Memorandum

Date:	July 8, 2025
To:	Christopher Yeager, Senior Planner City of Costa Mesa
From:	Cecilia So, Associate Director FirstCarbon Solutions (FCS)
Subject:	Responses to Comments for the Bear Street Residential Project in Costa Mesa, California

FirstCarbon Solutions (FCS) is pleased to submit this Response to Comments memorandum for the proposed Bear Street Residential Project (proposed project) in the City of Costa Mesa (City).

To date, the following letters have been received with regard to the proposed project:

- **Letter A:** Letter from Brent Millard (MILLARD), dated May 3, 2025.
- **Letter B**: Letter from the California Department of Toxic Substances Control (DTSC), dated May 8, 2025.
- **Letter C**: Letter from the California Department of Transportation (Caltrans), District 12, dated June 2, 2025.

Although a lead agency is not required to provide written responses to comments on Negative Declarations or Mitigated Negative Declarations under the California Environmental Quality Act (CEQA), the City of Costa Mesa has evaluated the comments received on the Bear Street Residential Project Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) and has elected to provide responses to comments. None of the comments received included information resulting in the need to recirculate the Draft IS/MND or to prepare an Environmental Impact Report (EIR).

This letter includes a list of the comments and responses to comments on the Draft IS/MND. A copy of the letters received regarding the Draft IS/MND are included as Attachment A, B, and C, respectively.

ERRATA

Minor revisions to the Draft IS/MND are included below in ~~strikeout~~/underline and are editorial in nature. Project Design Feature 2 below has been added to reflect the findings of the Health Risk Assessment (HRA) Memorandum prepared for the proposed project.

Section 1.4.6, Project Design Features

Page 4

Project Design Feature ~~2~~1 (PDF-~~2~~1): Use of Clean Construction Equipment to Minimize DPM

All off-road equipment equal to or greater than 50 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resources Board (ARB) Tier 3 standards with Level 3 Verified Diesel Emission Control Strategy (VDEC) filters.[4] The project applicant shall submit a construction management plan to the City of Costa Mesa's Planning Division for review and approval prior to issuance of any grading and building permits. The construction management plan shall demonstrate that the off-road equipment used on-site to construct the proposed project would comply with these specified off-road emission standards. Off-road equipment descriptions and information included in the construction management plan may include, but are not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.

[4] Equipment meeting Tier 4 standards achieves the required reductions and specifications in PDF-~~2~~1 without VDECs.

Project Design Feature 2 (PDF-2): Installation of High-efficiency HVAC Systems to Reduce Indoor Exposure to Air Pollutants

All new residential units constructed as part of the proposed project shall be equipped with positive static pressure forced heating, ventilation, and air conditioning (HVAC) systems. These systems shall include high-efficiency air filtration using Minimum Efficiency Reporting Value (MERV) 14 filters or higher in the air intake.

The project applicant shall submit HVAC system specifications and a mechanical plan to the City of Costa Mesa's Planning Division for review and approval prior to the issuance of any building permits. The submitted documentation shall demonstrate that the HVAC systems are designed to maintain positive indoor air pressure and are equipped with MERV 14 or higher filters. Documentation may include, but is not limited to, HVAC system design drawings, filter specifications, manufacturer certifications, and calculations verifying positive pressure performance.

Project Design Feature ~~1~~3 (PDF-~~1~~3): All-electric Development

The proposed project shall be designed as an all-electric development, which requires that all appliances installed into the proposed townhomes be electric powered and no natural gas lines shall be run to the proposed townhome buildings.

Project Design Feature ~~3~~4 (PDF-~~3~~4): T-1 Increase Residential Density

This measure accounts for the Vehicle Miles Traveled (VMT) reduction achieved by a project that is designed with a higher density of dwelling units compared to the average residential density in the U.S. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing residential density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in VMT.

Section 2.3, Air Quality

Page 37, Localized Construction Analysis

The proposed project would be required to comply with SC AIR-1 (consistent with SCAQMD Rule 403) and would implement PDF-~~2~~21. Incorporation of SC AIR-1 and PDF-~~2~~21 would ensure that the project-generated emissions of PM_{10} and $PM_{2.5}$ would be controlled during the construction period. In addition, SC AIR-2 would ensure that all architectural coatings used on-site would meet the VOC content requirements of SCAQMD Rule 1113. Accordingly, with adherence to standard conditions and incorporation of mitigation, the proposed project's on-site construction-related criteria air pollutant and ozone precursor concentrations would not expose sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

Page 40, Toxic Air Contaminant Construction Analysis

The estimated health and hazard impacts at the Maximally Exposed Individual Receptor (MEIR) from the proposed project's construction emissions are provided in Table 5. The results in Table 5 incorporate PDF-~~2~~21, which stipulates that construction of the proposed project would include the use of Tier 3 engines with Level 3 VDEC filters for all construction equipment equal to or greater than 50 horsepower. Equipment meeting Tier 4 standards achieves the required reductions and specifications in PDF-~~2~~21 without VDECs.[22]

[22] The Tier 4 scenario is modeled as Tier 4 Interim equipment and is included as part of Appendix A.

Page 41, The Proposed Project as a Receptor

~~Furthermore, the proposed project would be built and developed in compliance with all applicable regulations.~~ Compliance with the 2022 California Building Energy Efficiency Standards requires the installation of Minimum Efficiency Reporting Value (MERV) 13 filters~~, which would serve to reduce potential cancer risks and $PM_{2.5}$ concentrations at the project site during project operations~~. The installation of MERV 14 filters, as outlined in PDF-2, surpasses the requirements mandated by the building code standards, thereby providing enhanced air filtration and improved indoor air quality during project operations.

Many heating, ventilation, and air condition (HVAC) filters available in the United States are rated for their particle removal efficiency using a laboratory test procedure described in the American Society of Heating, Refrigerating, and Air Conditioning Engineers Standard 52.2-2012, Method of Testing General Ventilation Air-Cleaning Devices for Removal Efficiency by Particle Size. Minimum removal efficiency values are used to assign HVAC filters a single efficiency metric MERV. In general, the higher the MERV for a filter, the greater the removal efficiency for one or more particle size. Single-pass outdoor-origin

$PM_{2.5}$ removal efficiencies range from less than 10 percent for MERV 6 to over 95 percent for MERV 16 and high-efficiency particulate air (HEPA) filters.

Research has shown that buildings with positive static pressure HVAC systems with MERV 13 air filters result in a 50 percent reduction in particulates sized 0.3–1.0 microns ($PM_{2.5}$ and PM_{10}), result in an 85 percent reduction in particulates sized 1.0–3.0 microns ($PM_{2.5}$ and PM_{10}), and result in a 90 percent reduction in particulates sized 3.0–10.0 microns (PM_{10}) when compared to outdoor levels of particulates~~, substantially reducing impacts from TACs for future residents included as part of the proposed project~~.

The efficiency rates for MERV 14 filters are summarized below:

- efficiency for particulates sized 0.3–1.0 microns ($PM_{2.5}$ and PM_{10}): ≥90 percent;
- efficiency for 1.0–3.0 µm particles ($PM_{2.5}$ and PM_{10}): ≥95 percent; and
- efficiency for 3.0–10.0 µm particles (PM_{10}): ≥98 percent.

Section 2.6, Energy

Page 63, Long-term Operational Impacts

The proposed residential buildings would be built all-electric (consistent with PDF-~~1~~3), and the proposed project would install solar photovoltaic (PV) systems that would generate renewable energy to offset the building's energy consumption.

Page 64, Impact b

Additionally, the proposed project is planned to be an all-electric design (as detailed in PDF-~~1~~3) and would therefore utilize more renewable energy sources during project operation compared to typical existing development.

Page 66, Impact b

While several of these policies are requirements at City level or voluntary, compliance with Title 24 standards, other applicable regulations, and PDF-~~1~~3 would ensure that the proposed project would not conflict with any of the energy conservation policies related to the proposed project’s building, mechanical systems, and indoor and outdoor lighting.

Section 2.8, Greenhouse Gas Emissions

Page 77, Operational Greenhouse Gas Emissions

- **Natural Gas:** These emissions refer to the GHG emissions that occur when natural gas is burned on the project site. The proposed project would be built all-electric (PDF-~~1~~3) and would, therefore, not result in any GHG emissions from natural gas use.

Page 79, Table 9: Consistency with the 2022 Scoping Plan

New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial).	**Consistent.** As detailed in PDF-~~1~~3 provided in the project description, the proposed project would be an all-electric development and would not include any natural gas hookups.

Section 2.17, Transportation

Page 125, Project Design Features–VMT Reduction

T-1 Increase Residential Density (Included in the Project Description as PDF-~~3~~4)

RESPONSE TO COMMENTS

The comment letters are included as Attachment A, B, and C, respectively, of this memorandum. A list of public agencies, organizations, and individuals who commented on the Draft IS/MND is presented below. Each comment letter has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author	Code
Brent Millard	MILLARD
Department of Toxic Substances Control	DTSC
Caltrans, District 12	CALTRANS

Letter from Brent Millard, Dated May 3, 2025

Comment MILLARD-1

First, I would like to repeat my previous comment of this development being overly dense in an already high traffic area. They should cut the number of units by 20-30% and increase parking and trees for the nesting birds and wildlife.

Response to Comment MILLARD-1

This comment is noted. This comment will be forwarded to decision-makers for consideration.

Comment MILLARD-2

Second it feels like the traffic study is extremely cherry picked. They did the study after winter holiday traffic stopped and before Valentine's Day or spring traffic. Bear street is bumper to bumper more often than they indicate. I don't know where they got the information from the previous Trinity network, but 500 cars is an extremely high estimate. In the 15 years I lived here there were never more than 100 cars in and out per day. They should be required to submit real data instead of the biased data they submitted.

Response to Comment MILLARD-2

Existing 24-hour roadway segment traffic counts were conducted on Wednesday, January 15, 2025. Traffic counts were conducted midweek while schools in the area were in session. There were no observations made in the field that would indicate atypical traffic conditions on the count dates, such as construction activity or detour routes.

As detailed in the Focused Traffic Assessment included as Appendix H to the Draft IS/MND, the trip generation for the existing building on-site is based on the 11th Edition Institute of Transportation Engineers (ITE) Trip Generation Manual. The ITE Trip Generation Manual compiles data from real-world traffic studies to estimate how many trips different land uses generate. This data is collected using standardized methods at development sites and is regularly updated to reflect evolving travel patterns. This comment does not provide substantial evidence of an impact. No revisions to the Draft IS/MND are needed.

Letter from DTSC, Dated May 8, 2025

Comment DTSC-1

If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of LBPs or products, mercury, ACMs, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual.

Response to Comment DTSC-1

As discussed in Section 2.9, Hazards and Hazardous Materials, the proposed project would be required to comply with California Code of Regulations Title 22, Division 4.5, for appropriate management of hazardous materials, as well as the requirements of the EPA, Resource Conservation and Recovery Act (RCRA), DTSC, California Occupational Safety and Health Administration (Cal/OSHA), and California Department of Transportation (Caltrans).

Comment DTSC-2

DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's PEA Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) web page.

Response to Comment DTSC-2

It is industry standard practice to test all imported soil to ensure it will not impact future users of the site. The project applicant understands that compliance with DTSC requirements regarding imported soil and fill material is necessary. The applicant will ensure that any imported material is tested for contaminants in accordance with DTSC's PEA Guidance Manual and the Clean Imported Fill Material Fact Sheet. Documentation of the source and prior land use of the material will be maintained, and representative sampling will be conducted as appropriate to confirm suitability for the intended land use. All evaluations will follow DTSC's HERO guidance.

Letter from Caltrans, District 12, Dated June 12, 2025

Comment CALTRANS-1

To ensure safe operations, please check the capacity(s) (storage length) of the off-ramps going to Fairview Road and Bristol Street to determine whether the ramp(s) is/can accommodate the demand(s) and will not create a backup onto the freeway mainline. Additionally, to ensure safe operations, please check the capacity(s) (storage length) of the left-turn and/or right-turn pocket(s) at the intersections of the

on-ramp(s) to determine whether the pocket(s) is/can accommodate the demand(s) and will not backup onto the street mainline.

Response to CALTRANS-1

Project trip generation did not reach the threshold to warrant further analysis per the City's guidelines. Based on the anticipated net reduction from the existing building on-site, the proposed project would have less of an impact than if the existing building were occupied. There is no evidence that the proposed project would exceed capacity. The on- and off-ramps and turn-pockets are anticipated to have adequate capacity. Project impacts to on- and off-ramp intersections are not expected to occur.

Comment CALTRANS-2

A traffic impact study is required for this project to include existing and future average daily traffic volumes, traffic generation including peak-hour, traffic distribution, HCM intersection analysis, along with current and projected capacities of local street, and state highways or freeways including ramps that might be impacted. Specifically, the intersection of Bristol Street and 1-405 ramps including queueing analysis on Bristol Street turning pockets to the 1-405 and the 1-405 Off-Ramps, and the intersection of Bear Street and State Route (SR) 73 ramps including queueing analysis on Bear Street turning pockets to the SR-73 ramps, and SR-73 off-ramps.

Response to CALTRANS-2

A Focused Traffic Assessment was prepared for the proposed project and is included as Appendix H to the Draft IS/MND. It was determined that the proposed project would not result in significant impacts to these intersections. No further analysis was required in accordance with the City’s guidelines.

Comment CALTRANS-3

Exhibit 6 Conceptual Landscape Plan shows a Traffic Signal and Crosswalk per Civil's Plan (#28). If this is a proposed signal, please provide synchronization analysis to ensure it will have no adverse impact on SR-73 ramps.

Response to CALTRANS-3

The proposed traffic signal would be timed and coordinated according to City requirements prior to turn on. Coordination for the corridor will be reviewed and approved by the City. The limits of coordination will be determined by the City with consultation from Caltrans as necessary. The final coordination timing plans will be reviewed and approved by both the City and Caltrans if necessary. This will ensure that no adverse impact will occur at any location along the corridor limits, including SR-73.

Comment CALTRANS-4

Bear Street currently has an existing Class II bike lane. To enhance safety and visibility of bicyclists consider installing green conflict zone striping on the existing Class II bike lane. Especially near driveways and intersections.

Response to CALTRANS-4

All signing and striping (including bike legends and green conflict zone striping) would be designed to meet City standards and would be reviewed and approved during final engineering.

Comment CALTRANS-5

During construction, please ensure that appropriate detours and safety measures are in place that prioritize the mobility, access, and safety of bicyclists, pedestrians, and transit users. If adjacent sidewalks or bike lanes need to be closed during construction, please ensure that closures and detours are clearly signed.

Response to CALTRANS-5

The proposed project would be required to prepare construction traffic control plans (Including detours) prior to the issuance of an encroachment permit by the City. These Construction Traffic Control plans would meet all City and State requirements for safe passage of vehicles, pedestrians, and cyclists.

Comment CALTRANS-6

Caltrans supports the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation.

Response to CALTRANS-6

This comment is noted. The proposed project will follow all City requirements to ensure that construction of facilities to accommodate pedestrians and bicyclists. Proper signage as directed by the City will be implemented to comply with City requirements and Complete Streets requirements.

Comment CALTRANS-7

Freight Route and Access Compatibility - Although the Bear Street Residential Project is primarily residential, it is located adjacent to I-405, a major freight corridor. The project documentation should evaluate whether the existing access point on Bear Street could conflict with regional truck routes, particularly during construction. Consider incorporating design measures to minimize conflicts between haul trucks and regional freight traffic on Bear Street and nearby arterials.

Response to CALTRANS-7

This comment is noted. Bear Street is not a City-designated truck route. Furthermore, a Construction Management Plan would be developed for the proposed project and in compliance with all City requirements. The Construction Management Plan would document patterns in which trucks would access the site from regional facilities, such as I-405. As part of that process, the Construction Management Plan would evaluate and provide recommendations to ensure that there are no conflicts with regional routes, pedestrian and bicycle facilities, and construction of the proposed project.

Comment CALTRANS-8

Construction Truck Routing and Mitigation - The IS/MND notes a multi-year construction period (2025-2028) but does not specify a detailed construction truck route plan. Given proximity to I-405 and potential congestion on Bear Street, a designated haul route plan should be provided to avoid impacts on surrounding residential and park areas, consistent with Table A of Caltrans freight guidance.

Response to CALTRANS-8

A Construction Truck Traffic Management Plan would be prepared as required by the City prior to the issuance of any grading and building permits. This plan would meet all State and City requirements for construction traffic.

In regard to air quality impacts related to construction routing, both the regional and localized impacts analyses considered impacts from construction trips. Construction activities would consist of three consecutive phases: (1) demolition of the existing paved surfaces and structures, clearing, and site preparation; (2) site development, including grading, utility installation, and roadway construction; and (3) vertical construction and landscaping installation (IS/MND page 4). The construction trips assumed in the analysis are shown on Appendix A page A-85. As noted in the construction trip summary, emission estimates used to support the regional air quality analysis used the model default haul trip length of 20 miles. Appendix A page A-259 shows a graphical representation of the construction routes that were used in HRA to assess the potential health risk impacts to nearby receptors. As demonstrated by the modeling results included as part of Appendix A, the majority of construction emissions would occur on-site. As health risk impacts analyzed for sensitive receptor locations within 20 feet of the project boundary would be less than significant (IS/MND page 4), health risk impacts from construction emissions at receptor locations further away from the project site would also be less significant. Because the majority of emissions from construction activities are concentrated at the project site, this statement would remain true even if the construction routes were altered. As such, the results of an analysis of air quality impacts associated with the proposed project would remain the same if analyzed using assumptions consistent with a detailed construction truck route plan.

Comment CALTRANS-9

On-Site Delivery Access -The residential design lacks clarity on how delivery and service vehicles (e.g., moving trucks, package vans, utility trucks) will circulate and access units, particularly in a high-density townhome setting. Recommend ensuring:

- Adequate turning radii for delivery trucks.
- Temporary curb loading zones that do not block travel lanes or pedestrian access.
- Shared delivery package lockers or designated delivery zones to reduce repeated vehicle idling and circulation.

Response to CALTRANS-9

A truck turn analysis and exhibit (see Attachment D) was prepared specifically for Costa Mesa Sanitary District sewer utility truck access to and within the site. Furthermore, the proposed project has been designed to allow for adequate fire truck turning radii. This would also apply to delivery trucks visiting the project site. Private drives A through F would provide adequate width for truck access. Furthermore, there are four utility access road turnouts within the site. Mailboxes are located along private drive A and private drive F.

Comment CALTRANS-10

Truck Idling and Emission Controls - Project Design Feature PDF-2 includes Tier 3 construction equipment with VDECs. Caltrans recommends that all feasible off-road diesel equipment meet Tier 4

standards where available, especially within proximity to homes and schools, to align with environmental justice goals under AB 617 and CalEnviroScreen considerations.

Response to CALTRANS-10

As noted in a footnote included in the description of Project Design Feature PDF-1 (IS/MND page 5) and above Table 5 (IS/MND page 40), equipment meeting Tier 4 standards achieves the required reductions and specifications in PDF-2 without VDECs. As such, the developer is not precluded from using equipment meeting Tier 4 standards. It is anticipated that the developer will use a mix of equipment meeting either Tier 4 standards or Tier 3 standards with VDECs.

As shown in Table 5: Estimated Health Risks and Hazards During Project Construction, health risks associated with construction of the proposed project would be well below the applicable health risk thresholds under both the “Tier 3 with Level 3 Filers Scenario” scenario and the “Tier 4 Scenario.” As such, Tier 3 construction equipment with VDECs and equipment meeting Tier 4 standards are both health protective options. As the potential impacts from the construction of the proposed project with Tier 3 standards with VDECs would not result in a significant impact, there is no impetus to require the use of equipment meeting Tier 4 standards and the specifications outlined in Project Design Feature PDF-1 align with environmental justice goals under AB 617 and CalEnviroScreen considerations.

Comment CALTRANS-11

Freight Noise Buffering - The project includes a 12-foot sound wall adjacent to I-405. However, truck traffic from the freeway and construction activity may still produce diesel-specific noise profiles. Ensure that the wall and interior unit design include insulation strategies that account for low frequency noise associated with heavy trucks, as recommended in Table B of the guidance.

Response to CALTRANS-11

As noted, the proposed project would construct a 12-foot sound wall adjacent to I-405. In addition, the proposed project would utilize spray foam during the construction process to reduce exterior noise, as well as Sound Transmission Class (STC) rating for windows, wall assemblies, and doors. However, compliance with the CBC building code requirements for maintaining acceptable interior noise levels for multi-family residential projects would be demonstrated through the design review process and is not required as part of the CEQA analysis. An analysis of the environment’s impact on the proposed project is not a requirement of CEQA. No further response or analysis is required.

Comment CALTRANS-12

Long-Term Goods Movement Considerations - Although not industrial in nature, the project site formerly hosted a large media organization and sits at a regional node. Encourage the City to evaluate cumulative land use and goods movement compatibility as surrounding parcels evolve. This includes reviewing potential congestion, routing, and noise as infill continues along freight corridors.

Response to CALTRANS-12

This comment is noted. This comment will be taken into consideration by the City.

Comment CALTRANS-13

Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine whether project oversight/coordination with Caltrans Project Manager is needed. If coordination is not required, please submit an encroachment permit application package (EPAP) through the Caltrans Encroachment Permit System (CEPS–https://ceps.dot.ca.gov/). EPAP should include application, PE signed and stamped site-specific traffic control plan, insurance, letter of authorizations as needed, and any other relevant documents. EPAP should be submitted as early as possible to avoid any delays.

Response to CALTRANS-13

Work within the Caltrans right-of-way is not required for the proposed project. It is noted that any traffic control set up would require review and approval by Caltrans, if required.

Comment CALTRANS-14

Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed (if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations.

Response to CALTRANS-14

This comment is noted. All engineered plans would be signed by a registered engineer as required by the City and Caltrans.

Attachment A:

MILLARD Comment Letter

From: YEAGER, CHRISTOPHER
To: Cecilia So
Cc: Scheidel, Vanessa
Subject: FW: Notice of Intent to Adopt an IS/MND for 3150 Bear Street Project Public Review
Date: Tuesday, May 6, 2025 2:49:06 PM
Attachments: image001.png
image001.png

Caution: This is an external email and may contain suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, please contact your IT Department

FYI – See Below.

Chris Yeager
Senior Planner
Economic & Development Services Department
77 Fair Drive | Costa Mesa | CA 92626 | (714) 754-4883

Please consider the environment before printing this email. Thank you!

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From: Brent Millard <brent.millard@gmail.com>
Sent: Saturday, May 3, 2025 7:14 PM
To: YEAGER, CHRISTOPHER <CHRISTOPHER.YEAGER@costamesaca.gov>
Subject: Re: Notice of Intent to Adopt an IS/MND for 3150 Bear Street Project Public Review

Hi Chris,

Thank you for this information. I do have a couple initial comments.

First I would like to repeat my previous comment of this development being overly dense in an already high traffic area. They should cut the number of units by 20-30% and increase parking and trees for the nesting birds and wildlife. 1

Second it feels like the traffic study is extremely cherry picked. They did the study after winter holiday traffic stopped and before Valentine's Day or spring traffic. Bear street is bumper to bumper more often than they indicate. I don't know where they got the information from the previous Trinity network but 500 cars is an extremely high estimate. In the 15 years I lived here there were never more than 100 cars in and out per day. They should be required to submit real data instead of the biased data they submitted. 2

I am still reading through the documents but I wanted to submit these comments ASAP.

Thank you,
Brent

On Fri, May 2, 2025, 3:02 PM YEAGER, CHRISTOPHER <CHRISTOPHER.YEAGER@costamesaca.gov> wrote:

> Dear Interested Parties,
>
> This email is to inform you that a Notice of Intent (NOI) to adopt an Initial Study/Mitigated Negative Declaration (IS/MND) is now available for public review.
>
> Project Title: 3150 Bear Street Residential
> Project Location: 3150 Bear Street, Costa Mesa, CA. 92626
> Review Period: May 1, 2025 to June 2, 2025
>
> The IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) and provides an analysis of potential environmental impacts associated with the proposed project. Based on the findings, the project would not have a significant effect on the environment with the implementation of proposed mitigation measures.
>
> The NOI and full IS/MND document can be accessed at City Hall, Costa Mesa Library, Mesa Verde Library, or online at the following link: https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports
>
> We encourage interested parties to review the document and submit any comments back to me by June 2, 2025.
>
> Please feel free to forward this notice to others who may be interested. Thank you for your attention and participation in the environmental review process.
>
> Sincerely,
>
> **Chris Yeager**
> Senior Planner
> Economic & Development Services Department
> 77 Fair Drive | Costa Mesa | CA 92626 | (714) 754-4883
>
> Please consider the environment before printing this email. Thank you!
>
> ***"The City of Costa Mesa serves our residents, businesses and visitors while promoting a safe, inclusive, and vibrant community."***
>
> City Hall is open to the public 8:00 a.m. to 5:00 p.m. Monday through Thursday and alternating Fridays,

except specified holidays. Appointments can be made online at **www.costamesaca.gov/appointments**.

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Attachment B:

DTSC Comment Letter

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

May 8, 2025

Chris Yeager
Senior Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
Christopher.yeager@costamesaca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE BEAR STREET RESIDENTIAL PROJECT DATED May 2, 2025, STATE CLEARINGHOUSE NUMBER 2025050135

Dear Chris Yeager,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the Bear Street Residential Project (Project). MLC Holdings, LLC. proposes to develop a new residential infill community consisting of 142 for-sale townhomes ranging from approximately 1,060 to 2,218 square foot comprising 2-story detached condominiums and larger 4-story stacked flats. A Phase I Environmental Site Assessment conducted by Hillmann revealed that a cursory visual screening was performed to check for asbestos containing materials (ACMs) and lead-based paint (LBPs). The Phase I also stated the visual screening was not intended to be a comprehensive survey for the presence of ACMs and LBPs and no further testing has been conducted since. DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of LBPs or products, mercury, ACMs, and polychlorinated biphenyl

caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual. 1 CONT

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in DTSC's PEA Guidance Manual. Additionally, DTSC advises referencing the DTSC Information Advisory Clean Imported Fill Material Fact Sheet if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage. 2

DTSC would like to thank you for the opportunity to comment on the MND for the Bear Street Residential Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our CEQA Review email for additional guidance.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Cecilia So
Associate Director
FirstCarbon Solutions
cso@fcs-intl.com

Vanessa Scheidel
Project Applicant
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Dave Kereazis
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Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

Attachment C:

Caltrans Comment Letter

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
1750 EAST 4TH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 328-6000
FAX (657) 328-6522
TTY 711
www.do.ca.gov/caltrans-near-me/district12

Making Conservation California Way of Life.

June 2, 2025

Mr. Chris Yeager
Planning Services Division
77 Fair Drive
Costa Mesa, CA 92625

File: IGR/CEQA
SCH#: 2025050135
LDR LOG #2025-02814

Dear Mr. Yeager,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Mitigated Negative Declaration for the Bear Street Residential Project. MLC Holdings, LLC. (applicant) proposes to develop a new residential infill community consisting of 142 for-sale townhomes ranging in size from approximately 1,060 to 2,218 comprising 2-story detached condominiums and larger 4-story stacked flats. The proposed project would provide private roadways and parking, pedestrian walkways, common space and amenity areas throughout the project site, landscaping, and a recreational amenity area, including approximately 93,500 square feet of open space. The project applicant proposes to deed restrict 5 percent of the units as very low affordable homes (up to seven homes). Pursuant to the State Density Bonus Law, the proposed project would be allowed a 20 percent increase in density. transportation. The project site is located at 3150 Bear Street site of the old Trinity Church in the City of Costa Mesa. The nearest state facility to the project site is I-405.

The mission of Caltrans is Improving lives and communities through transportation. Caltrans is a reviewing agency on this project and has the following comments:

1. To ensure safe operations, please check the capacity(s) (storage length) of the off-ramps going to Fairview Road and Bristol Street to determine if the ramp(s) is/can accommodate the demand(s) and will not create a back-up onto the freeway mainline. Additionally, to ensure safe operations, please check the capacity(s) (storage length) of the left-turn and/or right-turn pocket(s) at the intersections of the on-ramp(s) to determine if the pocket(s) is/can accommodate the demand(s) and will not back-up onto the street mainline. 1

2. A traffic impact study is required for this project to include existing and future average daily traffic volumes, traffic generation including peak hour, traffic distribution, HCM intersection analysis, along with current and projected capacities of local street, and state highways or freeways including ramps that might be impacted. Specifically, the intersection of Bristol Street and I-405 ramps including queuing analysis on Bristol Street turning pockets to the I-405 and the I-405 Off-Ramps, and the intersection of Bear Street and SR-73 ramps including queuing analysis on Bear Street turning pockets to the SR-73 Ramps, and SR-73 Off-Ramps. 2

3. Exhibit 6 Conceptual Landscape Plan shows a Traffic Signal and Crosswalk per Civil's Plan (#28). If this is a proposed signal, please provide synchronization analysis to ensure it will have no adverse impact on SR-73 Ramps. 3

4. Bear Street currently has an existing Class II bike lane. To enhance safety and visibility of bicyclists consider installing green conflict zone striping on the existing Class II bike lane. Especially near driveways and intersections. 4

5. During construction, please ensure that appropriate detours and safety measures are in place that prioritize the mobility, access, and safety of bicyclists, pedestrians, and transit users. If adjacent sidewalks or bike lanes need to be closed during construction, please ensure that closures and detours are clearly signed. 5

6. Caltrans supports the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation. 6

7. Freight Route and Access Compatibility- Although the Bear Street Residential Project is primarily residential, it is located adjacent to I-405, a major freight corridor. The project documentation should evaluate whether the existing access point on Bear Street could conflict with regional truck routes, particularly during construction. Consider incorporating design measures to minimize conflicts between haul trucks and regional freight traffic on Bear Street and nearby arterials. 7

8. Construction Truck Routing and Mitigation- The IS/MND notes a multi-year construction period (2025–2028) but does not specify a detailed construction truck route plan. Given proximity to I-405 and potential congestion on Bear Street, a designated haul route plan should be provided to avoid impacts on surrounding residential and park areas, consistent with Table A of Caltrans freight guidance. 8

9. On-Site Delivery Access-The residential design lacks clarity on how delivery and service vehicles (e.g., moving trucks, package vans, utility trucks) will circulate and access units, particularly in a high-density townhome setting. Recommend ensuring: 9
    - Adequate turning radii for delivery trucks.
    - Temporary curb loading zones that do not block travel lanes or pedestrian access.
    - Shared delivery package lockers or designated delivery zones to reduce repeated vehicle idling and circulation.

10. Truck Idling and Emission Controls- Project Design Feature PDF-2 includes Tier 3 construction equipment with VDECs. Caltrans recommends that all feasible off-road diesel equipment meet Tier 4 standards where available, especially within proximity to homes and schools, to align with environmental justice goals under AB 617 and CalEnviroScreen considerations. 10

11. Freight Noise Buffering- The project includes a 12-foot sound wall adjacent to I-405. However, truck traffic from the freeway and construction activity may still produce diesel-specific noise profiles. Ensure that the wall and interior unit design include insulation strategies that account for low-frequency noise associated with heavy trucks, as recommended in Table B of the guidance. 11

12. Long-Term Goods Movement Considerations-Although not industrial in nature, the project site formerly hosted a large media organization and sits at a regional node. Encourage the City to evaluate cumulative land use and goods movement compatibility as surrounding parcels evolve. This includes reviewing potential congestion, routing, and noise as infill continues along freight corridors. 12

13. Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. If coordination is not required, please submit an encroachment permit application package (EPAP) through the Caltrans Encroachment Permit System (CEPS - https://ceps.dot.ca.gov/). EPAP should include application, PE signed and stamped site-specific traffic control plan, insurance, letter of authorizations as needed, and any other relevant documents. EPAP should be submitted as early as possible to avoid any delays. 13

14. Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed (if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations. 14

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact at Maryam Molavi at Maryam.Molavi@dot.ca.gov.

Sincerely,

Scott Shelley (Jun 2, 2025 15:38 PDT)

Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit Grants
District 12

Attachment D:

Costa Mesa Sanitary District Access Exhibit

OLYMPIC AVENUE (PUBLIC)

60' R/W

INTERSTATE 405

PRIVATE DRIVE D

PRIVATE DRIVE C

PRIVATE DRIVE B

PRIVATE DRIVE E

PRIVATE DRIVE F

PRIVATE DRIVE A

BEAR STREET (PUBLIC)

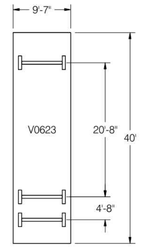
BLDG 1 · BLDG 2 · BLDG 3 · BLDG 4 · BLDG 5 · BLDG 6 · BLDG 7 · BLDG 8

ACC

APN 141-521-51

TRACT 3885 · TRACT 3590 · TRACT 5211

VACTOR 2100 PLUS - V0623



OUTSIDE TURNING RADIUS = 40' MIN.
MAXIMUM HEIGHT = 26'
EXTRA ROOM FOR LOADING/UNLOADING EQUIP: 4'-6"
VEHICLE GVWR = 66,000 LBS

LEGEND

- TRACT BOUNDARY
- PROPOSED SEWER
- EXISTING SEWER

30' 0' 15' 30'

SCALE: 1" = 30'

CMSD SEWER ACCESS EXHIBIT

3150 BEAR STREET
COSTA MESA, CALIFORNIA

X ENGINEERING & CONSULTING, INC.
6 Hutton Centre Drive, Suite 650
Santa Ana, California 92707
949.522.7100 | xengineeringinc.com

P:\17\007\Exhibits\Entitlement\17-007 CMSD Truck Turn Exhibit.dwg Plotted At: March 28, 2025 7:27 PM Last Saved By: DeanAcre Last Saved At: March 28, 2025 7:27 PM

FCS
An ADEC Innovation

Bear Street Residential Project

Mitigation Monitoring and Reporting Program

City of Costa Mesa, Orange County, California
State Clearinghouse Number 2025050135

PREPARED FOR:

City of Costa Mesa

77 Fair Drive
Costa Mesa, CA 92626
714.754.5000

Contact: Chris Yaeger, Senior Planner

PREPARED BY:

FirstCarbon Solutions

250 Commerce, Suite 210
Irvine, CA 92602
714.508.4100

Contact: Cecilia So, Project Director
Brittany Hagen, Project Manager

June 26, 2025

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PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation. This MMRP also includes project design features (PDFs) of the project which are to be implemented by the project applicant. The City shall enforce the implementation of these PDFs by the project applicant.

The Draft IS/MND prepared for the proposed Bear Street Residential Project (proposed project) concluded that project implementation could result in potentially significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. This MMRP documents how and when the mitigation measures adopted by the Lead Agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Draft IS/MND.

This document does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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Table 1: Bear Street Residential Project Mitigation Monitoring and Reporting Program

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2.3 Air Quality					
Project Design Features					
PDF-1 Use of Clean Construction Equipment to Minimize DPM: All off-road equipment equal to or greater than 50 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resources Board (ARB) Tier 3 standards with Level 3 Verified Diesel Emission Control Strategy (VDEC) filters. The project applicant shall submit a construction management plan to the City of Costa Mesa's Planning Division for review and approval prior to issuance of any grading and building permits. The construction management plan shall demonstrate that the off-road equipment used on-site to construct the proposed project would comply with these specified off-road emission standards. Off-road equipment descriptions and information included in the construction management plan may include, but are not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.	Review and approval of construction management plan; site inspection	Prior to the issuance of a grading permit; during and following project construction	City of Costa Mesa Planning Division; City of Costa Mesa Planning Division		
Standard Conditions					
SC AIR-1: SCAQMD Rule 403 requires the implementation of best available dust control measures during activities capable of generating fugitive dust. The proposed project must follow the standard SCAQMD rules and requirements with regard to fugitive dust control, which include, but are not limited to the following:	Inclusion in project plans; periodic inspection	Prior to the issuance of grading permits; during construction	City of Costa Mesa Economic and Development Services Department		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
1. All active construction areas shall be watered two times daily. 2. Speed on unpaved roads shall be reduced to less than 15 miles per hour (mph). 3. Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes. 4. Any on-site stockpiles of debris, dirt, or other dusty material shall be covered or watered twice daily. 5. All operations on any unpaved surface shall be suspended if winds exceed 15 mph. 6. Access points shall be washed or swept daily. 7. Construction sites shall be sandbagged for erosion control. 8. Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more). 9. Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) Section 23114. 10. Pave or gravel construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits. 11. Replace the ground cover of disturbed areas as quickly possible.					
SC AIR-2: All interior and exterior architectural coatings used on-site during project construction must meet or exceed the VOC content limits established by SCAQMD Rule 1113. The project sponsor shall include in any construction contracts and/or subcontracts a requirement that all interior and exterior architectural coatings used in project construction meet the VOC content limits established by SCAQMD Rule 1113.	Inclusion in project plans; periodic inspection	Prior to construction during contract development; during construction	City of Costa Mesa Economic and Development Services Department		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2.4 Biological Resources					
MM BIO-1a: Nesting Bird Pre-construction Surveys If ground-disturbing or vegetation-removing construction activities or tree removal is proposed during the breeding/nesting season for migratory birds (typically February 1 through September 15), a qualified Biologist shall conduct pre-construction surveys for special-status birds and other migratory birds within the construction area, including a 500-foot survey buffer, no more than 3 days prior to the start of ground-disturbing activities in the construction area.	Review and approval of pre-construction nesting bird survey report prepared by a qualified Biologist	Prior to construction during the appropriate breeding season (February 1 to August 31)	City of Costa Mesa Economic and Development Services Department		
MM BIO-1b: Avoidance of Active Avian Nests If an active nest is located during pre-construction surveys or at any point during the construction phase of the proposed project, a qualified Biologist shall establish a buffer around the nest using flagging tape or other barrier. The buffer shall be established at a minimum radius of 500 feet around an active raptor nest and 300 feet around an active migratory bird nest. Avoidance buffers may be altered at the discretion of the qualified Biologist depending on the location of the nest and species tolerance to human presence and construction activity. Furthermore, construction activities and personnel shall be restricted from entering the buffer area to avoid disturbance of the nest until it is abandoned or a qualified Biologist deems disturbance potential to be minimal. Additional restrictions may include alteration of the construction schedule to avoid the active nesting season.	Establishment of buffer areas on construction plans; monitoring of construction site by a qualified Biologist; periodic site inspection	Prior to and during construction	City of Costa Mesa Economic and Development Services Department		
2.5 Cultural Resources and Tribal Cultural Resources					
MM CUL-1: Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified Archaeologist who meets the	Verify retention of a qualified Archaeologist	Prior to the issuance of grading permits;	City of Costa Mesa Economic and		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified Archaeologist shall ensure the following measures are followed for the project.	and Tribal Monitor[s];		Development Services Department;		
Prior to any ground disturbance, the qualified Archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project.	Proof of Worker Environmental Awareness Program (WEAP) training;	Prior to ground disturbance;	City of Costa Mesa Economic and Development Services Department		
Prior to any ground disturbance, the applicant shall submit a written Cultural Resources Monitoring Plan (RMP) to the City of Costa Mesa's Development Services Director for review and approval. The monitoring plan shall include Monitor contact information (including the qualified Archaeologist and the Native American Monitor per MM TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds.	Review and approval of RMP; inclusion of notes on construction plans;	Prior to ground disturbance;	City of Costa Mesa Economic and Development Services Department		
In the event cultural resources are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered resource shall cease and the qualified Archaeologist, in collaboration with the Monitor, shall assess the	Site inspection; submittal of documentation;	during demolition, grading, and excavation;	City of Costa Mesa Economic and Development Services Department		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
discovery. Construction activities outside the buffer zone may continue during the Monitor's assessment. **Non-Native American (Non-TCR) Discoveries:** If warranted based on the qualified Archaeologist's evaluation of the archaeological (but non-TCR) discovery, the Archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Development Services Director shall verify are incorporated into future construction plans, and providing cost estimates.	Site inspection and submittal of documentation; incorporation of final Cultural Mitigation Measures, if any, into future construction plans	During demolition, grading, and excavation;	City of Costa Mesa Development Services Director		
Conjoined Archaeological and Native American (TCR) Discoveries: If, following consultation with the Monitors, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature, condition, and extent of the resources), as well as a discussion of the significance to the applicable Native American Tribe. The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the applicable Native	Submittal and approval of TCR discovery report.	During construction activities; prior to occupancy permits	City of Costa Mesa Economic and Development Services Department		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
American Tribe, and (2) completed the appropriate treatment of the resource consistent with MM TCR-1.					
MM TCR-1: Prior to issuance of any grading permits, the applicant shall formally retain a Native American Monitor from the Native American Tribe that is culturally and ancestrally affiliated with the project location. The applicant shall enter into a contract for monitoring services with the Gabrieleño Band of Mission Indians–Kizh Nation and Juaneño Band of Mission Indians, Acjachemen Nation-Belarde. The Tribal Monitor (the "Monitor") shall monitor all "ground-disturbing" project activities, which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground-disturbing activities"). A copy of the executed contracts shall be submitted to the Costa Mesa Development Services Department prior to the issuance of any permit necessary to commence ground-disturbing activities.	Retention of Tribal Monitor; submittal of copy of executed contract to City Site monitoring. inclusion of notes on construction plans; submittal of daily monitoring logs	Prior to the issuance of any permits for ground-disturbing activity; During ground-disturbing activities;	City of Costa Mesa Economic and Development Services Department; City of Costa Mesa Economic and Development Services Department;		
The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground-disturbing activities, locations of such activities, observed soil types, and the presence or absence of Tribal cultural-related materials. Should Tribal cultural resources be discovered, monitoring logs shall identify and describe such resources, including but not limited to, Native American cultural resources as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitoring logs shall be provided to the City of Costa Mesa and maintained as confidential. In the event cultural resources are discovered during any phase of ground-disturbing activities, and it is determined by the Monitor and the qualified Archaeological Monitor, in	Submittal of monitoring logs to City	Daily during ground-disturbing activity	City of Costa Mesa Economic and Development Services Department;		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
consultation with the City, to be Native American in origin, then all construction activity within 50 feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the Tribe's cultural practices, including reinternment on-site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Tribal nations, and (2) completed the appropriate treatment of the resource. Monitoring for Tribal cultural resources (TCRs) shall conclude upon the City's receipt of written confirmation from the Monitor that ground-disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.	Submittal of written notice of completion from Monitor	At the conclusion of ground-disturbing activity and prior to issuance of occupancy permits	City of Costa Mesa Economic and Development Services Department		
Plans, Programs, and Policies					
PPP CUL-1: The proposed project is required to comply with California Public Resources Code 5097.9-5097.991 (which protects Native American historical and cultural resources, and sacred sites) and Health and Safety Code Section 7050.5 (pertaining to the discovery or recognition of any human remains).	Inclusion in project plans; periodic site inspection	Prior to the issuance of grading permits; during construction	City of Costa Mesa Economic and Development Services Department		
PPP TCR-1: The proposed project is required to comply with California Public Resources Code 5097.9–5097.991 (which protects Native American historical and cultural resources, and sacred sites); Public Resources Code 21084.3 (avoid damaging	Inclusion in project plans; periodic site inspection	Prior to the issuance of grading permits; during construction	City of Costa Mesa Economic and Development Services Department		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
effects to any Tribal cultural resource); Health and Safety Code Section 7050.5 (pertaining to the discovery or recognition of any human remains).					
2.6 Energy					
Project Design Features					
PDF-2 All-electric Development The proposed project shall be designed as an all-electric development, which requires that all appliances installed into the proposed townhomes be electric powered and no natural gas lines shall be run to the proposed townhome buildings.	Inclusion in project plans; site inspection	Prior to the issuance of a grading permit; during and following project construction	City of Costa Mesa Economic and Development Services Department		
2.7 Geology and Soils					
MM GEO-1: Prior to the issuance of a grading permit, the Owner/Developer shall implement the recommendations provided in Section 3, Conclusion and Preliminary Recommendations, in the Geotechnical Exploration prepared by SA Geotechnical, Inc. (SA GEO). The Exploration, included in Appendix F, is incorporated herein by reference as fully set forth in this mitigation measure.	Inclusion in project plans; periodic site inspection	Prior to the issuance of a grading permit; during construction	City of Costa Mesa Economic and Development Services Department		
MM GEO-2: Paleontological monitoring of excavations in previously undisturbed surface deposits by a qualified monitor shall be required. Sediment samples from deeper excavations, borings, trenching, or grading shall be wet screened if they cannot be dry screened. The concentrate from the screening activities shall be sorted with the aid of a 10x microscope. These mitigation efforts shall be consistent with the mitigation guidelines published by the Society of Vertebrate Paleontology (2010). In the event that earth-disturbing construction-related activities uncover any paleontological resources (i.e., bones or teeth) when a monitor is	Proof of retention of a qualified Paleontologist; site inspection; submittal of documentation	Prior to the issuance of a grading permit; during construction	City of Costa Mesa Economic and Development Services Department, Planning Division		

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
not present, those activities shall be diverted at least 15 feet away from the discovery until a qualified Paleontologist is brought on-site to assess the find for possible salvage. Construction workers shall not attempt to remove such finds. The Paleontologist shall document the discovery as needed and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The Paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the qualified Paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Costa Mesa Economic and Development Services Department, Planning Division for review and approval prior to implementation. The applicant shall adhere to the recommendations in the approved plan. Any significant fossils, as determined by the qualified Paleontologist, recovered shall be documented in a final report and offered to an appropriate facility for curation.	City approval of excavation plan	Prior to resuming construction activities	City of Costa Mesa Economic and Development Services Department.		
2.17 Transportation					
Project Design Features					
PDF-3 T-1 Increase Residential Density This measure accounts for the Vehicle Miles Traveled (VMT) reduction achieved by a project that is designed with a higher density of dwelling units compared to the average residential density in the U.S. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing residential density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in VMT.	This project design feature would be satisfied through the project's current design based on the number of units proposed.				

Requirements	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2.20 Mandatory Findings of Significance					
As described above, implement SC AIR-1, SC AIR-2, PDF-1, MM BIO-1a, MM BIO-1b, MM CUL-1, MM CUL-2, MM CUL-3, MM TCR-1, PPP CUL-1, PPP TCR-1, PDF-2, MM GEO-1, MM GEO-2, and PDF-3.					