site was occupied by a pool sales/installation company that had several inground pools, a septic system on the premises, and used chlorine products. The concern existed when the inground pools were removed, it was unknown what type of fill materials were used in the former pool locations on the property, and if chlorine chemicals remain in the surface soils.  2. Several soil piles and debris were observed on-site. The origin of the soil piles and debris was not known. The concern existed that the soil and debris may be contaminated or have come from a contaminated source and that reuse at the site may not be appropriate.  The report recommended soil sampling in the areas of agricultural use, the former pool, septic system, and soil and debris piles.	<i>De minimis</i>
3/10/2009	Limited Phase II ESA <b>PHASE ONE INC.</b> Project #: 6904	12222 Harbor Boulevard  This report was prepared to address the 2 <sup>nd</sup> REC identified in the Phase I ESA dated December 10, 2008. Samples were collected from three soil piles and analyzed in accordance with United States Environmental Protection Agency (EPA) Method 8081A for chlorinated pesticides, Method 7000 for CAM 17 Metals, Method 8260B for Volatile Organic Compounds (VOCs), and Method 8015M for Total Petroleum Hydrocarbons (TPH). All samples were either non-detect or below their respective regulatory action levels and not a concern. Further investigation was not recommended.	None

Date of Document	Document Type and Reference Company	Relevant Information	Condition
8/26/2009	Phase I ESA <b>PHASE ONE INC.</b> Project #: 6939	12252 Harbor Boulevard  At the time of the assessment, the site consisted of approximately 0.8 acres of developed land occupied by CC Camperland RV Park. The assessment was for the western portion of the RV Park. Former uses of the property included agriculture, residence, auto sales lot, and RV Park.  The report identified one REC: <ul style="list-style-type: none"><li>• Based on a review of aerial photographs, it appeared that the site was used for agricultural purposes in the past. The concern existed that agricultural chemicals may remain in near surface soils and that site occupants might be exposed to those chemicals.</li></ul> The report recommended soil sampling for agricultural chemicals.	<i>De minimis</i>
6/18/2010	Phase I ESA <b>PHASE ONE INC.</b> Project #: 6995	12262-12296 Harbor Boulevard  At the time of this assessment, the site consisted of approximately 1.56 acres of developed land occupied by GC Camperland (an RV Park), and a commercial building occupied by four tenants. Former uses of the property included agriculture, gift shop, stores, restaurant, and RV Park.  The report identified one REC: <ul style="list-style-type: none"><li>• Based on a review of aerial photographs, it appeared that the site was used for agricultural purposes in the past. The concern existed that agricultural chemicals may remain in near surface soils and that site occupants might be exposed to those chemicals.</li></ul> The report recommended soil sampling for agricultural chemicals.  The report also identified one <i>de minimis</i> condition: <ul style="list-style-type: none"><li>• A pole-mounted transformer was observed. Given the pre-1979 date of development of the subject site, the presence of fluids containing polychlorinated biphenyls (PCBs) in the transformer was possible. No leakage or staining was visible on or around the transformer. There was no recommendation for additional work related to this condition.</li></ul>	<i>De minimis</i>
1/2/2016	Asbestos Sampling and Hazard Assessment  J&M Environmental Control Group	12302 Harbor Boulevard  Sampling and assessment was performed on November 25, 2015. Leveling compound, black floor tile mastic, and gray roofing mastic were determined to be asbestos-containing materials. The removal and disposal of these materials was recommended.	<i>De minimis</i>

Date of Document	Document Type and Reference Company	Relevant Information	Condition
1/2/2016	Asbestos Sampling and Hazard Assessment J&M Environmental Control Group	12511 Twintree Lane  Sampling and assessment was performed on November 27, 2015. Drywall and joint compound, floor tiles and mastic, gray roofing mastic, and transite pipe were determined to be asbestos containing materials. The removal and disposal of these materials was recommended.	<i>De minimis</i>
1/2/2016	Limited Lead Inspection Report J&M Environmental Control Group	12302 Harbor Boulevard  Sampling and assessment was performed on November 25, 2015. An X-Ray Fluorescence Analyzer (XRF) was used to analyze paint samples. No lead based paint was detected, however, trace lead was detected in some samples. The report recommended that worker safety measures be implemented during renovation and demolition activities.	<i>De minimis</i>
1/2/2016	Limited Lead Inspection Report J&M Environmental Control Group	12511 Twintree Lane  Sampling and assessment was performed on November 27, 2015. An X-Ray Fluorescence Analyzer (XRF) was used to analyze paint samples. No lead based paint was detected, however, trace lead was detected in some samples. The report recommended that worker safety measures be implemented during renovation and demolition activities.	<i>De minimis</i>
1/3/2016	Asbestos Sampling and Hazard Assessment J&M Environmental Control Group	12531 Twintree Lane  Sampling and assessment was performed on November 27, 2015. Floor tiles and mastic, black floor tile mastic, and gray roofing mastic were determined to be asbestos-containing materials. The removal and disposal of these materials was recommended.	<i>De minimis</i>
1/3/2016	Asbestos Sampling and Hazard Assessment J&M Environmental Control Group	12551 Twintree Lane  Sampling and assessment was performed on November 25, 2015. Floor tiles and mastic, and transite pipe were determined to be asbestos-containing materials. Dry wall and joint compound were determined to be asbestos-containing construction materials. The removal and disposal of these materials was recommended.	<i>De minimis</i>
1/3/2016	Limited Lead Inspection Report J&M Environmental Control Group	12531 Twintree Lane  Sampling and assessment was performed on November 27, 2015. An X-Ray Fluorescence Analyzer (XRF) was used to analyze paint samples. No Lead based paint was detected, however, trace lead was detected in some samples. The report recommended that worker safety measures be implemented during renovation and demolition activities.	<i>De minimis</i>

Date of Document	Document Type and Reference Company	Relevant Information	Condition
1/3/2016	Limited Lead Inspection Report J&M Environmental Control Group	12551 Twintree Lane  Sampling and assessment was performed on November 25, 2015. An X-Ray Fluorescence Analyzer (XRF) was used to analyze paint samples. Lead was detected in the kitchen sink and kitchen tiles. Trace lead was detected in some samples. The report recommended that worker safety measures be implemented during renovation and demolition activities.	<i>De minimis</i>
1/4/2016	Asbestos Sampling and Hazard Assessment J&M Environmental Control Group	12571 Twintree Lane  Sampling and assessment was performed on December 2, 2015. Floor tiles and mastic, drywall and joint compound, and transite pipe were determined to be asbestos-containing materials. The removal and disposal of these materials was recommended.	<i>De minimis</i>
1/4/2016	Limited Lead Inspection Report J&M Environmental Control Group	12571 Twintree Lane  Sampling and assessment was performed on December 2, 2015. An X-Ray Fluorescence Analyzer (XRF) was used to analyze paint samples. No lead based paint was detected, however, trace lead was detected in some samples. The report recommended that worker safety measures be implemented during renovation and demolition activities.	<i>De minimis</i>

#### 4.8 HISTORICAL SITE USE

The chronological historical site use summary is based on reviewed aerial photographs, maps, regulatory agency files, interviews, and additional environmental documents. The historical site use summary for the subject site and the adjoin sites is presented in the following table. The rows of this table are organized in chronological order, according to the date range of a specific site use.

### HISTORICAL SITE USE: HARBOR BLVD

Date Range	Subject Site	Adjoining Sites
2006 – 2016	12202 Harbor Blvd.: Residential (1985), Vacant land 12222 Harbor Blvd: Vacant Land 12252 Harbor Blvd: RV Park (2006-2014), Vacant land 12262 Harbor Blvd: RV Park (2006-2014), Vacant land 12272 Harbor Blvd: RV Park (2006-2014), Vacant land 12282 Harbor Blvd: Commercial (2006-2011), Vacant Land 12286 Harbor Blvd: Commercial (2006-2011), Vacant Land 12292 Harbor Blvd: Commercial (2006-2011), Vacant Land 12296 Harbor Blvd.: Commercial (2006-2011), Vacant Land 12302 Harbor Blvd: Joes Italian Ice	Residential, Commercial
1985 - 2005	12202 Harbor Blvd.: Residential (1985), Vacant land 12222 Harbor Blvd: Vacant Land 12252 Harbor Blvd: RV Park 12262 Harbor Blvd: Camperland Rentals / RV Park 12272 Harbor Blvd: RV Park 12282 Harbor Blvd: Michael's Lapidary(1985-1992), Crystal Nails 12286 Harbor Blvd.: Marine Pool Center(1985-1992), Harbor Tobacco(2000), Safari Tobacco(2005) 12292 Harbor Blvd: Oscar's Lock & Safe(1985-1992), Costello's Boutique 12296 Harbor Blvd.: Joe Ojeda Realty(1985-1992), Marcos' Legal Service 12302 Harbor Blvd: Don Imports (1985), Total Eclipse Window Tinting(1992), Smart Beep(2000), Joes Italian Ice	Residential, Commercial

Date Range	Subject Site	Adjoining Sites
1965 - 1980	12202 Harbor Blvd: Residential 12222 Harbor Blvd: Blue Haven Pools 12252 Harbor Blvd: Arnold Palmer Putting Course(1965) RV Park 12262 Harbor Blvd: No Listing (1965), Camperland Rentals / RV Park 12272 Harbor Blvd: Gino's Italian Restaurant(1965), RV Park 12282 Harbor Blvd: Nelsons Lapidary and Gifts (1965), Michael's Lapidary 12286 Harbor Blvd.: No Listing (1965), Marine Pool Center 12292 Harbor Blvd: Henny Penny Chicken(1965), Gene's Bike and Cart(1972), United Medical Service (1976), No listing (1980) 12296 Harbor Blvd. No Listing (1965), Joe Ojeda Realty 12302 Harbor Blvd: Ye Old Hickory Rib Pit (1965), No Listing (1972), Doctors office(1976), No Listing (1980)	Residential, Commercial
1938 to 1961	Orchards, later developed to residential with orchards.	Orchards

#### HISTORICAL SITE USE: TWINTREE LANE

Date Range	Subject Site	Adjoining Sites
1963 – 2016	Residential	Residential, Commercial
1938 to 1961	Orchards, later developed to residential with orchards.	Orchards

#### 4.9 IDENTIFICATION OF HISTORICAL DATA GAPS

During the course of this assessment, **PHASE ONE INC.** identified no data gaps within the chain of historic documents regarding the environmental condition of the subject site.

#### 4.10 REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND INSTITUTIONAL CONTROLS)

The client provided **PHASE ONE INC.** with documents regarding title and/or judicial records for environmental liens or activity and land use limitations for the subject site. **PHASE ONE INC.** relies upon the author/and corresponding companies' expertise. **PHASE ONE INC.** does not verify in any



way the completeness or correctness of the documents. **PHASE ONE INC.** relies upon the documents provided. The discussion of these materials is described in the following table. (Copies of the records, if available, are included in Appendix G.)

**REVIEW OF TITLE AND/OR JUDICIAL RECORDS FOR ENVIRONMENTAL LIENS OR  
ACTIVITY AND LAND USE LIMITATIONS (E.G., ENGINEERING AND  
INSTITUTIONAL CONTROLS) SUMMARY**

Date of Document	Type of Document	Company	Description (If a concern, why?)	Condition
9/8/2015, Updated 3/25/2016	Preliminary Title Report	First American Title Insurance Company	No environmental liens, records of environmental activity and/or environmental land use limitations were identified.  Note: The report covers a larger area than the subject site.	None

DRAFT

## SECTION 5.0

### INTERVIEWS

#### 5.1 INTERVIEWS WITH OWNER, PROPERTY MANAGER, USER, AND OTHERS

As part of the Phase I Assessment, **PHASE ONE INC.** attempts to interview various individuals who may have knowledge of different aspects of the subject site as it pertains to environmental conditions. The comments of the interviewees are noted by the **PHASE ONE INC.** interviewer on Interview Note Forms, which are included in Appendix F. The following table summarizes the relevant portions of these notes.

**SUMMARY OF INTERVIEWS**

ID #	Date of Interview	Name of Interviewee	Relevant Discussions	Condition
1	5/5/2016	Lorraina Pang PCG, Investel Harbor Resorts  (User)	According to Ms. Pang, the purpose of the Phase I ESA is for due diligence related to the purchase of the property. The proposed use of the site is a hotel. She is not aware of any activity or land use limitations, engineering or institutional controls, environmental liens, or other restrictions that have been placed on the property relating to hazardous materials or petroleum products. She has no specialized knowledge of the subject property and surrounding areas material to recognized environmental conditions in connection with the subject property.	None
2	5/16/2016	Carlos Marquez Senior Real Property Agent City of Garden Grove  (Owner)	The City of Garden Grove has owned the property for 4 to 6 years. This report is being prepared related to the sale of the properties. The current buildings are to be demolished. Mr. Marquez is not aware of any activity or land use limitations, engineering or institutional controls, environmental liens, or other restrictions that have been placed on the property relating to hazardous materials or petroleum products. He does not have any specialized knowledge of the subject property and surrounding areas material to recognized environmental conditions in connection with the subject property.	None
3	5/19/2016	Carlos Marquez Senior Real Property Agent City of Garden Grove  (Owner)	In an email, Mr. Marquez stated that asbestos abatement was underway at the properties. The abatement is expected to be completed next month. He also provided copies of related reports which have been summarized in Section 4.7.	<i>De minimis</i>

## 5.2 PURCHASE PRICE VERSUS FAIR MARKET VALUE INTERVIEW

*PHASE ONE INC.* uses data supplied by the client to determine if a difference between the purchase price of the property and the fair market value of the property is due to the effect of any releases or threatened releases of hazardous substances or petroleum products. On May 5, 2016, *PHASE ONE INC.* contacted Lorraine Pang, PCG, Investel Harbor Resorts, for the purpose of ascertaining any difference between the purchase price and fair market value of the property. According to Ms. Pang, there is no difference between the purchase price and fair market value of the property. Therefore, a determination on the effect of any releases or threatened releases of hazardous substances on the purchase price of the property was not performed as this is not applicable.

DRAFT

## SECTION 6.0

### CONCLUSIONS AND RECOMMENDATIONS

#### 6.1 RECOGNIZED ENVIRONMENTAL CONDITIONS

This section contains full descriptions of any recognized environmental conditions (REC) that have been identified as a result of the **PHASE ONE INC.** Phase I Environmental Site Assessment for the subject site. **PHASE ONE INC.** classifies a condition as a REC (as opposed to a *de minimis* condition) when it is one that involves a condition for which, in the opinion of **PHASE ONE INC.**, further investigation and/or remediation is recommended. In addition to the descriptions of condition, this section also contains a statement of the recommended next-step actions for any conditions that are described in the following tables.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support **PHASE ONE INC.**'s conclusion as to the presence of a recognized environmental condition. For the benefit of the reader, the tables also contain the section numbers of the findings cited in support of the condition.

CONDITION # N/A		IDENTIFIED CONDITION APPEARS TO BE A RECOGNIZED ENVIRONMENTAL CONDITION
LOCATION: N/A		
SECTION #	COMMENTS	
N/A	No recognized environmental conditions appear to currently affect the subject site.	
DESCRIPTION OF CONDITION: N/A		
ACTION SUGGESTED: N/A		
TOTAL ESTIMATED COST TO COMPLETE SUGGESTED NEXT STEP ACTION† N/A		

#### 6.2 *DE MINIMIS* CONDITION, HISTORICAL RECOGNIZED ENVIRONMENTAL CONDITIONS, AND CONTROLLED RECOGNIZED ENVIRONMENTAL CONDITIONS

This section contains descriptions of *de minimis* conditions, historical RECs, or controlled RECs that have been identified in the **PHASE ONE INC.** Phase I Environmental Site Assessment for the subject site. **PHASE ONE INC.** classifies an issue as a *de minimis* condition (as opposed to a REC) when (1) it involves issues that appear to pose no immediate or imminent threat to the subject site, but which over time (with the occurrence of groundwater movement, demolition, disturbance, etc.) may come to pose an actual or present REC for the subject site and/or when (2) it involves areas that currently appear to

have a negligible impact on the subject property and which do not, therefore, require additional investigation at this time, but of which **PHASE ONE INC.** feels the client should be made aware. **PHASE ONE INC.** classifies a historical recognized environmental condition (HREC) as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. An HREC is limited to include only past releases that have been addressed to unrestricted residential use. **PHASE ONE INC.** classifies a controlled recognized environmental condition (CREC) as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable agency, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

Each identified condition receives its own table, and that table will collect together the particular findings from the body of the report that have been used to support **PHASE ONE INC.**'s conclusion as to the presence of that condition. For the benefit of the reader, the table also contains the section numbers of the findings cited in support of the condition.

<b>CONDITION #1</b>		<b>IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> CONDITION</b>
<b>LOCATION: Subject Structures and Residential Yards</b>		
<b>SECTION #</b>	<b>COMMENTS</b>	
3.6	Identification of asbestos-containing materials.	
3.12	Identification of construction materials in garage, yard areas, and damaged building materials in interiors of some of the residences.	
4.7	Previous reports identifying asbestos-containing materials	
5.1	Owner Interview regarding current asbestos abatement.	
<p><b>DESCRIPTION OF CONDITION:</b> During the site reconnaissance, materials were identified that are suspected of containing asbestos. The presence of asbestos-containing materials has been confirmed through sampling and laboratory analysis. According to the owner, asbestos abatement activities are underway and are expected to be completed in June. Asbestos-containing materials are considered to be hazardous materials, and their eventual disposal and handling are subject to federal and state regulatory guidelines.</p>		
<p><b>ACTION SUGGESTED:</b> Once abatement activities are complete, obtain documentation from the City of Garden Grove verifying the proper removal and disposal of asbestos-containing materials.</p>		

<b>CONDITION #2</b>		<b>IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> CONDITION</b>
<b>LOCATION: Subject Site</b>		
<b>SECTION #</b>	<b>COMMENTS</b>	
3.11	Identification of former agricultural use on the subject site.	
4.1	Aerial photograph identifying former agricultural use on the subject site. (1938 - 1961)	
4.7	Previous reports identifying former agricultural use.	
<p><b>DESCRIPTION OF CONDITION:</b> Although the site was used for agricultural purposes in the past, the planned commercial development of the site minimizes the probability of occupants to come in contact with possible residual agricultural chemicals in the soil or groundwater.</p>		
<p><b>ACTION SUGGESTED:</b> No action is suggested, recommended and/or warranted at this time. However, if the property were to be redeveloped (especially for use by a sensitive receptor like residential, day care, medical, etc.); or if the groundwater beneath the site were to be used for domestic use or irrigation, then subsurface sampling would be recommended at that time to determine whether significant levels of agricultural chemicals exist at the site.</p>		

<b>CONDITION #3</b>		<b>IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> CONDITION</b>
<b>LOCATION: Subject Structures</b>		
<b>SECTION #</b>	<b>COMMENTS</b>	
3.6.1	Identification of the potential for lead based paint and plumbing.	
4.7	Review of previous lead investigation reports.	
<p><b>DESCRIPTION OF CONDITION:</b> Given the pre-1979 construction date of the subject structures, the past use of lead-based paints and leaded piping and/or fixtures is suspected. Based on sampling results from reviewed reports, trace levels of lead were detected in all structures and the residential structure at 12551 Twintree Lane was found to have lead levels that are considered lead containing. Deteriorating paint may pose a significant health hazard if ingested or inhaled, particularly for children. Due to the planned demolition of the onsite structures, the possibility of children being affected is low. Lead-containing paint is considered hazardous waste, and the eventual disposal of lead-containing paint may be subject to regulatory restrictions. Lead-containing water is considered hazardous to health at certain levels.</p>		
<p><b>ACTION SUGGESTED:</b> Prior to disturbing or demolishing of painted surfaces, precautionary steps are recommended to reduce exposure in accordance with the occupational health standards. Since the buildings are to be demolished, no action is required regarding lead-containing water.</p>		

<b>CONDITION #4</b>		<b>IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> CONDITION</b>
<b>LOCATION: Multiple Locations, See Figure 3.</b>		
<b>SECTION #</b>	<b>COMMENTS</b>	
3.7	Identification of suspected PCB-containing equipment, pole- and pad- mounted transformers.	
<p><b>DESCRIPTION OF CONDITION:</b> Pole- and pad-mounted transformers were observed. Given the pre-1979 date of development of the subject site, the presence of fluids containing polychlorinated biphenyls (PCBs) in the transformer(s) is possible. No leakage or staining was visible on or around the transformer(s).</p>		
<p><b>ACTION SUGGESTED:</b> No action is suggested or recommended at this time based on visual observations. If leaks should develop, contact the utility company to sample the fluids for the presence of PCBs. If the analysis results indicate that the electrical transformer(s) contains PCBs, the utility company would be responsible for mitigating any leakage and staining and for replacing the fluids and/or transformer(s).</p>		

<b>CONDITION #5</b>		<b>IDENTIFIED CONDITION APPEARS TO BE A <i>DE MINIMIS</i> CONDITION</b>
<b>LOCATION: Subject Site</b>		
<b>SECTION #</b>	<b>COMMENTS</b>	
N/A	Identification of many former structures, filled pools, etc.	
<p><b>DESCRIPTION OF CONDITION:</b> The parcels of the subject site have changed significantly over the decades including many structures and features which have been demolished or abandoned. Caution should be observed during the grading of the site as subsurface structures such as filled in pools or other features may be encountered.</p>		
<p><b>ACTION SUGGESTED:</b> No action is suggested or recommended at this time based on visual observations. If features are encountered during future redevelopment activities that may be environmentally sensitive, such as tanks, sumps, etc. or if stained or odorous soils are encountered, contact <b>PHASE ONE INC.</b> or another environmental consultant to determine if further investigation is warranted.</p>		

## SECTION 7.0

### LIMITATIONS

To achieve the study objectives stated in this report, we were required to base *PHASE ONE INC.*'s conclusions and recommendations on the best information available during the period the investigation was conducted and within the limits prescribed by *PHASE ONE INC.*'s client in the contract/authorization agreement and standard terms and conditions.

*PHASE ONE INC.*'s professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields. The findings were mainly based upon examination of historic records, maps, aerial photographs, and governmental agencies lists. The hazardous waste site lists represented in this report represent only a search of the specific government records as listed above. It should be noted that governmental agencies often do not list all sites with environmental contamination; the lists could be inaccurate and/or incomplete. Recommendations are based on the historic land use of the subject property, as well as features noted during the site walk and examined records. The absence of potential gross contamination sources, historic or present, does not necessarily imply that the subject property is free of any contamination. This report only represents a "due diligence" effort as to the integrity of the subject property. No warranty or guarantee, expressed or implied, is made as to the professional conclusions or recommendations contained in this report. The limitations contained within this report supersede all other contracts or scopes of work, implied or otherwise, except those stated or acknowledged herewith.

This report is not a legal opinion. It does not necessarily comply with requirements defined in any environmental law such as the "innocent landowner defense" or "due diligence inquiry." Only legal counsel retained by the client is competent to determine the legal implications of any information, conclusions, or recommendations in this report. The compliance status, discussed in Section 3.0, is not intended for use as a guide to compliance for the present owner. Its intended use is to identify environmental impairments to the subject property and is not to be used as a guide to the legal compliance to any regulations of any kind.

The findings, conclusions, recommendations, and professional opinions contained in this report have been prepared by the staff of *PHASE ONE INC.*, in accordance with generally accepted professional practices. All cost estimates in Section 6.0, are purely estimates only, and may not represent the actual costs. Without further investigative assessment, exact, actual costs cannot be fixed. The costs associated with *PHASE ONE INC.*'s recommendations are for budgetary purposes only.

This report does not address, in any way, septic systems, leach fields, septic tanks, or related health hazards.

All asbestos, lead, or any other sampling is sampled in a good faith effort by *PHASE ONE INC.* assessors. Sample results should not be construed as conclusive and binding in any way. All sampling conducted is only for the purposes of general screening and does not imply that all materials, locations, or hazardous materials have been identified nor was the sampling intended to identify every instance of the materials sampled. No interpretation of the sample results is made or implied. *PHASE ONE INC.* only relays the information supplied by the laboratory conducting the analysis.



**Subject:** RE: Garden Grove - Title Comment Letter  
**From:** Tom Crosbie <tcrosbie@cgs3.com>  
**Date:** Fri, 27 May 2016 21:21:08 +0000  
**To:** "risattic@gtlaw.com" <risattic@gtlaw.com>, "greg1@garden-grove.org" <greg1@garden-grove.org>, "JEggart@wss-law.com" <JEggart@wss-law.com>  
**CC:** "macej@gtlaw.com" <macej@gtlaw.com>, "changeu@gtlaw.com" <changeu@gtlaw.com>, "Lorraina\_usa@yahoo.com" <Lorraina\_usa@yahoo.com>, "dannywei@scgamerica.com" <dannywei@scgamerica.com>, "zwf@scgamerica.com" <zwf@scgamerica.com>, "matt.reid@landanddesign.com" <matt.reid@landanddesign.com>

All – a few points to clarify. The title objection letter identifies SCG as the “Purchaser” and states that SCG will take title to the property. Please note that SCG will not be purchasing the property, but instead SCG and Land & Design are contemplating entering into a joint venture, and if the parties enter into the JV then title to the property will be taken in the JV entity (name still to be determined). Please note that SCG and Land & Design have not yet agreed to enter into the joint venture and will notify the City, and request the City’s consent thereto, if and when they do so. Thanks

Tom Crosbie

**Crosbie Gliner Schiffman Southard & Swanson LLP**  
12750 High Bluff Drive, Suite 250  
San Diego, California 92130  
858.367.7692  
[tcrosbie@cgs3.com](mailto:tcrosbie@cgs3.com)



CGS3

YOUR LEGAL PARTNERS  
IN BUILDING INNOVATION

[LinkedIn](#) | [Twitter](#) | [Google+](#)

---

**From:** risattic@gtlaw.com [mailto:risattic@gtlaw.com]  
**Sent:** Thursday, May 26, 2016 10:20 PM  
**To:** greg1@garden-grove.org; JEggart@wss-law.com  
**Cc:** macej@gtlaw.com; changeu@gtlaw.com; Lorraina\_usa@yahoo.com; dannywei@scgamerica.com; zwf@scgamerica.com; Tom Crosbie <tcrosbie@cgs3.com>; matt.reid@landanddesign.com  
**Subject:** FW: Garden Grove - Title Comment Letter

Greg and James,

Attached is the Title Comment letter we from SCG that we discussed in today’s meeting. Thank you!

Sincerely,  
Carrie

Carrie M. Risatti  
Shareholder  
Greenberg Traurig, LLP | 3161 Michelson Drive | Suite 1000 | Irvine, CA 92612  
Tel 949-732-6617  
[risattic@gtlaw.com](mailto:risattic@gtlaw.com) | [www.gtlaw.com](http://www.gtlaw.com)



---

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at [postmaster@gtlaw.com](mailto:postmaster@gtlaw.com), and do not use or disseminate such information.

**Subject:** Re: Meet tomorrow regarding Schedule of Performance  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Tue, 31 May 2016 15:02:38 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

That works. I'll be there.

Sent from my iPad Pro

**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On May 31, 2016, at 2:56 PM, Greg Blodgett <greg1@ci.garden-grove.ca.us> wrote:

Tomorrow at 9

Sent from my iPhone

On May 31, 2016, at 2:19 PM, Matt Reid <matt.reid@landanddesign.com> wrote:

10am?

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On May 31, 2016, at 11:11 AM, Greg Blodgett <greg1@ci.garden-grove.ca.us> wrote:

What time is best

Sent from my iPhone

On May 31, 2016, at 10:44 AM, Matt Reid <matt.reid@landanddesign.com> wrote:

Can we meet tomorrow to discuss the proposed schedule of performance?  
Would be helpful to have Lisa in the meeting as well.  
Let me know what time.

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

**Subject:** Compensation Agreement  
**From:** Grace Lee <gracelee624@gmail.com>  
**Date:** Wed, 1 Jun 2016 09:18:01 -0700  
**To:** lisak@ci.garden-grove.ca.us  
**CC:** greg1@ci.garden-grove.ca.us, matt.reid@landanddesign.com

---

Sent from my iPhone

<b>66.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
---------------	---

---

Part 1.3

<b>Part 1.3</b>	<b>Content-Type:</b> text/plain <b>Content-Encoding:</b> 7bit
-----------------	--

**Subject:** RE: GG Compensation Agreement  
**From:** Grace Lee <gracel@ci.garden-grove.ca.us>  
**Date:** Wed, 1 Jun 2016 10:10:31 -0700 (PDT)  
**To:** Matt Reid <matt.reid@landanddesign.com>  
**CC:** lisak <lisak@ci.garden-grove.ca.us>, Greg Blodgett <greg1@ci.garden-grove.ca.us>

Hello Matt,  
Per our meeting on Wednesday, June 1, 2016, please find attached the executed Compensation Agreements with the City of Garden Grove's taxing entities.

Thank you.

Grace E. Lee  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

<b>01272015 Compensation Agreement.pdf</b>	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
--	---

Wed 1 Jun 2016  
10:10:31 -0700

## AGREEMENT BIBLIOGRAPHY

Agreement With:	County of Orange; OC Flood Control District; OC Water District; OC Sanitation District; OC Vector Control District; OC Transportation Authority; City of Garden Grove; GG Sanitary District; OC Superintendent of Schools, on behalf of the OC Department of Education; GG Unified School District; and Rancho Santiago Community College District
Agreement Type:	Compensation Agreement regarding the transfer of certain Successor Agency properties to the City of Garden Grove for economic development purposes
Date Approved:	01 27 2015
Start Date:	01 01 2015
End Date:	01 01 2018
Contract Amount:	N/A
Comments:	Finance/Economic Development
Insurance Expiration:	N/A
Date Archived:	<b>ARCHIVED 07/09/2015</b>



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

**Bao Nguyen**  
Mayor

**Steven R. Jones**  
Mayor Pro Tem

**Christopher V. Phan**  
Council Member

**Phat Bui**  
Council Member

**Kris Beard**  
Council Member

June 16, 2015

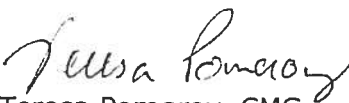
County of Orange  
Hall of Administration  
333 W. Santa Ana Boulevard  
Santa Ana, CA 92701

Attention: County Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department





**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

Rancho Santiago Community College District  
2323 N. Broadway, Suite 410  
Santa Ana, CA 92706

Attention: Peter J. Hardash, Vice Chancellor Business Operations/Fiscal  
Services

Enclosed is a Certified Copy of the Compensation Agreement by and among  
taxing entities from the City of Garden Grove for the transfer of the former JC  
Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

---

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

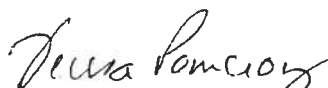
Garden Grove Unified School District  
10331 Stanford Avenue  
Garden Grove, CA 92840

Attention: Rick Nakano, Assistant Superintendent Business Services

Enclosed is a Certified Copy of the Compensation Agreement by and among  
taxing entities from the City of Garden Grove for the transfer of the former JC  
Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



## CITY OF GARDEN GROVE OFFICE OF THE CITY CLERK

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

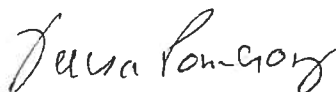
Orange County Department of Education  
200 Kalmus Drive  
Costa Mesa, CA 92626

Attention: Wendy Benkert, Ed.D., Associate Superintendent for Business  
Service

Enclosed is a Certified Copy of the Compensation Agreement by and among  
taxing entities from the City of Garden Grove for the transfer of the former JC  
Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

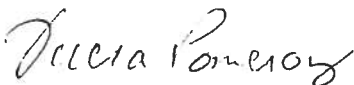
Orange County Transportation Authority  
P.O. Box 14184  
Orange, CA 92863-1584

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member

June 16, 2015

Orange County Vector Control District  
13001 Garden Grove Boulevard  
Garden Grove, CA 92843

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among  
taxing entities from the City of Garden Grove for the transfer of the former JC  
Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

**Bao Nguyen**  
Mayor

**Steven R. Jones**  
Mayor Pro Tem

**Christopher V. Phan**  
Council Member

**Phat Bui**  
Council Member

**Kris Beard**  
Council Member

June 16, 2015

Orange County Sanitation District  
10844 Ellis Avenue  
Fountain Valley, CA 92708

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

County of Orange  
Hall of Administration  
333 W. Santa Ana Boulevard  
Santa Ana, CA 92701

Attention: County Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* *pu* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares



## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District; *MSR*  
Orange County Vector Control District; *R*  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "**Other Taxing Entities**" or "**OTEs**");

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "**Party**" or a "**Taxing Entity**" and collectively may be referred to as the "**Parties**" or the "**Taxing Entities**."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "**Former Agency**") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "**Dissolution Act**").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "**Successor Agency**") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "**Oversight Board**").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares



## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education; *MB*  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).


B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.
-  3/25/15

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

of the base property tax, as determined by Health and Safety Code Section 34188, for the value of property retained.

E. Pursuant to Health and Safety Code Section 34191.5(b), upon the Successor Agency's receipt of a "Finding of Completion" from the California Department of Finance pursuant to Health and Safety Code Section 34179.7, the Successor Agency is required to prepare a long-range property management plan ("**LRPMP**") to address the use and disposition of the Former Agency's real property assets. If approved by the Oversight Board and the Department of Finance, the LRPMP may provide for, among other things, the retention of such property for future development and/or transfer of such property to the City for such purposes. Pursuant to Health and Safety Code section 34191.3, the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the Former Agency.

F. On May 15, 2013, pursuant to Health and Safety Code Section 34179.7, the Successor Agency received a Finding of Completion from the Department of Finance.

G. On May 29, 2013, pursuant to Health and Safety Code Section 34191.5, the Successor Agency submitted a LRPMP, approved by the Oversight Board, to the Department of Finance. On December 11, 2013, the Successor Agency submitted a revised LRPMP, approved by the Oversight Board, to the Department of Finance. The revised LRPMP provides for the transfer of certain properties from the Successor Agency to the City for future development pursuant to Health and Safety Code Sections 34191.5(c)(2)(A) and 34191.5(c)(2)(B). These properties comprise two sites referred to respectively in the LRPMP and this Agreement as "**Site C**" and the "**Vacant Restaurant Property**," which are more completely described below.

H. In response to a written request by the Department of Finance made in connection with its review of the revised LRPMP, on February 25, 2014, the Oversight Board adopted Resolution No. 31-14 approving certain revisions to the LRPMP. Resolution No. 31-14 provides that the Successor Agency will verify that compensation agreements between the City and the other taxing entities are in place and executed prior to the transfer of Site C and the Vacant Restaurant Property to the City.

I. On March 7, 2014, the Department of Finance approved the revised LRPMP, as revised pursuant to Oversight Board Resolution No. 31-14.

J. Site C consists of several generally contiguous parcels on or near Harbor Boulevard within the City's resort district, which are entitled for the development and operation of a resort hotel, retail, and entertainment project. The property comprising Site C is subject to that certain Grove District Resort Hotel Development Agreement between the City and Land & Design, Inc., or any approved affiliate, assignee or successor thereto permitted by the Agreement (the "**Developer**"), dated April 9, 2013 (the "**Site C Agreement**"), providing for the development and operation of a project on Site C generally consisting of a combination of hotels, retail, restaurant, and entertainment venues, and related parking facilities. Pursuant to the Site C Agreement, the Developer is required to construct and operate the entitled resort hotel project in consideration for the City providing specified economic assistance necessary to fund the economic feasibility gap of the project, including conveyance of Site C to the Developer at no



cost. In conjunction with its approval of the Site C Agreement, the City Council considered an economic evaluation of the proposed project prepared by Horwath HTL, LLC, which concluded that the project's development costs compared to the estimated income and development values reasonably expected from the project generates a negative residual land value, or financial feasibility gap, of approximately \$31.5 million, inclusive of City assistance in the form of conveyance of Site C at no cost to Developer. The Parties anticipate that the development and operation of the project pursuant to the Site C Agreement will result in significant additional future property tax revenue to the Taxing Entities, the net present value of which is no less than what would otherwise be distributed to the Taxing Entities pursuant to Health and Safety Code Section 34180(f) if not for the development and operation of the project pursuant to the Site C Agreement.

K. The Vacant Restaurant Property, which is located at 12361 Chapman Avenue in the City of Garden Grove, and currently identified as Assessor's Parcel No. 233-171-23, is comprised of a 20,908 square foot parcel containing a 10,800 square foot building that formerly housed a restaurant. Upon transfer to the City, the City intends to continue to market the Vacant Restaurant Property for sale to a restaurant operator in accordance with Government Code Section 52201.

L. The Parties intend by this Agreement to satisfy the provisions of the approved LRPMP, Oversight Board Resolution No. 31-14, and Health and Safety Code Section 34180(f), and to provide for payment to the Taxing Entities of their proportionate shares of the net proceeds, if any, to be received by the City in connection with the future disposition of Site C and the Vacant Restaurant Property by the City.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual promises contained in this Agreement, the Parties agree as follows:

#### AGREEMENT

1. Incorporation of Recitals. The foregoing recitals are true and correct and hereby incorporated herein by reference.

2. Definitions. The following definitions shall apply in this Agreement:

(a) "**Disposition Proceeds**" means the net proceeds, if any, actually received by the City in exchange for the conveyance of fee title or a leasehold interest in Site C and/or the Vacant Restaurant Property. For purposes of this definition, the term "net proceeds" shall mean sales proceeds paid by a buyer directly to City or into escrow, minus sums paid or withheld by escrow for broker and/or agent sales commissions, closing costs, escrow fees, title insurance premiums, applicable taxes, and any other similar fees and costs customarily allocated to the seller of commercial property. The Disposition Proceeds represent the Parties' agreed-upon value of Site C and the Vacant Restaurant Property pursuant to Health and Safety Code Section 34180(f).

(b) **"Each Taxing Entity's Proportionate Share of the Disposition Proceeds"** means each Taxing Entity's proportionate share of the Disposition Proceeds, as determined pursuant to Health and Safety Code Section 34188.

3. Compensation Agreement. This Agreement constitutes a "compensation agreement" between the City and the Other Taxing Entities within the meaning of Health and Safety Code Section 34180(f).

4. Disposition of Site C and Vacant Restaurant Property by City.

(a) Disposition of the Vacant Restaurant Property. The City shall use best efforts to market and expeditiously dispose of the Vacant Restaurant Property and shall comply with all applicable law, including, to the extent applicable, Government Code Section 52201. Unless otherwise mutually agreed by all of the Taxing Entities through an amendment to this Agreement, if the City's disposition of the Vacant Restaurant Property occurs after January 1, 2018, or such other date mutually agreed upon amongst the Parties, such disposition shall be at no less than fair market value, as presently zoned, as determined by an appraisal performed by an appraiser mutually acceptable to all of the Parties. In the event that the City disposes of the Vacant Restaurant Parcel for nominal or no consideration, Parties shall have an appraisal performed by a mutually agreed upon appraiser, at the City's cost, to determine the appraised value of the Vacant Restaurant Parcel and the City shall remit an amount equal to the appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition Proceeds. In the event a rezoning of the Vacant Restaurant Property, or its surrounding area, results in a higher market value of the Property, the Parties acknowledge and agree that the higher market value shall apply for purposes of appraising the value of same and remitting an amount equal such appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition Proceeds.

(b) Disposition of Site C.

- (i) The City's disposition of Site C shall comply with all applicable law, including, to the extent applicable, Government Code Section 52201.
- (ii) City may convey Site C to the Developer pursuant to the Site C Agreement.
- (iii) City represents that it intends to convey Site C to the Developer pursuant to the Site C Agreement. The Parties acknowledge and understand, however, that City's conveyance of Site C to the Developer pursuant to the Site C Agreement is subject to certain conditions precedent. If, due to a failure of a condition precedent or for any other reason, the City does not convey Site C to the Developer pursuant to the Site C Agreement and the Site C Agreement is terminated, then City shall use best efforts to market and expeditiously dispose of Site C to another developer for development and operation of a similar resort hotel, retail, and entertainment project on

Site C by January 1, 2018. In the event the Site C Agreement is terminated and the City has failed to successfully market and dispose of Site C as aforementioned, the City shall, upon mutual agreement amongst the Parties, be granted an additional year to dispose of Site C. If the Site C, however, is not disposed by either January 1, 2018 or the aforementioned extension of time, if applicable, the Parties shall have an appraisal of Site C performed by a mutually agreed upon appraiser, at the City's cost, to determine the value of Site C and expeditiously market and sell the property using the appraised value of the Site C. Upon sale of Site C, the City shall remit the Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution of Each Taxing Entity's Proportionate Share of the Disposition Proceeds. In the event that the City disposes of Site C, after January 1, 2018, or the aforementioned extension of time, if applicable, for nominal or no consideration, Parties shall have an appraisal performed by a mutually agreed upon appraiser, at the City's cost, to determine the appraised value of Site C and the City shall remit an amount equal to the appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition.

- (iv) If, for any reason, fee title to all or a portion of Site C reverts to or is re-vested in the City following conveyance of Site C to the Developer pursuant to the Site C Agreement, but prior to completion of Grove District Resort Hotel Development more particularly described in the Site C Agreement, then, subject to the then existing rights, if any, of third parties, City shall use best efforts to market and expeditiously dispose of such portion of Site C to another developer for development and operation of a similar resort hotel, retail, and entertainment project on Site C by January 1, 2018. In the event of such reversion or re-vesting of fee title to Site C to the City, and the City has not disposed of Site C to another developer as provided in the foregoing sentence within three (3) years after the date of such reversion or re-vesting, then the City shall, upon agreement amongst the Parties, be granted an additional year to dispose of the property. If the Site C, however, is not disposed at the end of the aforementioned three (3) year period, or the aforementioned extension of time, if applicable, the Parties shall have an appraisal of Site C performed by a mutually agreed upon appraiser, at the City's cost, to determine the value of Site C and expeditiously market and sell the property using the appraised value of the Site C. Upon sale of Site C, the City shall remit the Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution of Each Taxing Entity's Proportionate Share of the Disposition Proceeds. Unless otherwise mutually agreed by all of the Taxing Entities through an amendment to this Agreement, if City conveys any re-vested portion of Site C for any purpose other than for development and operation of a similar resort hotel, retail, and entertainment project on Site C, then such conveyance shall be at no less

than fair market value, as determined by an appraisal performed by an appraiser mutually acceptable to all of the Parties.

- (v) The Parties acknowledge that, upon mutual agreement, this Subsection (b) may be amended to allot the City additional time to dispose of Site C.

5. Payment of Proportionate Share of Disposition Proceeds to Taxing Entities. Within fifteen business (15) days after the City receives Disposition Proceeds, if any, in conjunction with the disposition of either Site C or the Vacant Restaurant Parcel, the City shall remit such Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution to the Taxing Entities of Each Taxing Entity's Proportionate Share of the Disposition Proceeds.

6. Time. Time is of the essence in the performance of this Agreement.

7. Limitation of Liability of Other Taxing Entities to City. The OTEs shall not be liable to the City, and the City hereby waives and discharges all claims against the OTEs, for any and all liability, demands, claims, costs, losses, injuries, damages, recoveries, settlements, and expenses (collectively, "Claims") resulting from, or in any way connected with or incidental to, the transfer of title of Site C and/or the Vacant Restaurant Property to the City or the City's management of the Site C and the Vacant Restaurant Property during the term of this Agreement, no matter how caused. This provision shall survive any termination of this Agreement.

8. Indemnification of OTEs by City for Third Party Claims. The City shall indemnify, defend, and hold harmless each OTE and its officers, agents, and employees, from and against any Claims arising out of or related to this Agreement made by the California Department of Finance, the State Controller, and/or any third party not a party to this Agreement.

9. Attorney's Fees. In any action between the Parties to enforce or interpret any of the terms of this Agreement, each Party shall bear its own attorneys' fees and costs.

10. Governing Law. This Agreement shall be governed by, and construed and enforced in accordance with, the internal laws of the State of California, without regard to conflict of law principles.

11. Entire Agreement. This Agreement contains the entire agreement between the Parties respecting the matters set forth herein, and supersedes all prior agreements between the Parties respecting such matters.

12. Non-liability of Officials and Employees of Parties. No member, official, or employee of any Party shall be personally liable to any other Party, or any successor in interest, in the event of any default or breach of this Agreement or for any amount which may become due hereunder, or on any obligation under the terms of this Agreement.

13. Successors and Assigns. All the terms, provisions and conditions of the Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors, assigns and legal representatives.

14. No Third Party Beneficiaries. No person or entity other than the Taxing Entities, and the permitted successors and assigns of each of them, shall be authorized to enforce the provisions of this Agreement.

15. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had not been contained herein.

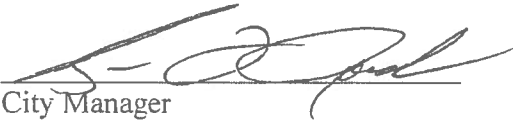
16. No Waiver. No waiver of any term or condition of this Agreement will be a continuing waiver.

17. Counterparts. This Agreement may be executed in counterparts, each of which so executed shall, irrespective of the date of its execution and delivery, be deemed an original, and all such counterparts together shall constitute one and the same instrument. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon provided such signature page is attached to any other counterpart identical thereto having additional signature pages executed by the other Parties. Any executed counterpart of this Agreement may be delivered to the other Parties facsimile or electronic mail and shall be deemed as binding as if an originally signed counterpart was delivered.


*SIGNATURES ON FOLLOWING PAGES*

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by their duly authorized representatives indicated below.

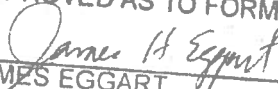
**CITY OF GARDEN GROVE, a municipal corporation**

By:   
City Manager

**ATTEST:**

By:   
Kathleen Bailor  
City Clerk

APPROVED AS TO FORM

  
JAMES EGGART  
Deputy City Attorney  
City of Garden Grove

DATED: 2-2-15

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

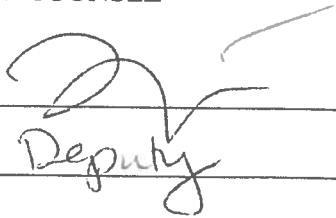
The undersigned signatory hereby executes this Agreement on behalf of the County of Orange and each of the following entities and/or funds:

**ORANGE COUNTY GENERAL FUND  
ORANGE COUNTY PUBLIC LIBRARY  
O.C. HARBORS BEACHES AND PARKS CSA 26  
EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF)**

APPROVED AS TO FORM

COUNTY COUNSEL

By:

  
\_\_\_\_\_  
Deputy


Date:


1/5/2015

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIR OF THE BOARD PER GC § 25103, RESO. 79-1535

**COUNTY OF ORANGE, a political subdivision of the State of California**



  
By: Robin Stieler  
Susan Novak  
Clerk of the Board of Supervisors  
Orange County California

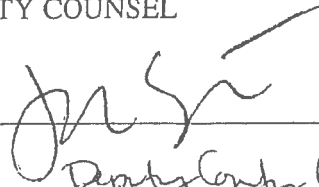
  
\_\_\_\_\_  
Chair of the Board of Supervisors

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

APPROVED AS TO FORM

COUNTY COUNSEL

By:


  
\_\_\_\_\_  
Deputy County Counsel

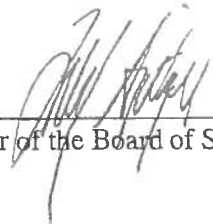
Date:

1/5/2015  
\_\_\_\_\_

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIR OF THE BOARD PER GC § 25103, RESO. 79-1535

**ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic**

  
By: Robin Stieler  
Susan Novak  
Clerk of the Board of Supervisors  
Orange County California

  
\_\_\_\_\_  
Chair of the Board of Supervisors

*SIGNATURES CONTINUE ON FOLLOWING PAGES*



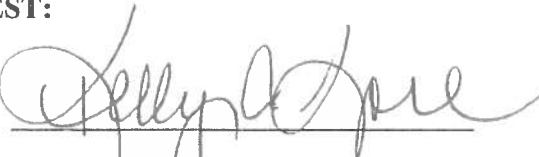
**ORANGE COUNTY SANITATION DISTRICT**

By: 

Name: Tom Beamish

Its: Board Chair

**ATTEST:**

By: 

Name: Kelly A. Lore

Its: Acting Clerk of the Board

**APPROVED AS TO FORM:**

LEWIS BRISBOIS BISGAARD & SMITH, LLP


By:   
Special Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT**

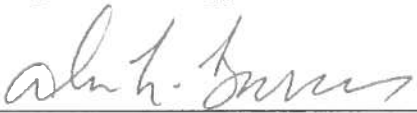
By:   
Michael Hearst  
District Manager

**ATTEST:**

By:   
Name: Allan P. Bonaldi

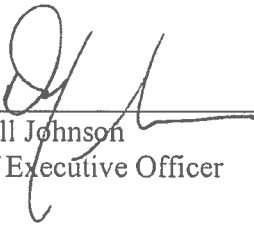
Its: Secretary

**APPROVED AS TO FORM:**

By:   
Alan R. Burns  
District Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

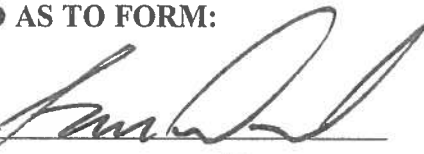
**ORANGE COUNTY TRANSPORTATION AUTHORITY, a public entity**

By:   
Darrell Johnson  
Chief Executive Officer

**ATTEST:**

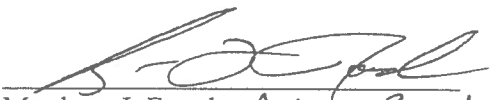
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**APPROVED AS TO FORM:**


By:   
Name: JAMES M. DONICH  
Its: GENERAL COUNSEL

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

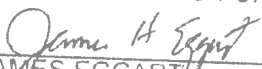
**GARDEN GROVE SANITARY DISTRICT, a subsidiary special district of the City of Garden Grove**

By:   
~~Matthew J. Ferial~~ Allan Roeder  
General Manager, Interim

**ATTEST:**

By:   
Kathleen Bailor  
Secretary

APPROVED AS TO FORM

  
JAMES EGGART  
Deputy City Attorney  
City of Garden Grove

DATED: 2-2-15

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**ORANGE COUNTY SUPERINTENDENT OF SCHOOLS**  
**On behalf of the Orange County Department of Education**

By: Wendy Benkert  
Wendy Benkert, Ed. D.  
Associate Superintendent for Business Services

**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_


Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: Ronald D. Wenkart  
Ronald D. Wenkart  
General Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**GARDEN GROVE UNIFIED SCHOOL DISTRICT**

By:   
Rick Nakano  
Assistant Superintendent Business Services

**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**APPROVED AS TO FORM:**


By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

*SIGNATURES CONTINUE ON FOLLOWING PAGE*

**RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT**

By:   
Peter J. Hardash  
Vice Chancellor Business Operations/Fiscal Services

**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES (F: A-116.15)

After staff's presentation, it was moved by Member Jones, seconded by Member Beard that:

The Compensation Agreement by and among the Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes be approved; and

The Interim General Manager be authorized to execute said agreement and make minor modifications as needed thereto.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan  
Noes: (0) None



**The City of Garden Grove  
and  
The Garden Grove Sanitation District**

**INTER-DEPARTMENT MEMORANDUM**

To: Allan L. Roeder  
From: Kathy Bailor

Dept: Interim City Manager  
Dept: City Clerk

Subject: APPROVAL OF A COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES

Date: January 27, 2015

THE INFORMATION ON THIS MATTER CAN BE FOUND IN THE CITY COUNCIL AGENDA PACKET ITEM NO. 7.A.

COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES  
(F: A-116.15)

It was moved by Council Member Jones, seconded by Council Member Phan that:

The Compensation Agreement by and among the Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes, be approved; and

The Interim City Manager be authorized to execute said agreement and make minor modifications as needed thereto.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan  
Noes: (0) None

**The City of Garden Grove  
and  
The Garden Grove Sanitation District**

**INTER-DEPARTMENT MEMORANDUM**

To: Allan L. Roeder  
From: Kingsley Okereke  
Dept: Interim City Manager  
Dept: Assistant City Manager  
Subject: APPROVAL OF A COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES

OBJECTIVE

The purpose of this report is to request that the City Council and the Garden Grove Sanitation District Board approve the Compensation Agreement (the "Agreement") with the Other Taxing Entities ("OTEs") regarding the transfer of the former JC Fandango Restaurant site and the nine parcels that comprise the Site C Hotel site (the "Sites") to the City for economic development purposes.

BACKGROUND

On February 1, 2012, redevelopment agencies in the state of California, including the Garden Grove Agency for Community Development (the "Former Agency"), were dissolved pursuant to Assembly Bill x1 26 (the "Dissolution Act"). As a result, the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") replaced the Former Agency for purposes of implementing the Dissolution Act and winding down the affairs of the Former Agency.

Assembly Bill 1484 ("AB 1484"), signed into law on June 27, 2012, amended the Dissolution Act and attempted to clarify and lay out processes to be followed regarding the wind down of redevelopment agencies including the disposition of the properties of the former agencies through the implementation of a Long Range Property Management Plan. Pursuant to AB 1484, the Successor Agency prepared its Long Range Property Management Plan ("LRPMP"), which has been approved by both the Oversight Board

APPROVAL OF A COMPENSATION AGREEMENT  
BY AND AMONG CERTAIN TAXING ENTITIES REGARDING  
THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES  
TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES  
January 27, 2015  
Page 2

and the California State Department of Finance ("DOF"), and has begun to implement the plan.

ANALYSIS

Staff has worked with all the taxing entities over the past several months to craft, vet and finalize the attached compensation agreement, which is acceptable to the City and all taxing entities. The taxing entities have scheduled said agreement for review and approval with their various boards and commissions. The Garden Grove Sanitary District is a taxing entity in this case, hence the request here for the Sanitary District board approval of the agreement.

Pursuant to AB 1484 and the approved LRPMP, the former JC Fandango Restaurant property and the Site C properties may be transferred to the City for economic development purposes subject to a Compensation Agreement being reached with the affected taxing entities on the attached list.

Pursuant to the Compensation Agreement, the former JC Fandango Restaurant property will be transferred to the City. Upon the sale of the property to the end user, the proceeds from the sale will be deposited into the Redevelopment Property Tax Trust Fund for distribution to the taxing entities. Similarly, the Site C Hotel Site parcels will be transferred to the City. However, those parcels will be then transferred to the developer of the Site C Hotel Project in accordance with the Grove District Resort Hotel Development Agreement for the development and construction of the Site C Hotel project. The increase in value of the property once the project is built will result in a significant increase of revenue to the taxing entities. The Agreement gives the City two years and a one-year extension to effect the transfer of the Site C properties to the developer.

FINANCIAL IMPACT

Upon the sale of the former JC Fandango site, the City and Sanitary District, as taxing entities, will receive their proportionate share of the disposition proceeds. Upon the disposition of the Site C properties to the Developer, it is estimated that it will take 18 to 24 months to complete the construction of the project, at which time the project site will be reassessed and taxed at its new valuation, generating new property tax revenue.

RECOMMENDATION

Staff recommends that the City Council:

- Approve the Compensation Agreement by and among the Other Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes and authorize the Interim City Manager to execute said agreement and make minor modifications as needed thereto.

APPROVAL OF A COMPENSATION AGREEMENT  
BY AND AMONG CERTAIN TAXING ENTITIES REGARDING  
THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES  
TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES  
January 27, 2015  
Page 3

Staff recommends that the Sanitary District:

- Approve the Compensation Agreement by and among the Other Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes and authorize the Interim General Manager to execute said agreement and make minor modifications as needed thereto.



KINGSLEY OKEREKE  
Assistant City Manager



By: Jim DellaLunga  
Senior Project Manager

Attachment 1: Compensation Agreement  
Attachment 2: Other Taxing Entity List

Recommended for Approval



Allan L. Roeder  
Interim City Manager

**Subject:** Re: Dof doc  
**From:** Grace Lee <gracel@ci.garden-grove.ca.us>  
**Date:** Wed, 1 Jun 2016 10:57:07 -0700 (PDT)  
**To:** Matt Reid <matt.reid@landanddesign.com>  
**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Here you go :)

Grace E. Lee  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

---

**From:** "Matt Reid" <matt.reid@landanddesign.com>  
**To:** "Grace Lee" <gracel@ci.garden-grove.ca.us>  
**Cc:** "Greg Blodgett" <greg1@ci.garden-grove.ca.us>  
**Sent:** Wednesday, June 1, 2016 10:56:17 AM  
**Subject:** Re: Dof doc

Didn't receive...please send again!

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 10:39 AM, Grace Lee <gracel@ci.garden-grove.ca.us> wrote:

Matt I sent it at 10:10 a.m.

Grace E. Lee  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

---

**From:** "Matt Reid" <matt.reid@landanddesign.com>  
**To:** "Grace Lee" <gracel@ci.garden-grove.ca.us>  
**Cc:** "Greg Blodgett" <greg1@ci.garden-grove.ca.us>

**Sent:** Wednesday, June 1, 2016 10:34:26 AM  
**Subject:** Dof doc

Please send that document ASAP!

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

**01272015 Compensation Agreement.pdf**

**Content-Type:** application/pdf

**Content-Encoding:** base64

Wed 1 June 2016  
10:57:07 - 0700

## AGREEMENT BIBLIOGRAPHY

Agreement With:	County of Orange; OC Flood Control District; OC Water District; OC Sanitation District; OC Vector Control District; OC Transportation Authority; City of Garden Grove; GG Sanitary District; OC Superintendent of Schools, on behalf of the OC Department of Education; GG Unified School District; and Rancho Santiago Community College District
Agreement Type:	Compensation Agreement regarding the transfer of certain Successor Agency properties to the City of Garden Grove for economic development purposes
Date Approved:	01 27 2015
Start Date:	01 01 2015
End Date:	01 01 2018
Contract Amount:	N/A
Comments:	Finance/Economic Development
Insurance Expiration:	N/A
Date Archived:	<b>ARCHIVED 07/09/2015</b>





**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

**Bao Nguyen**  
Mayor

**Steven R. Jones**  
Mayor Pro Tem

**Christopher V. Phan**  
Council Member

**Phat Bui**  
Council Member

**Kris Beard**  
Council Member

June 16, 2015

County of Orange  
Hall of Administration  
333 W. Santa Ana Boulevard  
Santa Ana, CA 92701

Attention: County Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member

June 16, 2015

Rancho Santiago Community College District  
2323 N. Broadway, Suite 410  
Santa Ana, CA 92706

Attention: Peter J. Hardash, Vice Chancellor Business Operations/Fiscal Services

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

Garden Grove Unified School District  
10331 Stanford Avenue  
Garden Grove, CA 92840

Attention: Rick Nakano, Assistant Superintendent Business Services

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

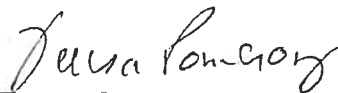
Orange County Department of Education  
200 Kalmus Drive  
Costa Mesa, CA 92626

Attention: Wendy Benkert, Ed.D., Associate Superintendent for Business  
Service

Enclosed is a Certified Copy of the Compensation Agreement by and among  
taxing entities from the City of Garden Grove for the transfer of the former JC  
Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

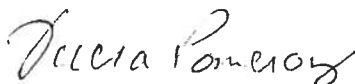
Orange County Transportation Authority  
P.O. Box 14184  
Orange, CA 92863-1584

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

  
By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

Orange County Vector Control District  
13001 Garden Grove Boulevard  
Garden Grove, CA 92843

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

Orange County Sanitation District  
10844 Ellis Avenue  
Fountain Valley, CA 92708

Attention: Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



**CITY OF GARDEN GROVE  
OFFICE OF THE CITY CLERK**

*Safeguard all official records of the City.  
Conduct municipal elections and oversee legislative administration.  
Provide reliable, accurate, and timely information to the  
City Council, staff, and the general public.*

June 16, 2015

County of Orange  
Hall of Administration  
333 W. Santa Ana Boulevard  
Santa Ana, CA 92701

Attention: County Clerk of the Board

Enclosed is a Certified Copy of the Compensation Agreement by and among taxing entities from the City of Garden Grove for the transfer of the former JC Fandango Restaurant site and nine parcels in the city of Garden Grove.

Sincerely,

Kathleen Bailor, CMC  
City Clerk

By: Teresa Pomeroy, CMC  
Deputy City Clerk

Enclosure

c: Finance Department

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member



## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "**City**"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "**Other Taxing Entities**" or "**OTEs**");

- \* *pu* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "**Party**" or a "**Taxing Entity**" and collectively may be referred to as the "**Parties**" or the "**Taxing Entities**."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "**Former Agency**") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "**Dissolution Act**").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "**Successor Agency**") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "**Oversight Board**").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "**Other Taxing Entities**" or "**OTEs**");

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "**Party**" or a "**Taxing Entity**" and collectively may be referred to as the "**Parties**" or the "**Taxing Entities**."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "**Former Agency**") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "**Dissolution Act**").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "**Successor Agency**") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "**Oversight Board**").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares



## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education; *MB*  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District, and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).


B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares

## COMPENSATION AGREEMENT

This Compensation Agreement (this "Agreement"), dated for reference purposes as of January 1, 2015, is entered into by and among the City of Garden Grove, a municipal corporation (the "City"), and the following local agencies and school districts, each of which is a taxing entity as defined by Health and Safety Code section 34171(k) (collectively, the "Other Taxing Entities" or "OTEs"):

- \* County of Orange;  
Orange County Flood Control District;  
Orange County Water District;  
Orange County Sanitation District;  
Orange County Vector Control District;  
Orange County Transportation Authority;  
Garden Grove Sanitary District;  
Orange County Superintendent of Schools, on behalf of the Orange County Department of Education;  
Garden Grove Unified School District; and  
Rancho Santiago Community College District.
- \*By initialing next to its name, each Party concurs with the removal of Orange County Water District as a Party to this Agreement.
-  3/6/15

In this Agreement, the City and the OTEs may each separately be referred to as a "Party" or a "Taxing Entity" and collectively may be referred to as the "Parties" or the "Taxing Entities."

### RECITALS

A. Prior to February 1, 2012, the Garden Grove Agency for Community Development (herein referred to as the "Former Agency") was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).

B. Assembly Bill x1 26, chaptered and effective June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the "Dissolution Act").

C. As of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act, and the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") implements the Dissolution Act subject to the review and approval by a seven-member Oversight Board (the "Oversight Board").

D. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares



of the base property tax, as determined by Health and Safety Code Section 34188, for the value of property retained.

E. Pursuant to Health and Safety Code Section 34191.5(b), upon the Successor Agency's receipt of a "Finding of Completion" from the California Department of Finance pursuant to Health and Safety Code Section 34179.7, the Successor Agency is required to prepare a long-range property management plan ("**LRPMP**") to address the use and disposition of the Former Agency's real property assets. If approved by the Oversight Board and the Department of Finance, the LRPMP may provide for, among other things, the retention of such property for future development and/or transfer of such property to the City for such purposes. Pursuant to Health and Safety Code section 34191.3, the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the Former Agency.

F. On May 15, 2013, pursuant to Health and Safety Code Section 34179.7, the Successor Agency received a Finding of Completion from the Department of Finance.

G. On May 29, 2013, pursuant to Health and Safety Code Section 34191.5, the Successor Agency submitted a LRPMP, approved by the Oversight Board, to the Department of Finance. On December 11, 2013, the Successor Agency submitted a revised LRPMP, approved by the Oversight Board, to the Department of Finance. The revised LRPMP provides for the transfer of certain properties from the Successor Agency to the City for future development pursuant to Health and Safety Code Sections 34191.5(c)(2)(A) and 34191.5(c)(2)(B). These properties comprise two sites referred to respectively in the LRPMP and this Agreement as "**Site C**" and the "**Vacant Restaurant Property**," which are more completely described below.

H. In response to a written request by the Department of Finance made in connection with its review of the revised LRPMP, on February 25, 2014, the Oversight Board adopted Resolution No. 31-14 approving certain revisions to the LRPMP. Resolution No. 31-14 provides that the Successor Agency will verify that compensation agreements between the City and the other taxing entities are in place and executed prior to the transfer of Site C and the Vacant Restaurant Property to the City.

I. On March 7, 2014, the Department of Finance approved the revised LRPMP, as revised pursuant to Oversight Board Resolution No. 31-14.

J. Site C consists of several generally contiguous parcels on or near Harbor Boulevard within the City's resort district, which are entitled for the development and operation of a resort hotel, retail, and entertainment project. The property comprising Site C is subject to that certain Grove District Resort Hotel Development Agreement between the City and Land & Design, Inc., or any approved affiliate, assignee or successor thereto permitted by the Agreement (the "**Developer**"), dated April 9, 2013 (the "**Site C Agreement**"), providing for the development and operation of a project on Site C generally consisting of a combination of hotels, retail, restaurant, and entertainment venues, and related parking facilities. Pursuant to the Site C Agreement, the Developer is required to construct and operate the entitled resort hotel project in consideration for the City providing specified economic assistance necessary to fund the economic feasibility gap of the project, including conveyance of Site C to the Developer at no

cost. In conjunction with its approval of the Site C Agreement, the City Council considered an economic evaluation of the proposed project prepared by Horwath HTL, LLC, which concluded that the project's development costs compared to the estimated income and development values reasonably expected from the project generates a negative residual land value, or financial feasibility gap, of approximately \$31.5 million, inclusive of City assistance in the form of conveyance of Site C at no cost to Developer. The Parties anticipate that the development and operation of the project pursuant to the Site C Agreement will result in significant additional future property tax revenue to the Taxing Entities, the net present value of which is no less than what would otherwise be distributed to the Taxing Entities pursuant to Health and Safety Code Section 34180(f) if not for the development and operation of the project pursuant to the Site C Agreement.

K. The Vacant Restaurant Property, which is located at 12361 Chapman Avenue in the City of Garden Grove, and currently identified as Assessor's Parcel No. 233-171-23, is comprised of a 20,908 square foot parcel containing a 10,800 square foot building that formerly housed a restaurant. Upon transfer to the City, the City intends to continue to market the Vacant Restaurant Property for sale to a restaurant operator in accordance with Government Code Section 52201.

L. The Parties intend by this Agreement to satisfy the provisions of the approved LRPMP, Oversight Board Resolution No. 31-14, and Health and Safety Code Section 34180(f), and to provide for payment to the Taxing Entities of their proportionate shares of the net proceeds, if any, to be received by the City in connection with the future disposition of Site C and the Vacant Restaurant Property by the City.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual promises contained in this Agreement, the Parties agree as follows:

#### AGREEMENT

1. Incorporation of Recitals. The foregoing recitals are true and correct and hereby incorporated herein by reference.

2. Definitions. The following definitions shall apply in this Agreement:

(a) "**Disposition Proceeds**" means the net proceeds, if any, actually received by the City in exchange for the conveyance of fee title or a leasehold interest in Site C and/or the Vacant Restaurant Property. For purposes of this definition, the term "net proceeds" shall mean sales proceeds paid by a buyer directly to City or into escrow, minus sums paid or withheld by escrow for broker and/or agent sales commissions, closing costs, escrow fees, title insurance premiums, applicable taxes, and any other similar fees and costs customarily allocated to the seller of commercial property. The Disposition Proceeds represent the Parties' agreed-upon value of Site C and the Vacant Restaurant Property pursuant to Health and Safety Code Section 34180(f).

(b) **"Each Taxing Entity's Proportionate Share of the Disposition Proceeds"** means each Taxing Entity's proportionate share of the Disposition Proceeds, as determined pursuant to Health and Safety Code Section 34188.

3. Compensation Agreement. This Agreement constitutes a "compensation agreement" between the City and the Other Taxing Entities within the meaning of Health and Safety Code Section 34180(f).

4. Disposition of Site C and Vacant Restaurant Property by City.

(a) Disposition of the Vacant Restaurant Property. The City shall use best efforts to market and expeditiously dispose of the Vacant Restaurant Property and shall comply with all applicable law, including, to the extent applicable, Government Code Section 52201. Unless otherwise mutually agreed by all of the Taxing Entities through an amendment to this Agreement, if the City's disposition of the Vacant Restaurant Property occurs after January 1, 2018, or such other date mutually agreed upon amongst the Parties, such disposition shall be at no less than fair market value, as presently zoned, as determined by an appraisal performed by an appraiser mutually acceptable to all of the Parties. In the event that the City disposes of the Vacant Restaurant Parcel for nominal or no consideration, Parties shall have an appraisal performed by a mutually agreed upon appraiser, at the City's cost, to determine the appraised value of the Vacant Restaurant Parcel and the City shall remit an amount equal to the appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition Proceeds. In the event a rezoning of the Vacant Restaurant Property, or its surrounding area, results in a higher market value of the Property, the Parties acknowledge and agree that the higher market value shall apply for purposes of appraising the value of same and remitting an amount equal such appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition Proceeds.

(b) Disposition of Site C.

(i) The City's disposition of Site C shall comply with all applicable law, including, to the extent applicable, Government Code Section 52201.

(ii) City may convey Site C to the Developer pursuant to the Site C Agreement.

(iii) City represents that it intends to convey Site C to the Developer pursuant to the Site C Agreement. The Parties acknowledge and understand, however, that City's conveyance of Site C to the Developer pursuant to the Site C Agreement is subject to certain conditions precedent. If, due to a failure of a condition precedent or for any other reason, the City does not convey Site C to the Developer pursuant to the Site C Agreement and the Site C Agreement is terminated, then City shall use best efforts to market and expeditiously dispose of Site C to another developer for development and operation of a similar resort hotel, retail, and entertainment project on

Site C by January 1, 2018. In the event the Site C Agreement is terminated and the City has failed to successfully market and dispose of Site C as aforementioned, the City shall, upon mutual agreement amongst the Parties, be granted an additional year to dispose of Site C. If the Site C, however, is not disposed by either January 1, 2018 or the aforementioned extension of time, if applicable, the Parties shall have an appraisal of Site C performed by a mutually agreed upon appraiser, at the City's cost, to determine the value of Site C and expeditiously market and sell the property using the appraised value of the Site C. Upon sale of Site C, the City shall remit the Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution of Each Taxing Entity's Proportionate Share of the Disposition Proceeds. In the event that the City disposes of Site C, after January 1, 2018, or the aforementioned extension of time, if applicable, for nominal or no consideration, Parties shall have an appraisal performed by a mutually agreed upon appraiser, at the City's cost, to determine the appraised value of Site C and the City shall remit an amount equal to the appraised value to the Orange County Auditor-Controller for determination and distribution of the Each Taxing Entity's Proportionate Share of the Disposition.

- (iv) If, for any reason, fee title to all or a portion of Site C reverts to or is re-vested in the City following conveyance of Site C to the Developer pursuant to the Site C Agreement, but prior to completion of Grove District Resort Hotel Development more particularly described in the Site C Agreement, then, subject to the then existing rights, if any, of third parties, City shall use best efforts to market and expeditiously dispose of such portion of Site C to another developer for development and operation of a similar resort hotel, retail, and entertainment project on Site C by January 1, 2018. In the event of such reversion or re-vesting of fee title to Site C to the City, and the City has not disposed of Site C to another developer as provided in the foregoing sentence within three (3) years after the date of such reversion or re-vesting, then the City shall, upon agreement amongst the Parties, be granted an additional year to dispose of the property. If the Site C, however, is not disposed at the end of the aforementioned three (3) year period, or the aforementioned extension of time, if applicable, the Parties shall have an appraisal of Site C performed by a mutually agreed upon appraiser, at the City's cost, to determine the value of Site C and expeditiously market and sell the property using the appraised value of the Site C. Upon sale of Site C, the City shall remit the Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution of Each Taxing Entity's Proportionate Share of the Disposition Proceeds. Unless otherwise mutually agreed by all of the Taxing Entities through an amendment to this Agreement, if City conveys any re-vested portion of Site C for any purpose other than for development and operation of a similar resort hotel, retail, and entertainment project on Site C, then such conveyance shall be at no less

than fair market value, as determined by an appraisal performed by an appraiser mutually acceptable to all of the Parties.

- (v) The Parties acknowledge that, upon mutual agreement, this Subsection (b) may be amended to allot the City additional time to dispose of Site C.

5. Payment of Proportionate Share of Disposition Proceeds to Taxing Entities. Within fifteen business (15) days after the City receives Disposition Proceeds, if any, in conjunction with the disposition of either Site C or the Vacant Restaurant Parcel, the City shall remit such Disposition Proceeds to the Orange County Auditor-Controller for determination and distribution to the Taxing Entities of Each Taxing Entity's Proportionate Share of the Disposition Proceeds.

6. Time. Time is of the essence in the performance of this Agreement.

7. Limitation of Liability of Other Taxing Entities to City. The OTEs shall not be liable to the City, and the City hereby waives and discharges all claims against the OTEs, for any and all liability, demands, claims, costs, losses, injuries, damages, recoveries, settlements, and expenses (collectively, "Claims") resulting from, or in any way connected with or incidental to, the transfer of title of Site C and/or the Vacant Restaurant Property to the City or the City's management of the Site C and the Vacant Restaurant Property during the term of this Agreement, no matter how caused. This provision shall survive any termination of this Agreement.

8. Indemnification of OTEs by City for Third Party Claims. The City shall indemnify, defend, and hold harmless each OTE and its officers, agents, and employees, from and against any Claims arising out of or related to this Agreement made by the California Department of Finance, the State Controller, and/or any third party not a party to this Agreement.

9. Attorney's Fees. In any action between the Parties to enforce or interpret any of the terms of this Agreement, each Party shall bear its own attorneys' fees and costs.

10. Governing Law. This Agreement shall be governed by, and construed and enforced in accordance with, the internal laws of the State of California, without regard to conflict of law principles.

11. Entire Agreement. This Agreement contains the entire agreement between the Parties respecting the matters set forth herein, and supersedes all prior agreements between the Parties respecting such matters.

12. Non-liability of Officials and Employees of Parties. No member, official, or employee of any Party shall be personally liable to any other Party, or any successor in interest, in the event of any default or breach of this Agreement or for any amount which may become due hereunder, or on any obligation under the terms of this Agreement.

13. Successors and Assigns. All the terms, provisions and conditions of the Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors, assigns and legal representatives.

14. No Third Party Beneficiaries. No person or entity other than the Taxing Entities, and the permitted successors and assigns of each of them, shall be authorized to enforce the provisions of this Agreement.

15. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had not been contained herein.

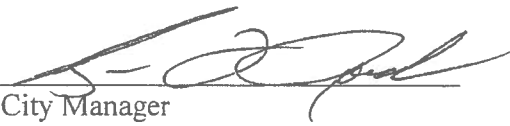
16. No Waiver. No waiver of any term or condition of this Agreement will be a continuing waiver.

17. Counterparts. This Agreement may be executed in counterparts, each of which so executed shall, irrespective of the date of its execution and delivery, be deemed an original, and all such counterparts together shall constitute one and the same instrument. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon provided such signature page is attached to any other counterpart identical thereto having additional signature pages executed by the other Parties. Any executed counterpart of this Agreement may be delivered to the other Parties facsimile or electronic mail and shall be deemed as binding as if an originally signed counterpart was delivered.


*SIGNATURES ON FOLLOWING PAGES*

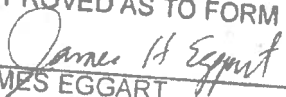
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by their duly authorized representatives indicated below.

**CITY OF GARDEN GROVE, a municipal corporation**

By:   
City Manager

**ATTEST:**

By:   
Kathleen Bailor  
City Clerk

APPROVED AS TO FORM  
  
JAMES EGGART  
Deputy City Attorney  
City of Garden Grove  
DATED: 2-2-15

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

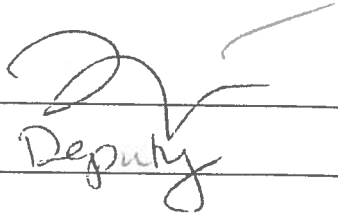
The undersigned signatory hereby executes this Agreement on behalf of the County of Orange and each of the following entities and/or funds:

**ORANGE COUNTY GENERAL FUND  
ORANGE COUNTY PUBLIC LIBRARY  
O.C. HARBORS BEACHES AND PARKS CSA 26  
EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF)**

APPROVED AS TO FORM

COUNTY COUNSEL

By:

  
\_\_\_\_\_  
Deputy

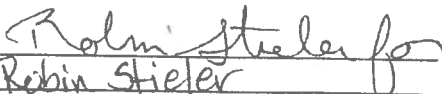
Date:

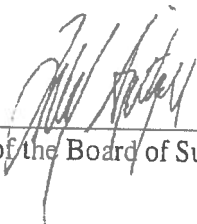
1/5/2015  
\_\_\_\_\_

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIR OF THE BOARD PER GC § 25103, RESO. 79-1535

**COUNTY OF ORANGE, a political  
subdivision of the State of California**



  
By: Robin Stieler  
Susan Novak  
Clerk of the Board of Supervisors  
Orange County California

  
\_\_\_\_\_  
Chair of the Board of Supervisors

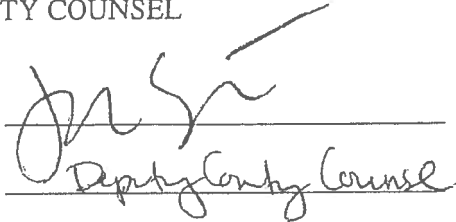
*SIGNATURES CONTINUE ON FOLLOWING PAGES*



APPROVED AS TO FORM

COUNTY COUNSEL

By:


  
Deputy County Counsel

Date:

1/5/2015

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIR OF THE BOARD PER GC § 25103, RESO. 79-1535

ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic

  
By: Robin Stieler  
Susan Novak  
Clerk of the Board of Supervisors  
Orange County California

  
Chair of the Board of Supervisors

SIGNATURES CONTINUE ON FOLLOWING PAGES

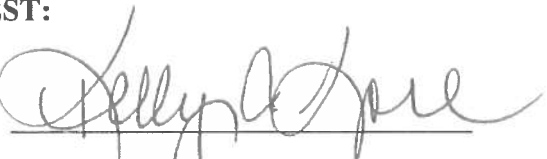
**ORANGE COUNTY SANITATION DISTRICT**

By: 

Name: Tom Beamish

Its: Board Chair

**ATTEST:**

By: 

Name: Kelly A. Lore

Its: Acting Clerk of the Board

**APPROVED AS TO FORM:**

LEWIS BRISBOIS BISGAARD & SMITH, LLP


By:   
Special Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT**

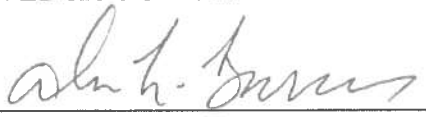
By:   
Michael Hearst  
District Manager

**ATTEST:**

By:   
Name: Allison Bonaldi

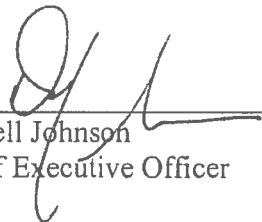
Its: Secretary

**APPROVED AS TO FORM:**

By:   
Alan R. Burns  
District Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**ORANGE COUNTY TRANSPORTATION AUTHORITY, a public entity**

By:   
Darrell Johnson  
Chief Executive Officer

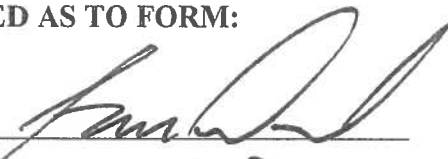
**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_


Its: \_\_\_\_\_

**APPROVED AS TO FORM:**


By:   
Name: JAMES M. DONICH  
Its: GENERAL COUNSEL

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

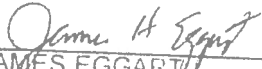
**GARDEN GROVE SANITARY DISTRICT, a subsidiary special district of the City of Garden Grove**

By:   
~~Matthew J. Fernal~~ Allan Roeder  
General Manager, Interim

**ATTEST:**

By:   
Kathleen Bailor  
Secretary

APPROVED AS TO FORM

  
JAMES EGGART  
Deputy City Attorney  
City of Garden Grove

DATED: 2-2-15

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**ORANGE COUNTY SUPERINTENDENT OF SCHOOLS**  
**On behalf of the Orange County Department of Education**

By: Wendy Benkert  
Wendy Benkert, Ed. D.  
Associate Superintendent for Business Services

**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_


Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: Ronald D. Wenkart  
Ronald D. Wenkart  
General Counsel

*SIGNATURES CONTINUE ON FOLLOWING PAGES*

**GARDEN GROVE UNIFIED SCHOOL DISTRICT**

By:   
Rick Nakano  
Assistant Superintendent Business Services

**ATTEST:**


By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

*SIGNATURES CONTINUE ON FOLLOWING PAGE*

**RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT**

By:   
Peter J. Hardash  
Vice Chancellor Business Operations/Fiscal Services

**ATTEST:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_



COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES  
(F: A-116.15)

After staff's presentation, it was moved by Member Jones, seconded by Member Beard that:

The Compensation Agreement by and among the Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes be approved; and

The Interim General Manager be authorized to execute said agreement and make minor modifications as needed thereto.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan  
Noes: (0) None

**The City of Garden Grove  
and  
The Garden Grove Sanitation District**

**INTER-DEPARTMENT MEMORANDUM**

To: Allan L. Roeder  
From: Kathy Bailor

Dept: Interim City Manager  
Dept: City Clerk

Subject: APPROVAL OF A COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES

Date: January 27, 2015

THE INFORMATION ON THIS MATTER CAN BE FOUND IN THE CITY COUNCIL AGENDA PACKET ITEM NO. 7.A.

COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES (F: A-116.15)

It was moved by Council Member Jones, seconded by Council Member Phan that:

The Compensation Agreement by and among the Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes, be approved; and

The Interim City Manager be authorized to execute said agreement and make minor modifications as needed thereto.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan  
Noes: (0) None

**The City of Garden Grove  
and  
The Garden Grove Sanitation District**

**INTER-DEPARTMENT MEMORANDUM**

To: Allan L. Roeder  
From: Kingsley Okereke  
Dept: Interim City Manager  
Dept: Assistant City Manager  
Subject: APPROVAL OF A COMPENSATION AGREEMENT BY AND AMONG TAXING ENTITIES (COUNTY OF ORANGE; OC FLOOD CONTROL DISTRICT; OC WATER DISTRICT; OC SANITATION DISTRICT; OC VECTOR CONTROL DISTRICT; OC TRANSPORTATION AUTHORITY; CITY OF GARDEN GROVE; GG SANITARY DISTRICT; OC SUPERINTENDENT OF SCHOOLS, ON BEHALF OF THE OC DEPARTMENT OF EDUCATION; GG UNIFIED SCHOOL DISTRICT; AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT) REGARDING THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES

**OBJECTIVE**

The purpose of this report is to request that the City Council and the Garden Grove Sanitation District Board approve the Compensation Agreement (the "Agreement") with the Other Taxing Entities ("OTEs") regarding the transfer of the former JC Fandango Restaurant site and the nine parcels that comprise the Site C Hotel site (the "Sites") to the City for economic development purposes.

**BACKGROUND**

On February 1, 2012, redevelopment agencies in the state of California, including the Garden Grove Agency for Community Development (the "Former Agency"), were dissolved pursuant to Assembly Bill x1 26 (the "Dissolution Act"). As a result, the City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development (the "Successor Agency") replaced the Former Agency for purposes of implementing the Dissolution Act and winding down the affairs of the Former Agency.

Assembly Bill 1484 ("AB 1484"), signed into law on June 27, 2012, amended the Dissolution Act and attempted to clarify and lay out processes to be followed regarding the wind down of redevelopment agencies including the disposition of the properties of the former agencies through the implementation of a Long Range Property Management Plan. Pursuant to AB 1484, the Successor Agency prepared its Long Range Property Management Plan ("LRPMP"), which has been approved by both the Oversight Board

APPROVAL OF A COMPENSATION AGREEMENT  
BY AND AMONG CERTAIN TAXING ENTITIES REGARDING  
THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES  
TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES

January 27, 2015

Page 2

and the California State Department of Finance ("DOF"), and has begun to implement the plan.

ANALYSIS

Staff has worked with all the taxing entities over the past several months to craft, vet and finalize the attached compensation agreement, which is acceptable to the City and all taxing entities. The taxing entities have scheduled said agreement for review and approval with their various boards and commissions. The Garden Grove Sanitary District is a taxing entity in this case, hence the request here for the Sanitary District board approval of the agreement.

Pursuant to AB 1484 and the approved LRPMP, the former JC Fandango Restaurant property and the Site C properties may be transferred to the City for economic development purposes subject to a Compensation Agreement being reached with the affected taxing entities on the attached list.

Pursuant to the Compensation Agreement, the former JC Fandango Restaurant property will be transferred to the City. Upon the sale of the property to the end user, the proceeds from the sale will be deposited into the Redevelopment Property Tax Trust Fund for distribution to the taxing entities. Similarly, the Site C Hotel Site parcels will be transferred to the City. However, those parcels will be then transferred to the developer of the Site C Hotel Project in accordance with the Grove District Resort Hotel Development Agreement for the development and construction of the Site C Hotel project. The increase in value of the property once the project is built will result in a significant increase of revenue to the taxing entities. The Agreement gives the City two years and a one-year extension to effect the transfer of the Site C properties to the developer.

FINANCIAL IMPACT

Upon the sale of the former JC Fandango site, the City and Sanitary District, as taxing entities, will receive their proportionate share of the disposition proceeds. Upon the disposition of the Site C properties to the Developer, it is estimated that it will take 18 to 24 months to complete the construction of the project, at which time the project site will be reassessed and taxed at its new valuation, generating new property tax revenue.

RECOMMENDATION

Staff recommends that the City Council:

- Approve the Compensation Agreement by and among the Other Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes and authorize the Interim City Manager to execute said agreement and make minor modifications as needed thereto.

APPROVAL OF A COMPENSATION AGREEMENT  
BY AND AMONG CERTAIN TAXING ENTITIES REGARDING  
THE TRANSFER OF CERTAIN SUCCESSOR AGENCY PROPERTIES  
TO THE CITY OF GARDEN GROVE FOR ECONOMIC DEVELOPMENT PURPOSES  
January 27, 2015  
Page 3

Staff recommends that the Sanitary District:

- Approve the Compensation Agreement by and among the Other Taxing Entities regarding the transfer of the Successor Agency owned former Fandango Restaurant parcel and the parcels that comprise the Site C Hotel site to the City for economic development purposes and authorize the Interim General Manager to execute said agreement and make minor modifications as needed thereto.



KINGSLEY OKEREKE  
Assistant City Manager



By: Jim DellaLunga  
Senior Project Manager

Attachment 1: Compensation Agreement  
Attachment 2: Other Taxing Entity List

Recommended for Approval



Allan L. Roeder  
Interim City Manager

2pm call today

**Subject:** 2pm call today

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 10:57:43 -0700

**To:** lisak@ci.garden-grove.ca.us, Greg Blodgett <greg1@ci.garden-grove.ca.us>

Does this work for a call today?

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

**Subject:** Re: Dof doc  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 1 Jun 2016 11:07:54 -0700  
**To:** Grace Lee <gracel@ci.garden-grove.ca.us>  
**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Thanks!!

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 10:57 AM, Grace Lee <gracel@ci.garden-grove.ca.us> wrote:

Here you go :)

Grace E. Lee  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

---

**From:** "Matt Reid" <matt.reid@landanddesign.com>  
**To:** "Grace Lee" <gracel@ci.garden-grove.ca.us>  
**Cc:** "Greg Blodgett" <greg1@ci.garden-grove.ca.us>  
**Sent:** Wednesday, June 1, 2016 10:56:17 AM  
**Subject:** Re: Dof doc

Didn't receive...please send again!

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 10:39 AM, Grace Lee <gracel@ci.garden-grove.ca.us> wrote:



Matt I sent it at 10:10 a.m.

**Grace E. Lee**  
Sr. Economic Development Specialist  
City of Garden Grove | Economic Development Division  
11222 Acacia Parkway, Garden Grove, CA 92840  
Tel. 714.741.5130 | Fax (714) 741-5205

---

**From:** "Matt Reid" <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>  
**To:** "Grace Lee" <[gracel@ci.garden-grove.ca.us](mailto:gracel@ci.garden-grove.ca.us)>  
**Cc:** "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>  
**Sent:** Wednesday, June 1, 2016 10:34:26 AM  
**Subject:** Dof doc

Please send that document ASAP!

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
[3755 Avocado Blvd | #516 | LaMesa, CA 91942](#)  
[858.735.1858 cell](#)  
Skype - [matthew.reid.ca](#)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

<01272015 Compensation Agreement.pdf>

**Subject:** Re: Matt Reid RHDA

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 11:21:50 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

Everyone on our side is booked past 3pm today. Is it possible to have this at 2.30pm?

Sent from my iPad Pro

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** www.landanddesign.com

On Jun 1, 2016, at 11:18 AM, Greg Blodgett <greg1@ci.garden-grove.ca.us> wrote:

The following is a new meeting request:

Subject: Matt Reid RHDA

Organizer: "Greg Blodgett" <greg1@ci.garden-grove.ca.us>

Location:

Time: Wednesday, June 1, 2016, 3:30:00 PM - 4:00:00 PM GMT -08:00 US/Canada Pacific

Invitees: greg1@ch.ci.garden-grove.ca.us; lisak@ci.garden-grove.ca.us; matt.reid@landanddesign.com; gracel@ci.garden-grove.ca.us; jamese@ci.garden-grove.ca.us

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

**Subject:** Re: Matt Reid RHDA

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 13:18:47 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

Please let me know if this is possible...

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 11:21 AM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Everyone on our side is booked past 3pm today. Is it possible to have this at 2.30pm?

Sent from my iPad Pro

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 11:18 AM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

The following is a new meeting request:

Subject: Matt Reid RHDA

Organizer: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>

Location:

Time: Wednesday, June 1, 2016, 3:30:00 PM - 4:00:00 PM GMT -08:00 US/Canada Pacific

Invitees: [greg1@ch.ci.garden-grove.ca.us](mailto:greg1@ch.ci.garden-grove.ca.us); [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us);  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com); [gracel@ci.garden-grove.ca.us](mailto:gracel@ci.garden-grove.ca.us); [jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

**Subject:** Re: Matt Reid RHDA

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 13:48:26 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

Just sent out meeting invite and call in information for 2.30pm (PDT).

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

Check out our new website www.landanddesign.com

On Jun 1, 2016, at 11:18 AM, Greg Blodgett <greg1@ci.garden-grove.ca.us> wrote:

The following is a new meeting request:

Subject: Matt Reid RHDA

Organizer: "Greg Blodgett" <greg1@ci.garden-grove.ca.us>

Location:

Time: Wednesday, June 1, 2016, 3:30:00 PM - 4:00:00 PM GMT -08:00 US/Canada Pacific

Invitees: greg1@ch.ci.garden-grove.ca.us; lisak@ci.garden-grove.ca.us; matt.reid@landanddesign.com; gracel@ci.garden-grove.ca.us; jamese@ci.garden-grove.ca.us

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

**Subject:** RE: Matt Reid RHDA

**From:** "James H. Eggart" <JEggart@wss-law.com>

**Date:** Wed, 1 Jun 2016 20:49:51 +0000

**To:** Matt Reid <matt.reid@landanddesign.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

Matt,

I didn't get it. Could you sent it to me again?

	<p><b>James H. Eggart, Esq.</b> Woodruff Spradlin &amp; Smart (714) 415-1062 Direct Dial (714) 865-4853 Mobile (714) 415-1162 Direct Fax JEggart@wss-law.com</p> <p>555 Anton Boulevard, Suite 1200 Costa Mesa, CA 92626-7670 <a href="http://www.wss-law.com">http://www.wss-law.com</a></p>
---	---

CONFIDENTIALITY NOTICE – This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone at (714) 415-1062 or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

---

**From:** Matt Reid [mailto:matt.reid@landanddesign.com]

**Sent:** Wednesday, June 01, 2016 1:48 PM

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**Cc:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>; Lisa Kim <lisak@ci.garden-grove.ca.us>; Grace Lee <gracel@ci.garden-grove.ca.us>; James Eggart <jamese@ci.garden-grove.ca.us>

**Subject:** Re: Matt Reid RHDA

Just sent out meeting invite and call in information for 2.30pm (PDT).

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 11:18 AM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

The following is a new meeting request:

Subject: Matt Reid RHDA

Organizer: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>

Location:

Time: Wednesday, June 1, 2016, 3:30:00 PM - 4:00:00 PM GMT -08:00 US/Canada Pacific

Invitees: [greg1@ch.ci.garden-grove.ca.us](mailto:greg1@ch.ci.garden-grove.ca.us); [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us);  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com); [gracel@ci.garden-grove.ca.us](mailto:gracel@ci.garden-grove.ca.us); [jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

**Subject:** Re: Matt Reid RHDA

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 13:54:12 -0700

**To:** James Eggart <JEggart@wss-law.com>

**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Grace Lee <gracel@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

Sent again to your garden grove email...

Call is at 2.30pm (PDT)

Call in: **712.775.7300**

Code: **764078#**

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 1:49 PM, James H. Eggart <JEggart@wss-law.com> wrote:

Matt,

I didn't get it. Could you sent it to me again?

<image001.jpg>

CONFIDENTIALITY NOTICE – This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone at (714) 415-1062 or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

---

**From:** Matt Reid [<mailto:matt.reid@landanddesign.com>]

**Sent:** Wednesday, June 01, 2016 1:48 PM

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**Cc:** Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>; Lisa Kim <lisak@ci.garden-grove.ca.us>; Grace Lee <gracel@ci.garden-grove.ca.us>; James Eggart <jamese@ci.garden-grove.ca.us>

**Subject:** Re: Matt Reid RHDA



Just sent out meeting invite and call in information for 2.30pm (PDT).  
Thanks

**Matthew Reid**

Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 11:18 AM, Greg Blodgett <[gregl@ci.garden-grove.ca.us](mailto:gregl@ci.garden-grove.ca.us)> wrote:

The following is a new meeting request:

Subject: Matt Reid RHDA

Organizer: "Greg Blodgett" <[gregl@ci.garden-grove.ca.us](mailto:gregl@ci.garden-grove.ca.us)>

Location:

Time: Wednesday, June 1, 2016, 3:30:00 PM - 4:00:00 PM GMT -08:00 US/Canada Pacific

Invitees: [gregl@ch.ci.garden-grove.ca.us](mailto:gregl@ch.ci.garden-grove.ca.us); [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us); [matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com); [gracel@ci.garden-grove.ca.us](mailto:gracel@ci.garden-grove.ca.us); [jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

Re:

**Subject:** Re:

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 15:03:23 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

no yet. awaiting my attorney to give me a version that can be shared with you.

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 2:55 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Did us have a chance to send the assignment agreement

Sent from my iPhone

quick call?

**Subject:** quick call?

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 1 Jun 2016 15:41:02 -0700

**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>

Are you available for a quick call?

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

Re: Phone Call?

**Subject:** Re: Phone Call?  
**From:** Scott Stiles <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)>  
**Date:** Wed, 1 Jun 2016 21:33:02 -0700 (PDT)  
**To:** Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>

Sure.

Scott C. Stiles, ICMA-CM  
City Manager / City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840  
714-741-5100 (o) / 714-719-1810 (c)  
[www.ci.garden-grove.ca.us](http://www.ci.garden-grove.ca.us)

Sent from my iPhone

On Jun 1, 2016, at 7:42 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

I'll call you in the am if that's ok.

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

On Jun 1, 2016, at 6:09 PM, Scott Stiles <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)> wrote:

Matt: just left you a message. Call my cell tonight or tomorrow if convenient. Scott

**Scott C. Stiles, ICMA-CM**  
City Manager / City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840  
714-741-5100 (o) / 714-719-1810 (c)  
[www.ci.garden-grove.ca.us](http://www.ci.garden-grove.ca.us)

---

**From:** "Matthew Reid" <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)>  
**To:** "Scott C. Stiles" <[ssstiles@ci.garden-grove.ca.us](mailto:ssstiles@ci.garden-grove.ca.us)>  
**Sent:** Wednesday, June 1, 2016 5:37:41 PM  
**Subject:** Phone Call?

Do you have time for a phone call?

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 **cell**

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

**Subject:** Re: Matt Reid SCG

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Thu, 2 Jun 2016 14:54:05 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** Lisa Kim <lisak@ci.garden-grove.ca.us>, "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Greg Blodgett <greg1@ch.ci.garden-grove.ca.us>

My apologies, we are trying to communicate with people in China (which at the moment is 5.50am)... We don't have confirmation from Winfred on a 5pm conference call.

As soon as I have it, I'll let you know.

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

On Jun 2, 2016, at 10:24 AM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

I'm awaiting confirmation with Winfred...

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 2, 2016, at 10:11 AM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

The following meeting has been modified:

Subject: Matt Reid SCG

Organizer: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>

Location: CH3\_City\_Manager [MODIFIED]

Time: Thursday, June 2, 2016, 5:00:00 PM - 5:30:00 PM GMT -08:00 US/Canada Pacific

Invitees: [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us); [sstiles@ci.garden-grove.ca.us](mailto:sstiles@ci.garden-grove.ca.us); [greg1@ch.ci.garden-grove.ca.us](mailto:greg1@ch.ci.garden-grove.ca.us); [matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>

**Subject:** Re: Matt Reid- Gensler  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Fri, 3 Jun 2016 16:29:33 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

What is this?

**Matthew Reid**  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
matt.reid@landanddesign.com

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 3, 2016, at 4:20 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

The following meeting has been modified:

Subject: Matt Reid- Gensler [MODIFIED]  
Organizer: "Greg Blodgett" <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)>

Location: [MODIFIED]  
Time: Monday, May 30, 2016, 10:00:00 AM - 10:00:00 AM GMT -08:00 US/Canada Pacific  
[MODIFIED]

Invitees: [jamese@ci.garden-grove.ca.us](mailto:jamese@ci.garden-grove.ca.us); [karlh@ci.garden-grove.ca.us](mailto:karlh@ci.garden-grove.ca.us); [danc@ci.garden-grove.ca.us](mailto:danc@ci.garden-grove.ca.us);  
[lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us); [gracel@ci.garden-grove.ca.us](mailto:gracel@ci.garden-grove.ca.us); [toms@ci.garden-grove.ca.us](mailto:toms@ci.garden-grove.ca.us);  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

\*~\*~\*~\*~\*~\*~\*~\*~\*~\*

<meeting.ics>



**Subject:** City Council Meetings?

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Mon, 6 Jun 2016 13:17:01 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

**CC:** "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>

I'm learning 3rd hand that there is a meeting scheduled tomorrow morning with SCG and a City Council member(s)? I am not aware of any meetings and I thought I was clear that no meetings were to be scheduled until we were under agreement?

Its EXTREMELY important, for EVERYONES benefit, we keep SCG organized and doing things in the correct order, otherwise, it won't get done.

Please advise on this meeting scheduled tomorrow.....

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

How is this?

**Subject:** How is this?

**From:** Harry Pflueger <harry@maxim-hb.com>

**Date:** Tue, 7 Jun 2016 13:22:26 -0700

**To:** Lorraina Pang <lorraina\_usa@yahoo.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>, Matthew Reid <matt.reid@landanddesign.com>

---

**Harry Pflueger**

---

**Maxim Hotel Brokerage**  
1303 Avocado Ave, Suite 225  
Newport Beach, CA 92660  
(949) 759-8739 direct  
(949) 640-4691 fax  
harry@maxim-hb.com

<b>Document1.docx</b>	<b>Content-Type:</b> application/vnd.openxmlformats-officedocument.wordprocessingml.document <b>Content-Encoding:</b> base64
-----------------------	---

---

Part 1.1.3

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> quoted-printable
-------------------	---

DRAFT

June 7, 2016

Mr. Danny Wei  
SCG America / Investel Harbor Resorts LLC  
11999 Harbor Blvd #1711  
Garden Grove, CA 92840

Dear Mr. Wei:

We appreciate your interest in proceeding with the Site C development project on Harbor Boulevard in Garden Grove, CA. You have brought to our attention a deed restriction filed back in the 1940s that limits development of a strip of land along Twintree to residential use.

We are aware of the deed restriction, and have a plan to mitigate this issue in due course as we continue to process of final mapping of the consolidated parcel. Considering the existing PUD over the land in question, which was approved through a public hearing process which also involved completion of an Environmental Impact Report, we are confident that the restriction will be removed. Rest assured that we will be working closely with our title company attorneys to clear any matters affecting the ability to build on the site, and we will use commercially reasonable efforts to remove the restriction so that SCG America can build the intended development project.

As you are aware, we support your involvement in this project and look forward to continuing to strengthen our relationship with SCG America.

Sincerely,

**Subject:** Revised Letter

**From:** Harry Pflueger <harry@maxim-hb.com>

**Date:** Tue, 7 Jun 2016 13:33:49 -0700

**To:** Lorraina Pang <lorraina\_usa@yahoo.com>, Matthew Reid <matt.reid@landanddesign.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>

A few typos.

---

**Harry Pflueger**

---

**Maxim Hotel Brokerage**  
1303 Avocado Ave, Suite 225  
Newport Beach, CA 92660  
(949) 759-8739 direct  
(949) 640-4691 fax  
[harry@maxim-hb.com](mailto:harry@maxim-hb.com)

---

<b>Title Letter Draft.docx</b>	<b>Content-Type:</b> application/vnd.openxmlformats-officedocument.wordprocessingml.document <b>Content-Encoding:</b> base64
--------------------------------	---

Part 1.1.3

---

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> quoted-printable
-------------------	---

DRAFT

June 7, 2016

Mr. Danny Wei  
SCG America / Investel Harbor Resorts LLC  
11999 Harbor Blvd #1711  
Garden Grove, CA 92840

Dear Mr. Wei:

We appreciate your interest in proceeding with the Site C development project on Harbor Boulevard in Garden Grove, CA. You have brought to our attention a deed restriction filed back in 1954 that limits development of a strip of land along Twintree to residential use.

We are aware of the deed restriction, and have a plan to mitigate this issue in due course as we continue the process of final mapping of the consolidated parcel. Considering the existing PUD over the land in question, which was approved through a public hearing process that also involved completion of an Environmental Impact Report, we are confident that the restriction will be removed. Rest assured that we will be working closely with our title company attorneys to clear any matters affecting the ability to build on the site, and we will use commercially reasonable efforts to remove the restriction so that SCG America can build the intended development project.

As you are aware, we support your involvement in this project and look forward to continuing to strengthen our relationship with SCG America.

Sincerely,

**Subject:** Re: Revised Letter  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Tue, 7 Jun 2016 14:17:20 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>  
**CC:** Harry Pflueger <harry@maxim-hb.com>

Greg,  
Where are we?

**Matthew Reid**  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 1:33 PM, Harry Pflueger <[harry@maxim-hb.com](mailto:harry@maxim-hb.com)> wrote:

A few typos.

<Title Letter Draft.docx>

**Harry Pflueger**

---

**Maxim Hotel Brokerage**  
1303 Avocado Ave, Suite 225  
Newport Beach, CA 92660  
(949) 759-8739 direct  
(949) 640-4691 fax  
[harry@maxim-hb.com](mailto:harry@maxim-hb.com)

---

**Subject:** Proposed DDA Amendment by SCG

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Tue, 7 Jun 2016 17:02:22 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>

**CC:** Tom Crosbie <tcrosbie@cgs3.com>, James Eggart <jamese@ci.garden-grove.ca.us>

We just received this afternoon from SCG attys...please review and advise.

Thanks!

---

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

287559342_v 1_DDA Amendment letter agreement w_attachments.DOCX	<b>Content-Type:</b> application/vnd.openxmlformats-officedocument.wordprocessingml.document
	<b>Content-Encoding:</b> base64

---

Part 1.1.3

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html
	<b>Content-Encoding:</b> quoted-printable

Scott C. Skiles  
City Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

RE: Grove District Resort Hotel Development between City of Garden Grove, a municipal corporation (the “City”) and Land & Design, Inc., a California corporation (“L&D”) dated April 9, 2013 (as may be amended from time to time, the “DDA”)

Dear Mr. Skiles:

The letter confirms our understanding that upon the approval by the City of the assignment of all right, title and interest in the DDA from L&D to Investel Garden Resorts, LLC, a Delaware limited liability company (“Joint Venture”) that the DDA will be amended and restated as set forth in the numbered paragraphs below. Capitalized terms used but not otherwise set forth herein shall have the same meanings as set forth in the DDA.

1. All references in the DDA to Developer shall mean the Joint Venture.
2. The Agency has issued a finding of completion. A long range property plan has been approved by the Agency. The Agency Property has been transferred to the City.
3. Notwithstanding anything contained in the DDA to the contrary, the City shall have until June 14, 2016 to advise the Joint Venture that it will provide assurances satisfactory to the Joint Venture that it will cause the Title Company to modify the Exceptions set forth in the updated Title Report dated as of March 14, 2016 as set forth on Attachment 1 hereof.
4. The Schedule of Performance set forth on Exhibit D of the DDA shall be amended and restated in its entirety and replaced by the Schedule of Performance set forth on Attachment 2 hereof. In the event of any conflict with dates set forth in the amended and restated Schedule of Performance and the DDA, the dates set forth in the amended and restated Schedule of Performance shall supersede and control.
5. The Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component Tenants/Operators shall be amended to include the additional parties set forth on Attachment 3 hereof.



Except as otherwise expressly set forth in this Amendment, the DDA shall remain unchanged.  
Thank you for your cooperation in this matter.

Investel Garden Resorts LLC

Accepted and agreed this \_\_\_ day of June, 2016

City of Garden Grove

By: \_\_\_\_\_

Scott C. Skiles, City Manager

Attachment 1

Modifications of Exceptions to Title Report

The following modifications are made with reference to the Exceptions and Exclusions as listed in that certain Preliminary Report with First American Title Company Order No. NCS-604754-SD, dated as of March 14, 2016, at 7:30 A.M. (the "Title Report"), from First American Title Insurance Company (the "Title Company"):

1. Exceptions 18 and 19. Exceptions 18 and 19 must be deleted.
2. Exceptions 28, 46, and 58. Exceptions 28, 46, and 58 must be deleted.
3. Exception 54. Title Company to provide the underlying document. The Title Report does not include a hyperlink for this document. All rights are reserved with respect to this Exception until a fully-legible copy has been provided and reviewed to the satisfaction of Joint Venture.
4. Exceptions 61, 86, and 90. These exceptions must be deleted.
5. Exception 92. Title Company to replace this exception with "Rights of those certain tenants in possession under those certain unrecorded leases, as tenants only and with no rights or options to purchase, as set forth on the rent roll attached hereto as Exhibit [ ]."

Attachment 2

**SCHEDULE OF PERFORMANCE - CONDENSED SCHEDULE**

	PERFORMANCE ITEM	DATE*
1.	City and Developer execute RHDA.	Completed
2.	City and Developer open Escrow.	Completed
3.	City accepts conveyance of fee title to all Agency Property.	Completed
4.	Developer completes its Site Investigation pursuant to Section 204.	Completed
5.	City completes demolition, Site clearance and remediation, if applicable, pursuant to Paragraph II.1. of the Scope of Development	September 1, 2016
6.	City and Developer agree which Hotel(s) constitute Upper Upscale Hotel(s)	September 1, 2016
7.	Developer notifies City of election of whether to include Third Party Property in Project and add to Site and, if applicable, provides City with evidence of acquisition of necessary interest in Third Party Property	December 31, 2016
8.	Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreements and Developer executes the approved Franchise Agreement for the Upper Upscale Hotel	December 31, 2016
9.	Developer submits completed application for tentative Subdivision Map, Development Agreement, and other necessary or desired Land Use Approvals	December 31, 2016

10. City and Developer agree which Hotel(s) constitute Additional Hotels December 31, 2016
  
11. City approves, conditionally approves or rejects tentative Subdivision Map Development Agreement, and other necessary or desired discretionary Additional Land Use Approvals May 1, 2017
  
12. Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Upper Upscale Hotel. June 1, 2017
  
13. Developer submits and obtains City approval of Construction Drawings for the Upper Upscale Hotel. September 1, 2017
  
14. Developer obtains necessary commitments for issuance of building permits and other similar required non-discretionary Land Use Approvals for the Upper Upscale Hotel. October 1, 2017
  
15. City completes demolition, site clearance and remediation, if applicable, pursuant to Paragraph II.1 of the Scope of Development November 1, 2017
  
16. Developer provides evidence of financing (which may be in the form for the Developer Improvements which may be in the form of a commitment letter from a lender and is a form acceptable to the City). December 1, 2017
  
17. Developer submits and obtains City approval of the identity of the Hotel Operator, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Additional Hotel. December 1, 2017

- |     |   |                   |
|-----|---|-------------------|
| 18. | Developer and City Close Escrow and Developer commences grading.  | December 15, 2017 |
| 19. | Construction Commencement Date for the Upper Upscale Hotel(s).  | February 1, 2018  |
| 20. | Developer submits and obtains City approval of Construction Drawings for  | March 1, 2018     |
| 21. | Developer obtains necessary commitments for issuance of building permits and other similar non-discretionary Land Use Approvals for the Additional Hotel(s) | April 1, 2018     |
| 22. | Offsite Infrastructure Completed by City  | February 1, 2020  |
| 23. | Developer Completes Construction of the Upper Scale Hotel   | February 1, 2020  |
| 24. | Developer completes construction of the remainder of the Developer Improvements.  | July 1, 2020      |

\*Notwithstanding anything contained in this Schedule of Performance and provided that Developer is not otherwise in default beyond any applicable cure period, that except as set forth in no. 18 above, all of the dates set forth above shall be extended by one (1) day on a cumulative basis for each day of delay caused by the City.

Attachment 3

Additional Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component  
Tenants/Operators

Pre-Approved Additional Hotel

- AC Hotels (Marriott)
- Air BnB Hotels
- Candlewood Suites (IHG)
- Canopy (Hilton)
- Citizen M
- Commune Hotels/Destination Hotels and Resorts
- Curio (Hilton)
- Delta Hotels (Marriott)
- Even Hotels (IHG)
- Hampton Inn (Hilton)
- Hard Rock International (3-star select service brand)
- Hilton Garden Inn
- Homewood Suites (Hilton)
- Home2 (Hilton)
- Hyatt Centric
- Hyatt House (Hyatt)
- Hyatt Residence Club
- Marriott Executive Apartments
- Moxy Hotels (Marriot)
- Protea Hotels (Marriot)
- Residence Inn (Marriot)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Tru (Hilton)
- Virgin Hotels
- Wyndham Hotel
- Wyndham Garden
- Wyndham Resorts Vacation Ownerships

Pre Approved Upper Upscale Hotels

- Canopy (Hilton)
- Commune Hotels/Destination Hotels and Resorts
- Conrad (Hilton)
- Curio (Hilton)
- Edition Hotel (Marriott)
- Gaylord Hotels (Marriott)
- Grand Hyatt

- Hilton Hotels
- Hyatt Centric
- Intercontinental Hotels (IHC)
- Le Meridien (Starwood)
- Park Hyatt
- Proper Hotels
- Ritz Carlton
- SBE/Morgans Hotel Group
- St Regis (Starwood)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Viceroy Hotels
- Virgin Hotels
- Waldorf Astoria (Hilton)

**Subject:** RE: Proposed DDA Amendment by SCG  
**From:** Tom Crosbie <tcrosbie@cgs3.com>  
**Date:** Wed, 8 Jun 2016 02:43:33 +0000  
**To:** Matt Reid <matt.reid@landanddesign.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>  
**CC:** "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, James Eggart <jamese@ci.garden-grove.ca.us>

That works for me as well. Thanks

Tom Crosbie

**Crosbie Gliner Schiffman Southard & Swanson LLP**  
12750 High Bluff Drive, Suite 250  
San Diego, California 92130  
858.367.7692  
[tcrosbie@cgs3.com](mailto:tcrosbie@cgs3.com)



**CGS3**  
YOUR LEGAL PARTNERS  
IN BUILDING INNOVATION

[LinkedIn](#) | [Twitter](#) | [Google+](#)

---

**From:** Matt Reid [mailto:matt.reid@landanddesign.com]  
**Sent:** Tuesday, June 07, 2016 7:39 PM  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>  
**Cc:** Scott C. Stiles Icma-Cm <sstiles@ci.garden-grove.ca.us>; Lisa Kim <lisak@ci.garden-grove.ca.us>; Tom Crosbie <tcrosbie@cgs3.com>; James Eggart <jamese@ci.garden-grove.ca.us>  
**Subject:** Re: Proposed DDA Amendment by SCG

Yes

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
[3755 Avocado Blvd | #516 | LaMesa, CA 91942](#)  
[858.735.1858](tel:858.735.1858) cell  
Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email*



*and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 6:30 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Can we discuss tomorrow at 8 o'clock on a conference call

Sent from my iPhone

On Jun 7, 2016, at 5:01 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

We just received this afternoon from SCG attys...please review and advise.

Thanks!

<287559342\_v 1\_DDA Amendment letter agreement w\_attachments.DOCX>

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

**Subject:** Re: Proposed DDA Amendment by SCG  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Tue, 7 Jun 2016 20:28:37 -0700  
**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>

Yes, sending out now.

**Matthew Reid**

Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 8:26 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Can you arrange a dial I number

Sent from my iPhone

On Jun 7, 2016, at 8:26 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Yes, I'll invite them....

**Matthew Reid**

Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended*

*recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 7:41 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

I can be at the City by 8:00. If attorney s are on, do you want to invite SCG and its attorneys?

Sent from my iPhone

On Jun 7, 2016, at 7:37 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Yes

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 6:30 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Can we discuss tomorrow at 8 o'clock on a conference call

Sent from my iPhone

On Jun 7, 2016, at 5:01 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

We just received this afternoon from SCG attys...please review and advise.

Thanks!

<287559342\_v 1\_DDA Amendment letter agreement w\_attachments.DOCX>

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - matthew.reid.ca

matt.reid@landanddesign.com

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

**Subject:** Re: Proposed DDA Amendment by SCG

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Tue, 7 Jun 2016 20:34:49 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>, James Eggart <jamese@ci.garden-grove.ca.us>, "Carrie M. Risatti" <risattic@gtlaw.com>, Jim Mace <macej@gtlaw.com>, Eudeen Chang <changeu@gtlaw.com>, Lorraina Pang <lorraina\_usa@yahoo.com>, Danny Wei <dannywei@scgamerica.com>, Chien Jessica <jessica.chien@scgamerica.com>, Harry Pflueger <harry@maxim-hb.com>

All,

The City is available for a conference call tomorrow at 8am to discuss the proposed DDA Amendment. We'll use the call in number below.

**Call in: 712.775.7300**

**Code: 764078#**

As I understand, the City Manager needs to leave before 9am, so hopefully this works for everyone.

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 7, 2016, at 6:30 PM, Greg Blodgett <[greg1@ci.garden-grove.ca.us](mailto:greg1@ci.garden-grove.ca.us)> wrote:

Can we discuss tomorrow at 8 o'clock on a conference call

Sent from my iPhone

On Jun 7, 2016, at 5:01 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

We just received this afternoon from SCG attys...please review and advise.

Thanks!

<287559342\_v 1\_DDA Amendment letter agreement w\_attachments.DOCX>

Sent from my iPhone

**Matthew Reid**

**Land & Design, Inc.**

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 **cell**

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

**Subject:** Re: new access code for today's phone conference 8am  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 8 Jun 2016 06:28:22 -0700  
**To:** Lorraina Pang <lorraina\_usa@yahoo.com>  
**CC:** "jamese@ci.garden-grove.ca.us" <jamese@ci.garden-grove.ca.us>, "Carrie M. Risatti" <risattic@gtlaw.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>, Harry Pflueger <harry@maxim-hb.com>, "jeggart@wss-law.com" <jeggart@wss-law.com>, Jim Mace <macej@gtlaw.com>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Scott Stiles <sstiles@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>

Thank you Lorraina.

Sent from my iPhone  
**Matthew Reid**  
**Land & Design, Inc.**  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - matthew.reid.ca  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

**Check out our new website** [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 8, 2016, at 2:56 AM, Lorraina Pang <[lorraina\\_usa@yahoo.com](mailto:lorraina_usa@yahoo.com)> wrote:

Dear all,

Since our CEO is in China, to allow him participate the phone conference, we set up the below access code, please dial the below access phone number to join the meeting, thank you very much!

dial in: 917-962-0650 (US),  
+86-21-5157-8011 (China),  
conference access code: 669962

Best regards,

Lorraina

Re: new access code for today's phone conference 8am

**Subject:** Re: new access code for today's phone conference 8am  
**From:** Harry Pflueger <harrypflueger58@gmail.com>  
**Date:** Wed, 8 Jun 2016 07:33:15 -0700  
**To:** Lorraina Pang <lorraina\_usa@yahoo.com>  
**CC:** "jamese@ci.garden-grove.ca.us" <jamese@ci.garden-grove.ca.us>, "Carrie M. Risatti" <risattic@gtlaw.com>, Greg Blodgett <greg1@ci.garden-grove.ca.us>, Harry Pflueger <harry@maxim-hb.com>, "jeggart@wss-law.com" <jeggart@wss-law.com>, Jim Mace <macej@gtlaw.com>, Lisa Kim <lisak@ci.garden-grove.ca.us>, Scott Stiles <sstiles@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>, Matt Reid <matt.reid@landanddesign.com>

Received, thanks

Harry Pflueger  
Maxim Hotel Brokerage  
(949) 759-8739  
<http://www.maxim-hb.com>

On Jun 8, 2016, at 2:56 AM, Lorraina Pang <lorraina\_usa@yahoo.com> wrote:

Dear all,

Since our CEO is in China, to allow him participate the phone conference, we set up the below access code, please dial the below access phone number to join the meeting, thank you very much!

dial in: 917-962-0650 (US),  
+86-21-5157-8011 (China),  
conference access code: 669962

Best regards,

Lorraina



**Subject:** Pending City Approval on the 14th

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 8 Jun 2016 07:54:09 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>

Just wanted to relay a conversation I had with Lorraina on the way out of our meeting with everyone the other day.

Lorraina was asking me what type of document will she have if/when the City approves the assignment.

I told her she would either have the minutes to the meeting (if there is a vote), or the City Manager would most likely issue a letter indicating such approval. If you believe that to not be the case, please let everyone know.

Its interesting how the Chinese look to letters from the City as apposed to the actual legal instruments in the United States for surety...

Looking forward to our conversation this morning.

Thanks

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

**Subject:** Joese Italian Ice

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 8 Jun 2016 11:32:18 -0700

**To:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>, "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>

**CC:** James Eggart <jamese@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>

How did Joese Italian Ice exist on parcel 217 since 1980's as a commercial property with the CCR restriction?

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

**Subject:** RE: Site C / Land & Design

**From:** Tom Crosbie <tcrosbie@cgs3.com>

**Date:** Wed, 8 Jun 2016 19:51:20 +0000

**To:** "James H. Eggart" <JEggart@wss-law.com>

**CC:** "Carrie M. Risatti" <risattic@gtlaw.com>, "macej@gtlaw.com" <macej@gtlaw.com>, "Lisa Kim (lisak@ci.garden-grove.ca.us)" <lisak@ci.garden-grove.ca.us>, "Greg Blodgett" <greg1@ci.garden-grove.ca.us>, Matt Reid <matt.reid@landanddesign.com>

James – that is fine. L& D would like to have the agreement say that it terminates upon the effectiveness of the DDA assignment. Thanks

Tom Crosbie

**Crosbie Gliner Schiffman Southard & Swanson LLP**

12750 High Bluff Drive, Suite 250

San Diego, California 92130

858.367.7692

[tcrosbie@cgs3.com](mailto:tcrosbie@cgs3.com)



CGS3

YOUR LEGAL PARTNERS  
IN BUILDING INNOVATION

[LinkedIn](#) | [Twitter](#) | [Google+](#)

---

**From:** James H. Eggart [mailto:JEggart@wss-law.com]

**Sent:** Wednesday, June 08, 2016 12:04 PM

**To:** Tom Crosbie <tcrosbie@cgs3.com>

**Cc:** Carrie M. Risatti <risattic@gtlaw.com>; macej@gtlaw.com; Lisa Kim (lisak@ci.garden-grove.ca.us) <lisak@ci.garden-grove.ca.us>; 'Greg Blodgett' <greg1@ci.garden-grove.ca.us>

**Subject:** Site C / Land & Design

Tom,

Another minor issue just occurred to us. As I'm sure you are aware, there exists a 2011 DDA between the Former Redevelopment Agency and Land & Design that the State Department of Finance determined to not be an enforceable obligation of the Successor Agency. That Agreement technically still exists, and is addressed in the replacement Agreement with the City by a provision stating that L&D agrees the Former Agency DDA becomes void and terminates upon conveyance of the Site to Developer. Since L&D is assigning its interests in the City Agreement to another entity, however, and will not be the one to which the Site will be conveyed, we will need to process a formal immediate termination of the 2011 Former Agency DDA concurrently with the assignment of the City Agreement so as to eliminate any potential ambiguity that may remain as to L&D's rights in the Site pursuant to the Former Agency DDA.

James



**James H. Eggart, Esq.**

Woodruff Spradlin & Smart

(714) 415-1062 Direct Dial

(714) 865-4853 Mobile

(714) 415-1162 Direct Fax

[JEggart@wss-law.com](mailto:JEggart@wss-law.com)

555 Anton Boulevard, Suite 1200

Costa Mesa, CA 92626-7670

<http://www.wss-law.com>

CONFIDENTIALITY NOTICE – This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone at (714) 415-1062 or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

**Subject:** Request for modification of Exhibits D and L

**From:** Matt Reid <matt.reid@landanddesign.com>

**Date:** Wed, 8 Jun 2016 14:13:50 -0700

**To:** "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Lisa Kim <lisak@ci.garden-grove.ca.us>

**CC:** Greg Blodgett <greg1@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>, James Eggart <jamese@ci.garden-grove.ca.us>

Dear Scott,

Please see attached request.

Please let me know if you should have any questions.

Thank you

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

---

<b>2016_06_08 ltr to City dates.pdf</b>
---

<b>Content-Type:</b> application/pdf
--------------------------------------

<b>Content-Encoding:</b> base64
---------------------------------

---

Part 1.1.3

<b>Part 1.1.3</b>
-------------------

<b>Content-Type:</b> text/html
--------------------------------

<b>Content-Encoding:</b> 7bit
-------------------------------

Scott C. Stiles  
City Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

Via: EMAIL

RE: Grove District Resort Hotel Development between City of Garden Grove, a municipal corporation (the "City") and Land & Design, Inc., a California corporation ("L&D") dated April 9, 2013 (as may be amended from time to time, the "GDRHDA")

Dear Mr. Stiles:

As you're aware, Land and Design, Inc. has and continues to diligently work towards bringing the proposed multi-hotel development resort on the Property to the City per the GDRHDA working with some of the largest construction and development companies in the world.

As you are also aware, L&D have attained the rights to one of the most sought after resort brands in the world and is proposing to develop the City's first and only destination 4-Star resort property, which is an accomplishment that until recently was thought to be a virtual impossibility.

Pursuant to Section 605 of the GDRHDA whereby entitled "City Approvals and Actions Through the City Manager", which allows the City Manager of the City to approve additions and/or changes to the GDRHDA, the Developer does hereby request the following modifications to the GDRHDA:

1. The Schedule of Performance set forth on Exhibit D of the DDA shall be amended and restated in its entirety and replaced by the Schedule of Performance set forth on Attachment 1 hereof.
2. The Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component Tenants/Operators shall be amended to include the additional parties set forth on Attachment 2 hereof.

Except as otherwise expressly set forth in this Amendment, the DDA shall remain unchanged. Thank you for your cooperation in this matter.

Land & Design, Inc.



Matthew W. Reid / President

Accepted and agreed this \_\_\_ day of June, 2016

City of Garden Grove

By: \_\_\_\_\_  
Scott C. Skiles, City Manager

Attachment 1

**SCHEDULE OF PERFORMANCE - CONDENSED SCHEDULE**

	<b>PERFORMANCE ITEM</b>	<b>DATE*</b>
1.	City and Developer execute RHDA.	Completed
2.	City and Developer open Escrow.	Completed
3.	City accepts conveyance of fee title to all Agency Property.	Completed
4.	Developer completes its Site Investigation pursuant to Section 204.	Completed
5.	INTENTIONALLY OMITTED	INTENTIONALLY OMITTED
6.	City and Developer agree which Hotel(s) constitute Upper Upscale Hotel(s)	September 1, 2016
7.	Developer notifies City of election of whether to include Third Party Property in Project and add to Site and, if applicable, provides City with evidence of acquisition of necessary interest in Third Party Property	December 31, 2016
8.	Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreements and Developer executes the approved Franchise Agreement for the Upper Upscale Hotel	December 31, 2016
9.	Developer submits completed application for tentative Subdivision Map, Development Agreement, and other necessary or desired Land Use Approvals	December 31, 2016
10.	City and Developer agree which Hotel(s) constitute Additional Hotels	December 31, 2016

- |     |  |                   |
|-----|--|-------------------|
| 11. | City approves, conditionally approves or rejects tentative Subdivision Map Development Agreement, and other necessary or desired discretionary Additional Land Use Approvals                           | May 1, 2017       |
| 12. | Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Upper Upscale Hotel.     | June 1, 2017      |
| 13. | Developer submits and obtains City approval of Construction Drawings for the Upper Upscale Hotel.  | September 1, 2017 |
| 14. | Developer obtains necessary commitments for issuance of building permits and other similar required non-discretionary Land Use Approvals for the Upper Upscale Hotel.                                  | October 1, 2017   |
| 15. | City completes demolition, site clearance and remediation, if applicable, pursuant to Paragraph II.1 of the Scope of Development   | November 1, 2017  |
| 16. | Developer provides evidence of financing (which may be in the form for the Developer Improvements which may be in the form of a commitment letter from a lender and is a form acceptable to the City). | December 1, 2017  |
| 17. | Developer submits and obtains City approval of the identity of the Hotel Operator, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Additional Hotel.         | December 1, 2017  |
| 18. | Developer and City Close Escrow and Developer commences grading.   | December 15, 2017 |
| 19. | Construction Commencement Date for the Upper Upscale Hotel(s).   | February 1, 2018  |
| 20. | Developer submits and obtains City approval of Construction Drawings for   | March 1, 2018     |



- |     |   |                  |
|-----|---|------------------|
| 21. | Developer obtains necessary commitments for issuance of building permits and other similar non-discretionary Land Use Approvals for the Additional Hotel(s) | April 1, 2018    |
| 22. | Offsite Infrastructure Completed by City  | February 1, 2020 |
| 23. | Developer Completes Construction of the Upper Scale Hotel   | February 1, 2020 |
| 24. | Developer completes construction of the remainder of the Developer Improvements.  | July 1, 2020     |

\*Notwithstanding anything contained in this Schedule of Performance and provided that Developer is not otherwise in default beyond any applicable cure period, that except as set forth in no. 18 above, all of the dates set forth above shall be extended by one (1) day on a cumulative basis for each day of delay caused by the City.

## Attachment 2

### Additional Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component Tenants/Operators

#### Pre-Approved Additional Hotel

- AC Hotels (Marriott)
- Air BnB Hotels
- Candlewood Suites (IHG)
- Canopy (Hilton)
- Citizen M
- Commune Hotels/Destination Hotels and Resorts
- Curio (Hilton)
- Delta Hotels (Marriott)
- Even Hotels (IHG)
- Hampton Inn (Hilton)
- Hard Rock International (3-star select service brand)
- Hilton Garden Inn
- Homewood Suites (Hilton)
- Home2 (Hilton)
- Hyatt Centric
- Hyatt House (Hyatt)
- Hyatt Residence Club
- Marriott Executive Apartments
- Moxy Hotels (Marriot)
- Protea Hotels (Marriot)
- Residence Inn (Marriot)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Tru (Hilton)
- Virgin Hotels
- Wyndham Hotel
- Wyndham Garden
- Wyndham Resorts Vacation Ownerships

#### Pre Approved Upper Upscale Hotels

- Canopy (Hilton)
- Commune Hotels/Destination Hotels and Resorts
- Conrad (Hilton)
- Curio (Hilton)
- Edition Hotel (Marriott)
- Gaylord Hotels (Marriott)
- Grand Hyatt
- Hilton Hotels
- Hyatt Centric

- Intercontinental Hotels (IHC)
- Le Meridien (Starwood)
- Park Hyatt
- Proper Hotels
- Ritz Carlton
- SBE/Morgans Hotel Group
- St Regis (Starwood)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Viceroy Hotels
- Virgin Hotels
- Waldorf Astoria (Hilton)

**Subject:** Re: Request for modification of Exhibits D and L  
**From:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**Date:** Wed, 8 Jun 2016 15:03:04 -0700 (PDT)  
**To:** Matt Reid <matt.reid@landanddesign.com>

Matt,

Please correct Scott's name in the signature block.

Lisa

Sent from my iPad

On Jun 8, 2016, at 2:12 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Dear Scott,

Please see attached request.  
Please let me know if you should have any questions.

Thank you

**Matthew Reid**  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

<2016\_06\_08 ltr to City dates.pdf>

**Subject:** Re: City letter  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 8 Jun 2016 15:12:40 -0700  
**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>

Best to address it to me...but reference SCG.

**Matthew Reid**  
Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 8, 2016, at 3:08 PM, Lisa Kim <[lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)> wrote:

Who should the City letter be addressed to?

Lisa

Sent from my iPad

**Subject:** Re: Request for modification of Exhibits D and L  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 8 Jun 2016 15:12:52 -0700  
**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>

Yes, thanks missed that.

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942

858.735.1858 cell

Skype - [matthew.reid.ca](https://www.skype.com/people/matthew.reid.ca)

[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

On Jun 8, 2016, at 3:03 PM, Lisa Kim <[lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)> wrote:

Matt,

Please correct Scott's name in the signature block.

Lisa

Sent from my iPad

On Jun 8, 2016, at 2:12 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Dear Scott,

Please see attached request.

Please let me know if you should have any questions.

Thank you

**Matthew Reid**

Land & Design, Inc.

3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

<2016\_06\_08 ltr to City dates.pdf>

**Subject:** Re: Request for modification of Exhibits D and L  
**From:** Matt Reid <matt.reid@landanddesign.com>  
**Date:** Wed, 8 Jun 2016 15:17:07 -0700  
**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**CC:** "Scott C. Stiles Icma-Cm" <sstiles@ci.garden-grove.ca.us>, Tom Crosbie <tcrosbie@cgs3.com>

Here is the corrected version without the typo on Scott's last name....was a carryover from SCG's letter.

**Matthew Reid**

Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

---

On Jun 8, 2016, at 3:03 PM, Lisa Kim <[lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)> wrote:

Matt,

Please correct Scott's name in the signature block.

Lisa

Sent from my iPad

On Jun 8, 2016, at 2:12 PM, Matt Reid <[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)> wrote:

Dear Scott,

Please see attached request.

Please let me know if you should have any questions.

Thank you



**Matthew Reid**

Land & Design, Inc.  
3755 Avocado Blvd | #516 | LaMesa, CA 91942  
858.735.1858 cell  
Skype - [matthew.reid.ca](https://www.skype.com/user/matthew.reid.ca)  
[matt.reid@landanddesign.com](mailto:matt.reid@landanddesign.com)

Check out our new website [www.landanddesign.com](http://www.landanddesign.com)

*All Information, documents, files or previous e-mail messages contained, attached or reproduced in this email communication is confidential and/or privileged information. If you are not an intended recipient or this information or has been provided to you without Land & Design, Inc's expressed and written consent, you are hereby notified that you must not read this transmission and that disclosure, copying, printing, or dissemination of anything contained herein is **STRICTLY PROHIBITED**. If you have received this transmission in error, please immediately notify the sender by phone or return email and delete the original transmission and its attachments without reading or saving in any manner.*

<2016\_06\_08 ltr to City dates.pdf>

2016_06_08 ltr to City dates.pdf	Content-Type: application/pdf Content-Encoding: base64
----------------------------------	---

—Part 1.1.3—

Part 1.1.3	Content-Type: text/html Content-Encoding: quoted-printable
------------	---

Scott C. Stiles  
City Manager  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

Via: **EMAIL**

RE: Grove District Resort Hotel Development between City of Garden Grove, a municipal corporation (the "City") and Land & Design, Inc., a California corporation ("L&D") dated April 9, 2013 (as may be amended from time to time, the "GDRHDA")

Dear Mr. Stiles:

As you're aware, Land and Design, Inc. has and continues to diligently work towards bringing the proposed multi-hotel development resort on the Property to the City per the GDRHDA working with some of the largest construction and development companies in the world.

As you are also aware, L&D have attained the rights to one of the most sought after resort brands in the world and is proposing to develop the City's first and only destination 4-Star resort property, which is an accomplishment that until recently was thought to be a virtual impossibility.

Pursuant to Section 605 of the GDRHDA whereby entitled "City Approvals and Actions Through the City Manager", which allows the City Manager of the City to approve additions and/or changes to the GDRHDA, the Developer does hereby request the following modifications to the GDRHDA:

1. The Schedule of Performance set forth on Exhibit D of the DDA shall be amended and restated in its entirety and replaced by the Schedule of Performance set forth on Attachment 1 hereof.
2. The Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component Tenants/Operators shall be amended to include the additional parties set forth on Attachment 2 hereof.

Except as otherwise expressly set forth in this Amendment, the DDA shall remain unchanged. Thank you for your cooperation in this matter.

Land & Design, Inc.



Matthew W. Reid / President

Accepted and agreed this \_\_\_ day of June, 2016

City of Garden Grove

By: \_\_\_\_\_  
Scott C. Stiles, City Manager

Attachment 1

**SCHEDULE OF PERFORMANCE - CONDENSED SCHEDULE**

	<b>PERFORMANCE ITEM</b>	<b>DATE*</b>
1.	City and Developer execute RHDA.	Completed
2.	City and Developer open Escrow.	Completed
3.	City accepts conveyance of fee title to all Agency Property.	Completed
4.	Developer completes its Site Investigation pursuant to Section 204.	Completed
5.	INTENTIONALLY OMITTED	INTENTIONALLY OMITTED
6.	City and Developer agree which Hotel(s) constitute Upper Upscale Hotel(s)	September 1, 2016
7.	Developer notifies City of election of whether to include Third Party Property in Project and add to Site and, if applicable, provides City with evidence of acquisition of necessary interest in Third Party Property	December 31, 2016
8.	Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreements and Developer executes the approved Franchise Agreement for the Upper Upscale Hotel	December 31, 2016
9.	Developer submits completed application for tentative Subdivision Map, Development Agreement, and other necessary or desired Land Use Approvals	December 31, 2016
10.	City and Developer agree which Hotel(s) constitute Additional Hotels	December 31, 2016

- |     |  |                   |
|-----|--|-------------------|
| 11. | City approves, conditionally approves or rejects tentative Subdivision Map Development Agreement, and other necessary or desired discretionary Additional Land Use Approvals                           | May 1, 2017       |
| 12. | Developer submits and obtains City approval of the identity of the Hotel Operators, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Upper Upscale Hotel.     | June 1, 2017      |
| 13. | Developer submits and obtains City approval of Construction Drawings for the Upper Upscale Hotel.  | September 1, 2017 |
| 14. | Developer obtains necessary commitments for issuance of building permits and other similar required non-discretionary Land Use Approvals for the Upper Upscale Hotel.                                  | October 1, 2017   |
| 15. | City completes demolition, site clearance and remediation, if applicable, pursuant to Paragraph II.1 of the Scope of Development   | November 1, 2017  |
| 16. | Developer provides evidence of financing (which may be in the form for the Developer Improvements which may be in the form of a commitment letter from a lender and is a form acceptable to the City). | December 1, 2017  |
| 17. | Developer submits and obtains City approval of the identity of the Hotel Operator, Franchisor and Franchise Agreement and Developer executes the Franchise Agreement for the Additional Hotel.         | December 1, 2017  |
| 18. | Developer and City Close Escrow and Developer commences grading.   | December 15, 2017 |
| 19. | Construction Commencement Date for the Upper Upscale Hotel(s).   | February 1, 2018  |
| 20. | Developer submits and obtains City approval of Construction Drawings for   | March 1, 2018     |

- |     |   |                  |
|-----|---|------------------|
| 21. | Developer obtains necessary commitments for issuance of building permits and other similar non-discretionary Land Use Approvals for the Additional Hotel(s) | April 1, 2018    |
| 22. | Offsite Infrastructure Completed by City  | February 1, 2020 |
| 23. | Developer Completes Construction of the Upper Scale Hotel   | February 1, 2020 |
| 24. | Developer completes construction of the remainder of the Developer Improvements.  | July 1, 2020     |

\*Notwithstanding anything contained in this Schedule of Performance and provided that Developer is not otherwise in default beyond any applicable cure period, that except as set forth in no. 18 above, all of the dates set forth above shall be extended by one (1) day on a cumulative basis for each day of delay caused by the City.

## Attachment 2

### Additional Pre-Approved Hotel Flags/Operators and Retail/Restaurant /Entertainment Component Tenants/Operators

#### Pre-Approved Additional Hotel

- AC Hotels (Marriott)
- Air BnB Hotels
- Candlewood Suites (IHG)
- Canopy (Hilton)
- Citizen M
- Commune Hotels/Destination Hotels and Resorts
- Curio (Hilton)
- Delta Hotels (Marriott)
- Even Hotels (IHG)
- Hampton Inn (Hilton)
- Hard Rock International (3-star select service brand)
- Hilton Garden Inn
- Homewood Suites (Hilton)
- Home2 (Hilton)
- Hyatt Centric
- Hyatt House (Hyatt)
- Hyatt Residence Club
- Marriott Executive Apartments
- Moxy Hotels (Marriot)
- Protea Hotels (Marriot)
- Residence Inn (Marriot)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Tru (Hilton)
- Virgin Hotels
- Wyndham Hotel
- Wyndham Garden
- Wyndham Resorts Vacation Ownerships

#### Pre Approved Upper Upscale Hotels

- Canopy (Hilton)
- Commune Hotels/Destination Hotels and Resorts
- Conrad (Hilton)
- Curio (Hilton)
- Edition Hotel (Marriott)
- Gaylord Hotels (Marriott)
- Grand Hyatt
- Hilton Hotels
- Hyatt Centric

- Intercontinental Hotels (IHC)
- Le Meridien (Starwood)
- Park Hyatt
- Proper Hotels
- Ritz Carlton
- SBE/Morgans Hotel Group
- St Regis (Starwood)
- The Unbound Collection (Hyatt)
- Tribute Portfolio (Starwood)
- Viceroy Hotels
- Virgin Hotels
- Waldorf Astoria (Hilton)

**Subject:** Fwd: Message from "ricoh105" - Letter  
**From:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**Date:** Wed, 8 Jun 2016 19:48:33 -0700 (PDT)  
**To:** "Matt (Site C) Reid" <matt.reid@landanddesign.com>  
**CC:** gracel@ci.garden-grove.ca.us, Greg Blodgett <greg1@ci.garden-grove.ca.us>

Here you go. Danny requested the letter be directed to him.

L

Sent from my iPad

Begin forwarded message:

**From:** Judy Moore <judym@ci.garden-grove.ca.us>  
**Date:** June 8, 2016 at 4:30:02 PM PDT  
**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**Subject:** Fwd: Message from "ricoh105" - Letter

Letter

----- Forwarded Message -----

From: ricoh105@ci.garden-grove.ca.us  
To: "Judy Moore" <judym@ci.garden-grove.ca.us>  
Sent: Wednesday, June 8, 2016 4:33:50 PM  
Subject: Message from "ricoh105"

This E-mail was sent from "ricoh105" (Aficio MP C5502A).

Scan Date: 06.08.2016 16:33:50 (-0700)  
Queries to: ricoh105@ci.garden-grove.ca.us

---

201606081633.pdf	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
------------------	---

Part 1.1.3

Part 1.1.3	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> 7bit
------------	---





## CITY OF GARDEN GROVE

---

June 8, 2016

Mr. Danny Wei  
SCG Assets Holding, Inc.  
3101 W. Temple Ave.  
Pomona, CA 91768

Dear Mr. Wei:

The City of Garden Grove is excited that Land & Design, Inc. is considering partnering with SCG America to develop the proposed 'Site C' Project pursuant to the Grove District Resort Hotel Development Agreement between the City and Land & Design.

The City is committed to working collaboratively with the new Joint Venture to facilitate the development of this great Project. We fully understand that meeting the milestones required to bring the Project to fruition will be a challenging endeavor. While the City reserves all of its rights under the Grove District Resort Hotel Development Agreement, please be rest assured that I, and other City staff, will work diligently, and collaboratively, with the Joint Venture to expedite processing of all entitlements and to resolve all issues necessary to bring this mutually beneficial Project forward in a timely manner.

If I can be of any assistance, please do not hesitate to contact me directly.

Regards,

Lisa L. Kim  
Director  
Community and Economic Development  
City of Garden Grove  
Phone: (714) 741-5148  
Fax: (714) 741-5136  
Email: [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member

**Subject:** Fwd: Message from "ricoh105" - Letter  
**From:** Greg Blodgett <greg1@ci.garden-grove.ca.us>  
**Date:** Wed, 8 Jun 2016 19:50:32 -0700 (PDT)  
**To:** Matthew Reid <matt.reid@landanddesign.com>, "Grace E. Lee" <gracel@ci.garden-grove.ca.us>

Sent from my iPhone

Begin forwarded message:

**From:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**Date:** June 8, 2016 at 7:48:33 PM PDT  
**To:** "Matt (Site C) Reid" <matt.reid@landanddesign.com>  
**Cc:** gracel@ci.garden-grove.ca.us, Greg Blodgett <greg1@ci.garden-grove.ca.us>  
**Subject:** Fwd: Message from "ricoh105" - Letter

Here you go. Danny requested the letter be directed to him.

L

Sent from my iPad

Begin forwarded message:

**From:** Judy Moore <judym@ci.garden-grove.ca.us>  
**Date:** June 8, 2016 at 4:30:02 PM PDT  
**To:** Lisa Kim <lisak@ci.garden-grove.ca.us>  
**Subject:** Fwd: Message from "ricoh105" - Letter

Letter

----- Forwarded Message -----

**From:** ricoh105@ci.garden-grove.ca.us  
**To:** "Judy Moore" <judym@ci.garden-grove.ca.us>  
**Sent:** Wednesday, June 8, 2016 4:33:50 PM  
**Subject:** Message from "ricoh105"

This E-mail was sent from "ricoh105" (Aficio MP C5502A).

Scan Date: 06.08.2016 16:33:50 (-0700)  
Queries to: ricoh105@ci.garden-grove.ca.us

201606081633.pdf	<b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
------------------	---

— Part 1.1.3

---

<b>Part 1.1.3</b>	<b>Content-Type:</b> text/html <b>Content-Encoding:</b> 7bit
-------------------	---



## CITY OF GARDEN GROVE

---

June 8, 2016

Mr. Danny Wei  
SCG Assets Holding, Inc.  
3101 W. Temple Ave.  
Pomona, CA 91768

Dear Mr. Wei:

The City of Garden Grove is excited that Land & Design, Inc. is considering partnering with SCG America to develop the proposed 'Site C' Project pursuant to the Grove District Resort Hotel Development Agreement between the City and Land & Design.

The City is committed to working collaboratively with the new Joint Venture to facilitate the development of this great Project. We fully understand that meeting the milestones required to bring the Project to fruition will be a challenging endeavor. While the City reserves all of its rights under the Grove District Resort Hotel Development Agreement, please be rest assured that I, and other City staff, will work diligently, and collaboratively, with the Joint Venture to expedite processing of all entitlements and to resolve all issues necessary to bring this mutually beneficial Project forward in a timely manner.

If I can be of any assistance, please do not hesitate to contact me directly.

Regards,

Lisa L. Kim  
Director  
Community and Economic Development  
City of Garden Grove  
Phone: (714) 741-5148  
Fax: (714) 741-5136  
Email: [lisak@ci.garden-grove.ca.us](mailto:lisak@ci.garden-grove.ca.us)

Bao Nguyen  
Mayor

Steven R. Jones  
Mayor Pro Tem

Christopher V. Phan  
Council Member

Phat Bui  
Council Member

Kris Beard  
Council Member