1. **Response to Comments**

The following is a list of agencies and organizations that submitted comments on the Initial Study/Mitigated Negative Declaration (IS/MND) during the public review period, which extended from August 2 to September 1, 2017. Comment letters and specific comments are given letters and numbers for reference purposes.

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Response to Comments

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LETTER A1 – Orange County Sanitation District (1 page)

August 24, 2017

Steven Mendoza
Community Development Director
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

SUBJECT: Notice of Intent to Adopt a Mitigated Negative Declaration—Sausalito Street Condominiums - 50 Units 3311 Sausalito Street, Los Alamitos

Orange County Sanitation District (Sanitation District) has reviewed the City of Los Alamitos’s (City) Notice of Intent to Adopt a Mitigated Negative Declaration for the proposed Sausalito Street Condominiums with 50 Units to be constructed at 3311 Sausalito Street, Los Alamitos. We have identified no significant impact to Sanitation District’s regional collection system or treatment plants from the proposed development. The Sanitation District would like to remind the City that the project developers will be required to connect to the local sewer system or construct a local sewer and dedicate it to the local sewer provider. Sanitation District does not permit direct connections from private properties to its regional trunk sewers. If the scope of the project changes, Sanitation District would like to be notified to re-evaluate our hydraulic model for impacts.

If you have questions, or for more information, please contact me at (714) 593-7331.

Thank you for the opportunity to review and comment on the proposed 50 Unit Condominium Complex at 3311 Sausalito Street.

Ann Crafton
Principal Staff Analyst

cc: Susan Bell, General Manager
Rossmeier/Los Alamitos Area Sewer District

Our Mission: To protect public health and the environment by providing effective wastewater collection, treatment, and recycling.
Response to Comments

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A1-1 The commenter stated that the Sanitation District did not identify any significant impacts to the Sanitation District's regional collection system or treatment plants as a result of project development. The commenter is in agreement with the less than significant findings provided in Section 3.18, Utilities and Service Systems, of the Initial Study/Mitigated Negative Declaration. The comment is acknowledged and included in the official environmental record of the proposed project; no response is necessary.

The commenter also made mention of the requirements for connecting to or construction of the local sewer system, as it relates to individual development projects. The comment is acknowledged. All necessary connections and/or improvements to the local sewer system will be provided in accordance with the local sewer providers requirements and implemented through a project condition of approval; this will be ensured through the City's development review process. Additionally, no direct connection(s) to the Sanitation District's regional trunk sewers are proposed or will occur under the project.
Response to Comments

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Letter A2 – Orange County Transportation Authority (2 pages)

August 29, 2017

Mr. Steven Mendoza
Development Services Director
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

Subject: Los Alamitos Sausalito Street Condominiums Project Draft Initial Study/Mitigated Negative Declaration (IS/MND)

Dear Mr. Mendoza:

Thank you for providing the Orange County Transportation Authority (OCTA) with the IS/MND for the Los Alamitos Sausalito Street Condominiums Project (Project). The following comments are provided for your consideration:

- In Section 3.16 ("Transportation/Traffic"), please note that Los Alamitos Boulevard was inconsistent with both OCTA’s Master Plan of Arterial Highways (MPAH) and the Los Alamitos General Plan Circulation Element. Los Alamitos Boulevard is currently a major arterial highway that is planned for 6 lanes per its MPAH and General Plan classification. Should there be a desire to amend the MPAH, please contact OCTA staff.

- OCTA coordinated with local jurisdictions and community members to develop regional bikeway corridors as shown in the District 1 and 2 Bikeways Strategy (December 2013). The District 1 and 2 Bikeways Strategy identified Corridor H as a regional bikeway corridor within the Project area. OCTA recommends the proposed Project consider evaluation of the following document to identify opportunities to enhance active transportation facilities and encourage increased travel by people walking and biking.
  - District 1 and 2 Bikeways Strategy (December 2013)
Mr. Steven Mendoza  
August 29, 2017  
Page 2  

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714) 560-5907 or at dphu@octa.net.

Sincerely,

[Signature]

Dan Phu  
Manager, Environmental Programs
A2. Response to Comments from Orange County Transportation Authority, Dan Phu, Manager, Environmental Programs, dated August 29, 2017.

A2-1 The commenter stated that the roadway classification of Los Alamitos Boulevard, as noted in Section 3.16, Transportation/Traffic, of the IS/MND (Initial Study/Mitigated Negative Declaration), is inconsistent with the City’s General Plan Mobility and Circulation Element and OCTA’s Master Plan of Arterial Highways (MPAH). The commenter is incorrect with regards to the City’s Mobility and Circulation Element. The Los Alamitos Boulevard roadway classification noted in Section 3.16 (page 105) of the IS/MND is consistent with the classification shown in Figure 6 (Roadway Classifications) of the Mobility and Circulation Element. As shown in Figure 6, north of Katella Avenue, Los Alamitos Boulevard is classified as a Primary Arterial. South of Katella Avenue, it is designated as a Major Arterial.

With regard to the classification of Los Alamitos Boulevard being inconsistent with OCTA’s MPAH, this comment is not directly related to the Proposed Project. The comment is related to an inconsistency of an existing roadway designation in the Mobility and Circulation Element. The comment is acknowledged, included in the official environmental record of the proposed project, and will be forwarded to the appropriate City decision-makers for their review and consideration.

A2-2 The commenter stated that the project area is within Corridor H (a regional bikeway corridor) of Caltrans’ District 1 and 2 Bikeway Strategy (2013). The commenter recommended that the Proposed Project consider evaluation of the Bikeway Strategy document to identify opportunities to enhance active transportation facilities and encourage increased travel by people walking and biking.

The Proposed Project’s impacts on alternative modes of transportation (including those related to bicycle facilities) are discussed in Section 3.16, Transportation/Traffic, of the IS/MND, starting on page 105. A description of the existing bicycle facilities in the project area is provided on page 105; the facilities noted are consistent with those shown in Figure 8 (Existing and Planned Bicycle and Pedestrian Facilities) of the Mobility and Circulation Element. As concluded in Section 3.16 of the IS/MND, project development would not result in a conflict with adopted policies, plans, or programs regarding bicycle facilities.

With regard to identifying opportunities to enhance active transportation facilities and encourage increased travel by people walking and biking, the Proposed Project includes a safe and convenient walkway system onsite, as well as internal low-speed drive aisles that would connect to Sausalito Street and the existing public sidewalk along this street (see Figure 5, Conceptual Site and Landscape Plan, of the IS/MND). The internal walkways and drive aisles would provide a means for project residents to access Sausalito Street and the public sidewalk for walking and bicycling. Once on Sausalito Street, project...
Response to Comments

residents would have access to the bicycle facilities (both local and regional, existing and future) shown in Figure 8 of the Mobility and Circulation Element, as well as those shown in Figure 3-9 (Corridor H: Seal Beach-Orange Avenue) of OCTA’s Bikeway Strategy. Additionally, project residents would have an opportunity to store bicycles within their dwelling units, and a bicycle rack would be provided in the northern end of the project site (see Figure 5).

Furthermore, one of the project’s conditions of approval encourages the project applicant to provide connectivity to Coyote Creek Park through installation of a gate along the northern parcel line and an ADA-compliant ramp to the public sidewalk along Cerritos Avenue. Other opportunities to enhance active transportation facilities and encourage increased travel by people walking and biking will be considered by City staff during the project’s development review and approval process.
LETTER A3 – Rossmoor/Los Alamitos Sewer District (3 pages)

From: Harvey Gobas [mailto:hgobas@psomas.com]
Sent: Tuesday, August 29, 2017 5:08 PM
To: Steven Mendoza <S.Mendoza@civvoflosalamitos.org>
Cc: Susan Bell - Rossmoor/Los Alamitos Area Sewer District (LosAlSewerDistrict@gmail.com)
<LosAlSewerDistrict@gmail.com>; Malra Salcedo <malra.salcedo@psomas.com>; Alan Short <alanshortone@gmail.com>; Tom Oliver <TOliver@civvoflosalamitos.org>; Davila, Rudy <RDavila@OCSD.COM>
Subject: Comments for Public Hearing on 50-Unit Condo IS/MND - 3311 Sausalito Street

Wood Afternoon Mr. Mendoza,

In my role as District Engineer of the Rossmoor/Los Alamitos Area Sewer District (RLAASD), Susan Bell, General Manager of that agency, has asked me to review the DRAFT CEQA Initial Study and Mitigated Negative Declaration (IS/MND) for the proposed 50-unit condominium project at 3311 Sausalito Street in Los Alamitos. My comments on the DRAFT IS/MND are as follows:

1. Section 1.3.5.2 (Wastewater) – The references to wastewater service to the subject property (posted below) are somewhat confusing and should be clarified. I do not recall being contacted by anyone from Placeworks during the preparation of this document and suspect the confusing statements are simply based on a misunderstanding by the report’s authors of the differing roles of RLAASD and the Orange County Sanitation District (OCSD). The first sentence of Section 1.3.5.2, which states RLAASD provides sewer collection service to the subject property and would continue to do so, is accurate. The second sentence is the source of the confusion. While partially accurate, it is misleading, especially to the uninformed reader because it notes wastewater collection service is provided via an existing connection to an OCSD trunk sewer in Sausalito Street. In other words, the first two sentences seem to conflict with one another in that the first sentence says sewer collection is provided by RLAASD while the second sentence says sewer collection service is provided by OCSD. My understanding of the situation is as follows: When the permit for the existing Cottonwood Church connection was issued in 1988, it said RLAASD (then known as Los Alamitos County Water District) was providing service to the property by allowing connection through a short run of sewer pipe leading directly into the OCSD trunk line. Twenty-nine years ago, OCSD allowed the developer in this instance to connect directly into their trunk lines (through that short run of pipe), but they no longer allow such connections. OCSD currently requires the local sewer agency to collect sewage and deliver it to OCSD at designated points in their respective systems. To avoid confusion, I suggest eliminating the second sentence and revising the third sentence to read as follows, “Wastewater collected by the Sewer District is eventually conveyed to Orange County Sanitation District (OCSD) from which it flows through a system of regional trunk lines to...” The wording of the second paragraph in the report (as posted below) is acceptable.
1.3.5.2 **WASTEWATER**

The Rossmoor/Los Alamitos Sewer District (Sewer District) provides wastewater collection service to the existing church use onsite and would continue to do so for the residential uses under the Proposed Project. Wastewater collection service to the site is provided via the existing Orange County Sanitation District (OCSD) sewer trunk along Sausalito Street. Wastewater collected by the Severe District flows through a system of regional trunk lines to Reclamation Plant No. 1 (in the City of Fountain Valley) and Treatment Plant No. 2 (in the City of Huntington Beach) for treatment; both plants are owned and operated by OCSD.

Wastewater service for the Proposed Project would be provided via new internal sewer lines that connect to the Sewer District’s existing eight-inch sewer trunk in Walnut Street. Proposed wastewater infrastructure improvements would entail demolition of existing lines onsite, trenching and installing new lines, and connection to the existing trunk line in Walnut Street. A small portion of the existing sewer line would be required to connect to the Sewer District’s sewer trunk to accommodate the Proposed Project. Therefore, some construction would occur within the public right-of-way of Walnut Street in order to make the necessary infrastructure connections to the existing sewer trunk.

2. **Section 3.18 (Utilities and Service Systems) – Subsection a) of this section (paste below) mistakenly notes that OCSD is responsible for the “collection” ... of wastewater generated by people living and working in central and northwestern Orange County. While OCSD is responsible for the treatment and disposal of wastewater, as noted in item No. 1, they are not responsible for collection of wastewater in the City of Los Alamitos. As noted above, RLAAOD is responsible for the collection of wastewater in Los Alamitos. I suggest revising the first sentence of the first paragraph below to read as follows: "Rossmoor/Los Alamitos Area Sewer District would be responsible for the collection of wastewater generated by this project. The Orange County Sanitation District (OCSD) would be responsible for conveying that collected sewage (as well as sewage generated by other people living and working in central and northwestern Orange County) through a series of regional trunk sewers for treatment at its regional treatment plants." The next sentence is OK as written.

While I do not disagree with the overall finding of a “Less than Significant Impact,” on OCSD’s treatment plants, I will defer to OCSD for an opinion on that impact.
3.18 UTILITIES AND SERVICE SYSTEMS

The analysis in this section is based partly on the following technical study, which is included as Appendix G to this Initial Study:

- **Hydrology Study**, Alan Short, P.E., November 15, 2016.

  a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?

  Less Than Significant Impact. The Orange County Sanitation District (OCSD) is responsible for the collection, treatment, and disposal of domestic, commercial, and industrial wastewater generated by people living and working in central and southwestern Orange County. OCSD facilities, Reclamation Plant No. 1 in the City of Fountain Valley and Treatment Plant No. 2 in the City of Huntington Beach, would receive wastewater generated from the Proposed Project. Both plants provide a mix of advanced primary and secondary treatment. OCSD is required by federal and state law to meet applicable standards of treatment plant discharge requirements. Specifically, OCSD's wastewater treatment system is subject to NPDES Permit No. CA011004 issued by the Santa Ana Regional Water Quality Control Board in 2012 under Order No. R8-2012-0035 (SARWQCB 2012). The NPDES permit regulates the amount and type of pollutants that the system can discharge into receiving waters. OCSD's wastewater treatment system is operating in compliance with and would continue to operate subject to state waste discharge requirements and federal NPDES permit requirements, as set forth in the NPDES permit and order.

3. **Section 3.5, Subsection d) (Cultural Resources – Human Remains)** – While my review of the IS/MND was focused on wastewater, I did a cursory review of the rest of the document. In doing so, I found a reference in the first full paragraph on page 59 to the "Los Angeles Coroner." I believe the reference in this instance should be to the Orange County coroner.

4. And lastly, I have attached an email sent to Tom Oliver in your office on November 29, 2016 with my response to City of Los Alamitos SPR 16-08, CUP 16-17 & TTM 16-03 - Proposed 50-Unit Condo at Old Cottonwood Church Site on Sausalito Street. Please note that since that time, we have worked with the developer's engineer (Alan Short) and have run the District's sewer system hydraulic model to confirm there is sufficient capacity in RUAASD's 8-inch sewer in Walnut Street to serve the proposed 50 residential units at 3311 Sausalito Street.

Thank you and please let me know if you have any questions regarding these comments.

Harvey R. Gobas, PE, ENV SP  
**PSOMAS | Balancing the Natural and Built Environment**

Vice President  
Water and Wastewater Infrastructure  
3 Hutton Centre Drive, Suite 200  
Santa Ana, CA 92707  
714.401.7892 | cell 562.618.3161  
www.Psomas.com
Response to Comments

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A3-1 The commenter stated that the wastewater information provided in Subsection 1.3.5.2, "Wastewater," of the IS/MND (Initial Study/Mitigated Negative Declaration) was incorrect and needs to be clarified. Specifically, information regarding which agencies provide wastewater collection and treatment for the project site, as well the descriptions regarding the existing wastewater connections and facilities. The following text of Subsection 1.3.5.2 (page 23) has been revised in response to the commenter and to provide clarification. Changes made to the IS/MND are identified here in strikeout text to indicate deletions and in underlined text to signify additions.

1.3.5.2 WASTEWATER

The Rossmoor/Los Alamitos Sewer District (Sewer District) provides wastewater collection service to the existing church use onsite and would continue to do so for the residential uses under the Proposed Project. Wastewater collection service to the site is provided via the existing Orange County Sanitation District (OCSD) sewer trunk along Sausalito Street. Wastewater collected by the Sewer District is eventually conveyed to the Orange County Sanitation District (OCSD) from which it flows through a system of regional trunk lines to Reclamation Plant No. 1 (in the City of Fountain Valley) and Treatment Plant No. 2 (in the City of Huntington Beach) for treatment; both plants are owned and operated by OCSD.

Wastewater service for the Proposed Project would be provided via new internal sewer lines that connect to the Sewer District's existing eight-inch sewer trunk in Walnut Street. Proposed wastewater infrastructure improvements would entail demolition of existing lines onsite, trenching and installing new lines, and connection to the existing trunk line in Walnut Street. A small portion of the offsite sewer line would be required to connect to the Sewer District’s sewer trunk to accommodate the Proposed Project. Therefore, some construction would occur within the public right-of-way of Walnut Street in order to make the necessary infrastructure connections to the existing sewer trunk.

A3-2 The commenter stated that the wastewater information provided in Section 3.18, "Utilities and Service Systems," of the IS/MND was incorrect and needs to be clarified. Specifically, the information regarding which agencies provide wastewater collection and treatment for the project site. The following text of Section 3.18 (page 115) has been revised in response to the commenter and to provide clarification. Changes made to the IS/MND are identified here in strikeout text to indicate deletions and in underlined text to signify additions.

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
Response to Comments

**Less Than Significant Impact.** The Rossmoor/Los Alamitos Area Sewer District would be responsible for the collection of wastewater generated by the Proposed Project. The Orange County Sanitation District (OCSD) would be responsible for conveying the collected sewage through a series of regional trunk lines for treatment at its regional treatment plants. OCSD is responsible for the collection, treatment, and disposal of domestic, commercial, and industrial wastewater generated by people living and working in central and northwestern Orange County. OCSD facilities, specifically, OCSD’s Reclamation Plant No. 1 in the City of Fountain Valley and Treatment Plant No. 2 in the City of Huntington Beach, would receive wastewater generated from the Proposed Project. Both plants provide a mix of advanced primary and secondary treatment. OCSD is required by federal and state law to meet applicable standards of treatment plant discharge requirements. Specifically, OCSD’s wastewater treatment system is subject to NPDES Permit No.CA0110604 issued by the Santa Ana Regional Water Quality Control Board in 2012 under Order No. R8-2012-0035 (SARWQCB 2012). The NPDES permit regulates the amount and type of pollutants that the system can discharge into receiving waters. OCSD’s wastewater treatment system is operating in compliance with and would continue to operate subject to state waste discharge requirements and federal NPDES permit requirements, as set forth in the NPDES permit and order.

Upon a cursory review of the remainder of the IS/MND, the commenter noted that the incorrect county coroner was mentioned in Section 3.5, *Cultural Resources*, of the IS/MND. The following text of Section 3.5 (page 59) has been revised in response to the commenter and to provide clarification. Changes made to the IS/MND are identified here in *struckout* text to indicate deletions and in *underlined* text to signify additions.

**d) Disturb any human remains, including those interred outside of dedicated cemeteries?**

**Less Than Significant Impact.** There are no known human remains or cemeteries on or near the Project Site. The Project Site is in a highly-urbanized area of the City; has already been disturbed and is developed with a church use; and has already been subject to similar construction and ground-disturbing activities associated with the Proposed Project. Therefore, the likelihood that human remains may be discovered during site clearing and grading activities is considered extremely low. However, development of the Proposed Project would involve ground-disturbing activities that could have the potential to disturb previously undiscovered subsurface human remains, if any exist. For example, the Proposed Project could involve deeper excavation than previously performed in certain areas of the Project Site.
In the unlikely event that human remains are uncovered during ground-disturbing activities, California Health and Safety Code Section 7050.5 requires that disturbance of the site shall remain halted until the Los Angeles Orange County Coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner is required to make a determination within two working days of notification of the discovery of the human remains. If the coroner determines that the remains are not subject to his or her authority or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

The commenter stated that an email (dated November 29, 2016) sent to City staff regarding the Proposed Project was attached to the comment letter. The content of the attached email is not directed at the technical adequacy of the IS/MND, but instead contains comments directed at City staff related to the project development submittal at that time. The email was attached for information purposes only. The comment is acknowledged and included in the official environmental record of the proposed project; no response is necessary.

The commenter also noted that since the date of the aforementioned email, the District has worked with the developer's engineer and that the District ran the sewer system hydraulic model to confirm that there is sufficient capacity in the District's eight-inch sewer in Walnut Street to accommodate the Proposed Project. The comment is acknowledged and included in the official environmental record of the proposed project; no response is necessary.
Response to Comments

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LETTER A4 – Native American Heritage Commission (5 pages)

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Edmund G. Brown Jr. Governor
Environmental and Cultural Department
1500 Harbor Blvd, Suite 160
West Sacramento, CA 95691
Phone (916) 373-2716
Fax (916) 373-0471

August 30, 2017

Steven Mendoza, CD Director
City of Los Alamitos
3151 Katella Avenue
Los Alamitos, CA 90720

Sent via email: smendoza@cityoflosalamitos.org

Re: SCH# 20170881004, Proposed Sausalito Street Condominiums Project, City of Los Alamitos; Orange County, California

Dear Mr. Mendoza:

The Native American Heritage Commission (NAHC) has reviewed the Mitigated Negative Declaration prepared for the project referenced above. The review included the Introduction and Project Description, and the Environmental Analysis, section 3.5, Cultural Resources, and section 3.17 Tribal Cultural Resources prepared by PlaceWorks for the City of Los Alamitos. We have the following concerns:

1. Mitigation for inadvertent finds of Archaeological Resources, Tribal Cultural Resources and Human Remains is missing or incomplete. Standard mitigation measures should be included in the document. Please refer to Health and Safety Code § 7050.5 and Public Resources Code § 5097.96 for the process for inadvertent finds of human remains.

The California Environmental Quality Act (CEQA), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. AB 52 applies to any project for which a notice of preparation or a notice of a negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for “tribal cultural/resources”, that now includes “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 505, Statutes of 2004), Government Code 65522.3. If it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPA.pdf, entitled “Tribal Consultation Under AB 52: Requirements and Best Practices.”
The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC’s recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,

Gayle Totton, B.S., M.A., Ph.D.
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse
Response to Comments

Pertinent Statutory Information:

Under AB 52:
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:
Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.
A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). 10
The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
.a. Alternatives to the project.
b. Recommended mitigation measures.
c. Significant effects. 11
1. The following topics are discretionary topics of consultation:
a. Type of environmental review necessary.
b. Significance of the tribal cultural resources.
c. Significance of the project’s impacts on tribal cultural resources.
If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.
12
With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (e) and 6264.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe provided the information consents, in writing, to the disclosure of some or all of the information to the public. 13
If a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document shall discuss both of the following:
a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21062.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. 14
Consultation with a tribe shall be considered concluded when either of the following occurs:
a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. 15
Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. 16
If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). 17
An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

9 Pub. Resources Code § 21080.3.1, subds. (d) and (e)
10 Pub. Resources Code § 21080.3.1 (b)
11 Pub. Resources Code § 21063.3.1 (b)
12 Pub. Resources Code § 21063.3.2 (b)
13 Pub. Resources Code § 21063.3.2 (a)
14 Pub. Resources Code § 21062.3 (f)(1)
15 Pub. Resources Code § 21062.3 (f)(2)
16 Pub. Resources Code § 21063.3.2 (b)
17 Pub. Resources Code § 21063.3.2 (b)
Response to Comments

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.\footnote{Pub. Resources Code § 21082.3 (d)} This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65362.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of preserving or mitigating adverse impacts to places, features, and objects described § 5097.9 and § 5097.993 of the Public Resources Code, that are located within the city or county’s jurisdiction. Government Code § 65360. (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to local governments and requires them to consult, provide notice to, anoint plans to, and consult with tribes prior to adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor’s Office of Planning and Research’s Tribal Consultation Guidelines, which can be found online at: \url{https://www.opc.ca.gov/docs/09_14_06_Updated_Guidelines_922.pdf}
- Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a “Tribal Consulation List.” If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.\footnote{Pursuant to Gov. Code section 65360.3.}
- There is no Statutory Time Limit on Tribal Consultation under the law.
- Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city’s or county’s jurisdiction.\footnote{Gov. Code § 65360.3 (a)}
- Conclusion: Tribal Consultation: Consultation should be conducted at the point in which:
  - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation;
  - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.\footnote{Tribal Consultation Guidelines, Governor’s Office of Planning and Research (2005) at p. 18.)}

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
  - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project’s APE.
  - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
    - The request form can be found at \url{http://nahc.ca.gov/resources/forms/}.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (\url{http://dhp.parks.ca.gov/?page_id=1088}) for an archaeological records search. The records search will determine:
  - If a part of the entire APE has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the first stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey:
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - The final report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

\footnote{Gov. Code § 65362.3 (d)}
Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning green space, parks, or other open spaces to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resource.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAGP to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. 55
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. 54

The task of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the identification and evaluation of inadvertently discovered archaeological resources. 53 In areas identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code sections 6007.96, and Cal. Code Rgs., tit. 14, section 15064.5, subdivisions (a) and (b) (CEQA Guidelines section 15064.5, subds. (d) and (e)). Address these processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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53 Cal. Code Rgs., tit. 14, section 15064.5, subdivisions (a) and (b) (CEQA Guidelines section 15064.5, subds. (d) and (e)).
54 Cal. Code Rgs., tit. 14, section 15064.5, subdivisions (a) and (b) (CEQA Guidelines section 15064.5, subds. (d) and (e)).

The commenter stated that mitigation for inadvertent findings of archeological and paleontological resources, human remains, and Tribal cultural resources is missing or incomplete, and that standard mitigation measures should be included in the Initial Study/Mitigated Negative Declaration (IS/MND). The commenter also outlined the general requirements of the California Environmental Quality Act and Assembly Bill 52 regarding historical resource and tribal cultural resources.

In response to the commenter and in accordance with the CEQA Guidelines, the Proposed Project’s impacts on archeological and paleontological resources and human remains was provided in detail in Section 3.5, Cultural Resources, of the IS/MND. CEQA requires that environmental documents prepared for projects include mitigation measures to avoid any identified significant effects of a project on the environment. As substantiated by the findings and conclusions provided in Section 3.5, impacts to archeological and paleontological resources and human remains were found to be less than significant; therefore, no mitigation measures were identified or necessary as impacts were not determined to be significant.

Additionally, in the City’s recent update to its General Plan, the Draft Environmental Impact Report (DEIR; State Clearinghouse No. 2013121055) prepared for the Los Alamitos General Plan Update concluded that long-term implementation of the General Plan Update could allow development (e.g., infill development, redevelopment, and revitalization/restoration), including grading, of unknown sensitive areas. However, with implementation of Mitigation Measures 3-1 and 3-2 of the DEIR, impacts to archeological or paleontological resources as a result of future development that would be accommodated by the General Plan Update would be reduced to a level of less than significant. Through its development review process, the City ensures that future development projects comply with all applicable mitigation measures of the DEIR, including the aforementioned measures. Development of the Proposed Project will be required to comply with all applicable mitigation measures of the DEIR, which will be ensured through the City’s development review process.

The project’s impacts on Tribal cultural resources are detailed in Section 3.17, Tribal Cultural Resources, of the IS/MND. As noted in Section 3.17, notices for consultation under AB 52 were provided to five tribes (Soboba Band of Luiseno Indians; Gabrieleño Band of Mission Indians – Kizh Nation; Juaneno Band of Mission Indians, Achachemen Nation; San Gabriel Band of Mission Indians; and Torres Martinez Desert Cahuilla Indians) that have requested to be included on the City’s AB 52 consultation list. A letter was sent to each of the tribes on May 24, 2017, which requested comments and responses from the tribes. The 30-day noticing requirement under AB 52 was completed on June 24, 2017, and to date, none of the tribes has responded to the City’s
Response to Comments

AB 52 consultation letter. Additionally, as noted in Section 3.5, *Cultural Resources*, of the IS/MND, under impact question a) (page 57), the project site is not identified on any of these historic resource lists/databases—the National Register of Historic Places and the California State Historical Landmarks, Points of Historical Interest, and Register of Historic Places. There are also no listed or designated historic resources onsite or within the vicinity of the project site. Furthermore, there are no resources onsite determined by the City to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, the determination of “less than significant impact” outlined in Section 3.17 is accurate and remains unchanged.
August 30, 2017
City of Los Alamitos
Attn: Steven Mendoza, Community Development Director
3191 Katella Ave
Los Alamitos, CA 90720

SUBJECT: 3311 Sausalito Street Condominiums Initial Study/Mitigated Negative Declaration

Thank you for the opportunity to review the subject document. Please see our comments below:

- Page 99
  - We believe this project will be Less Than Significant with Mitigation
    - Mitigation includes requiring the project to enter into a Secured Fire Protection Agreement with OCFA.

The Project Applicant will be required to enter into a Secure Fire Protection Agreement which will specify the Project Applicant’s pro-rata fair share funding of the capital improvements necessary to establish adequate fire protection facilities and equipment and/or personnel. The current fair share funding fee is $500 per dwelling unit, which would result in a total of $30,000.00 for the proposed 50 residential units. Although the project site would be served by existing resources, the Project’s participation in the Agreement would ensure that the Project would participate in the funding of capital improvements and equipment necessary to meet increasing demands related to emergency service to this project site.

- OCFA currently has 72 fire stations in Orange County
- Table 9
  - Fire station 2 has:
    - 1 Paramedic Engine
    - 1 Fire Captain, 1 Engineer, 2 Firefighter/Paramedics
  - Fire station 17 has:
    - 1 Paramedic Engine, 1 Truck
    - 2 Fire Captains, 2 Engineers, 3 Firefighters, 2 Firefighter/Paramedics
  - Fire station 48 has:
    - 1 Paramedic Engine
    - 1 Fire Captain, 1 Engineer, 2 Firefighter/Paramedics

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RESIDENTIAL SPRINKLERS AND SMOKE ALARMS SAVE LIVES
Response to Comments

- Project Design Features and Mitigation Measures required to minimize impact to fire service and risk to community include:
  - The project is subject to review by the City and the OCFA for various construction document plan checks for the applicable fire life safety codes and regulations. The project will be subject to the 2016 editions of the CBC, CFC and related codes.
  - Structures of this size and occupancy are required to have automatic fire sprinkler systems designed per NFPA 13 as required in the 2016 CBC, CFC.
  - A water supply system to supply fire hydrants and automatic fire sprinkler systems is required. Fire flow and hydrant spacing shall meet the minimums identified in the codes. Please refer to the California Fire Code Appendix section. These tables are also located in OCFA Guideline B09, Attachment 23.
  - Fire apparatus and personnel access to and around structures shall meet the minimum development standards of the OCFA and California Fire Code requirements. Please reference Section 2 of the OCFA’s Guideline B-09 at www.ocfa.org.
  - If the project scope includes or requires the installation of traffic signals on public access ways, these improvements shall include the installation of optical preemption devices.

In addition, we would like to point out that all standard conditions with regard to development, including water supply, built in fire protection systems, road grades and width, access, building materials, and the like will be applied to this project at the time of plan submittal.

Sincerely,

Tamara Rivers
Management Analyst
(714) 573-6199

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Westminster • Yorba Linda • and Unincorporated Areas of Orange County

RESIDENTIAL SPRINKLERS AND SMOKE ALARMS SAVE LIVES
A5. Response to Comments from Orange County Fire Authority, Tamera Rivers, Management Analyst, dated August 30, 2017.

The commenter stated that the Orange County Fire Authority (OCFA) believes the Proposed Project would result in less than significant impacts to fire protection and emergency services with implementation of mitigation measures. However, no explanation or rational was provided as to why the project would result in a significant impact necessitating mitigation measures. Instead, the commenter simply made a statement to this effect and stated that mitigation includes the project applicant/developer entering into a Secured Fire Protection Agreement with OCFA. Per the commenter, the agreement would specify the applicant's/developer's pro-rata fair share funding of the capital improvements necessary to establish adequate fire protection facilities, equipment, and/or personnel to meet the demands of increased needs for fire protection and emergency services to the project site.

In response to the commenter and in accordance with the CEQA Guidelines, the Proposed Project’s impacts on fire protection and emergency services was provided in detail in Section 3.14, Public Services, of the Initial Study/Mitigated Negative Declaration (IS/MND). CEQA requires that environmental documents prepared for projects include mitigation measures to avoid any identified significant effects of a project on the environment. As substantiated by the findings and conclusions provided in Section 3.14, impacts to fire protection and emergency services were found to be less than significant; therefore, no mitigation measures were identified or necessary as impacts were not determined to be significant. Therefore, the determination of “less than significant impact” outlined in Section 3.14 is accurate and remains unchanged.

However, in response to the commenter, the City has added a condition of approval that the project applicant/developer enter into a Secured Fire Protection Agreement with OCFA. Implementation of this condition will be ensured through the City’s development review process. It should be noted that addition of the condition of approval does not change the determination of “less than significant impact” outlined in Section 3.14.

Furthermore, the following text of Section 3.14 (page 99) has been revised in response to the commenter’s minor edits regarding fire stations serving the project site. Changes made to the IS/MND are identified here in strikeout text to indicate deletions and in underlined text to signify additions.

a) Fire protection?

Less Than Significant Impact. Fire protection and emergency services in Los Alamitos is provided by the Orange County Fire Authority (OCFA). Of OCFA’s 62-72 fire stations in Orange County, Los Alamitos is served by OCFA Fire Station 2, which is at 3642 Green Avenue. Station 17 in the City of Cypress and Station 48 in the City of
Seal Beach are less than two miles from Los Alamitos and provide additional fire services to the City. Table 9 lists addresses and equipment for the three nearest fire stations to the Project Site.

### Table 9 OCFA Fire Stations Serving the City of Los Alamitos

<table>
<thead>
<tr>
<th>Station No. and Address</th>
<th>Equipment and Personnel</th>
</tr>
</thead>
</table>
| OCFA Station No. 2      | Equipment: 1 Paramedic Assessment Unit, 2 Engines  
Personnel: 1 Fire Captain, 1 Engineer, 6 Firefighter/Paramedics |
| OCFA Station No. 17     | Equipment: 1 BLS Paramedic Engine, 1 Truck, 1 Medic Van  
Personnel: 2 Fire Captains, 2 Engineers, 3 Firefighters, 2 Firefighter/Paramedics |
| OCFA Station No. 48     | Equipment: 1 BLS Paramedic Engine and 1 Medic Van  
Personnel: 1 Fire Captain, 1 Engineer, 1 Firefighter, 2 Firefighter/Paramedics |

Source: City of Los Alamitos 2014a; Bureau of Labor Statistics.

The commenter provided a bullet list of project design feature and mitigation measures that they feel are necessary to minimize impacts to fire services and risk to the community. The commenter also stated that all standard conditions will be applied to the Proposed Project at the time of plan submittal. As stated above under response to Comment A5-1, the Proposed Project's impacts on fire protection and emergency services was provided in detail in Section 3.14 of the IS/MND. As substantiated by the findings and conclusions provided in Section 3.14, impacts to fire protection and emergency services were found to be less than significant; therefore, no mitigation measures were identified or necessary as impacts were not determined to be significant.

However, in response to the commenter, the features and measures outlined in the bullet list are all fire safety features/elements that the Proposed Project will be required to incorporate into the project, or fire safety provisions that the project applicant will be required to adhere to. These and all other necessary fire safety measures determined necessary by OCFA will be adhered to and implemented, as evidenced in Section 3.14 of the IS/MND. For example, as noted in Section 3.14 under impact question a) (page 100), development of the Proposed Project is required to comply with the most current adopted fire codes, building codes, and nationally recognized fire and life safety standards of the City of Los Alamitos and OCFA, such as those outlined in Chapter 15.08 (Fire Code) of the Los Alamitos Municipal Code, which impose design standards and requirements that seek to minimize and mitigate fire risk. Compliance with these codes and standards is ensured through the City's and OCFA's development review and building permit process. All site and building improvements proposed under the project would be subject to review and approval by OCFA prior to building permit and certificate of occupancy issuance.
LETTER A6 – California Department of Transportation (1 page)

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY
EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
1750 EAST FOURTH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 578-6287
FAX (657) 328-6510
TTY 711
www.dot.ca.gov

August 31, 2017

Mr. Stephen Mendoza
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

Dear Mr. Mendoza,

Thank you for involving the California Department of Transportation (Caltrans) in the Mitigated Negative Declaration for the proposed Sausalito Street Condominiums. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability.

The project proposes the construction of a 50 residential condominiums in 11 multi-family structures. The project is located on Cerritos Avenue and east of Coyote Creek in the City of Los Alamitos, in proximity of Interstate 605. Caltrans is a commenting agency and has the following comments:

Transportation Planning

1. The Los Alamitos General Plan (Mobility and Circulation Element, pg. 36) states: “Class III bike routes should be introduced along the streets that would connect the existing and proposed bicycle facilities and facilitate bicycle access between schools, neighborhoods, and the downtown area.” As such, the project should facilitate bicycle access between the project site, Oak Middle School, and the Coyote Creek Bikeway, particularly on Sausalito Street and Oak Street.

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 Jude Miranda at (657) 329-6227 or Jude.Miranda@dot.ca.gov.

Sincerely,

[Signature]

YATIMAN KWAN, AICP
Branch Chief, Regional-IGR-Transit Planning
District 12

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability."
Response to Comments

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The commenter stated that the Proposed Project should facilitate bicycle access between the project site, Oak Middle School, and Coyote Creek Bikeway, particularly on Sausalito Street and Oak Street. The commenter also pointed to the City’s General Plan Mobility and Circulation Element (specifically, page 36), which calls for designated bike routes along streets that connect to existing and proposed bicycle facilities, as well as the facilitation of bicycle access between schools, neighborhoods, and the downtown area. The comment is not directed at the technical adequacy of the Initial Study/Mitigated negative declaration. Instead, the comment is directed at the project’s need to provide efficient and adequate bicycle access to bicycle facilities (both existing and future) and key destination points in the area, as well as the provision of designated bike routes along streets in the project area.

However, in response to the commenter, the Proposed Project’s impacts on alternative modes of transportation (including those related to bicycle facilities) are discussed in Section 3.16, Transportation/Traffic, of the IS/MND, starting on page 105. A description of the existing bicycle facilities in the project area is provided on page 105; the facilities noted are consistent with those shown in Figure 8 (Existing and Planned Bicycle and Pedestrian Facilities) of the Mobility and Circulation Element. As concluded in Section 3.16 of the IS/MND, project development would not result in a conflict with adopted policies, plans, or programs regarding bicycle facilities.

With regard to identifying opportunities for the provision of efficient and adequate bicycle access to bicycle facilities and destination points in the area, the Proposed Project includes a safe and convenient walkway system onsite, as well as internal low-speed drive aisles that would connect to Sausalito Street and the existing public sidewalk along this street (see Figure 5, Conceptual Site and Landscape Plan, of the IS/MND). The internal walkways and drive aisles would provide a means for project residents with bicycles to access Sausalito Street and the public sidewalk. Once on Sausalito Street, project residents would have access to the bicycle facilities (both local and regional, existing and future) shown in Figure 8 of the Mobility and Circulation Element, including the Coyote Creek Bikeway. Additionally, one of the project’s conditions of approval encourages the project applicant to provide connectivity to Coyote Creek Park through installation of a gate along the northern parcel line and an ADA-compliant ramp to the public sidewalk along Cerritos Avenue. Other opportunities to enhance access to bicycle facilities will be considered by City staff during the project’s development review and approval process.
Response to Comments

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LETTER A7 – Orange County Public Works (2 pages)

September 12, 2017

Mr. Steven Mendoza, Community Development Director
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, California 90720

Subject: Notice of Intent to Adopt Mitigated Negative Declaration Sausalito Street Condominiums

Dear Mr. Mendoza:

Thank you for the opportunity to comment on the subject project that involves the proposed Sausalito Street Condominiums. The County of Orange offers the following comments for your consideration:

**OC Public Works Infrastructure Programs/Flood Programs/Hydrology**
Flood Program Support/Hydrology Section reviewed the subject document and offers the following comments.

1. Since the City of Los Alamitos is responsible for land use planning and development within City limits, the City should review and approve all local hydrology and hydraulic analyses including the needed 100-year flood protection for proposed developments within the project area.

2. All work within or adjacent to any OCFCD right-of-way for flood control facilities should be conducted so as not to adversely impact channel’s structural integrity, hydraulic flow conditions, access and maintainability. Furthermore, all work within OCFCD’s right-of-way should be conducted only after an encroachment permit for the proposed work has been obtained from the County. For information regarding the permit application process and other details please refer to the Encroachment Permits Section link on OC Public Works’ website [http://www.ocpublicworks.com/ds/permits/encroachment_permits](http://www.ocpublicworks.com/ds/permits/encroachment_permits). Technical reviews and approvals for the proposed work will be accomplished within the permit process.

**OC Public Works Infrastructure Programs/Development Support**
Development Support Section reviewed the subject document and offers the following comments.

1. A safety study for the intersection between Sausalito and Chestnut Street with the parking lot exits is recommended.

2. We also recommend a traffic study to include a density study and pedestrian cross walks for Sausalito and Los Alamitos, as the new development might affect the traffic conditions.
Response to Comments

OC Public Works, Water Quality Compliance

Water Quality Compliance has reviewed the Initial Study Mitigated Negative Declaration 3311 Sausalito Street Condominiums (City of Los Alamitos) and has the following comments:

1. The discussion of short-term construction-related water quality impacts (Page 64) notes that the project will comply with the requirements of the Construction General Permit. This section should also discuss disposal of construction dewatering discharges if such discharges are anticipated.

2. The discussion of post-construction hydrology and water quality (commenting Page 82) states that:

Pursuant to this “Fourth Term” MS4 Permit, the co-permittees were required to develop and implement drainage area management plans (DAMP) for their jurisdictions, as well as local implementation plans (LIPs), which describe the co-permittees urban runoff management programs for their local jurisdiction, such as the City of Los Alamitos.

This discussion should note attention should be paid to the potential adoption of the Santa Ana Regional Water Quality Control Board “Fifth Term” permit, and if a “Fifth Term” permit is adopted, that NPDES and water quality plans put forth and designed per the “Fourth Term” could be subject to change per the “Fifth Term” permit.

3. While the formulation of a site specific Water Quality Monitoring Plan (WQMP) is detailed in the Mitigated Negative Declaration, the study should note specifically whether or not the project qualifies as a Priority Development Project under the city’s municipal stormwater permit (Board Order 08-2009-0030), or instead is a Non-Priority Project which would require preparation of a Non-Priority Water Quality Project Plan.

If you have any questions regarding these comments, please contact Sahar Parsi at (714) 647-3988 or Robert McLean at (714) 647-3951 in Flood Programs, Manuel Delgado at (714) 647-3993 in Development Support, Matt Tucker at (714) 955-0669 in Water Quality Compliance or Linda Smith at (714) 667-8848 in Planning.

Sincerely,

Richard Vuong, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Richard.Vuong@ocpw.ocgov.com

cc: Sahar Parsi, Flood Programs/Hydrology
Robert McLean, Flood Programs/Hydrology
Manuel Delgado, Development Support
Matt Tucker, Water Quality Compliance
A7. Response to Comments from Orange County Public Works, Richard Vuong, Manager, Planning Division, dated August 31, 2017.

A7-1 The commenter stated that the City of Los Alamitos should review and approval all local hydrology and hydraulic analyses for proposed development in the project area, including the needed 100-year flood protection for proposed developments in the project area. In response to the commenter, a Hydrology Study and Preliminary Water Quality Management Plan were prepared for the Proposed Project and included as Appendices F and G of the IS/MND. The technical reports were reviewed and approved by the City for use in preparation of the IS/MND. In part, these technical reports formed the basis for the analysis provided in Section 3.9, Hydrology and Water Quality, of the IS/MND. With regard to the needed 100-year flood protection, the project site is not within a 100-year flood hazard zone. As stated in Section 3.9 (page 86) of the IS/MND and the Hydrology Study (page G-4), the project site is in Zone X, as designated by the Federal Emergency Management Agency Flood Insurance Rate Map No. 06059C0112J, dated December 3, 2009. Therefore, as concluded in Section 3.9 of the IS/MND (page 86), no impact from a 100-year flood hazard zone would occur.

A7-2 The commenter stated that all work within or adjacent to any OCFCD (Orange County Flood Control District) right-of-way for flood control facilities should be conducted in a manner not to adversely impact the facility; and that all work within OCFCD’s right-of-way requires an encroachment permit. In response to the commenter, the Proposed Project is maintaining the existing block wall along the northern boundary of the project site, which abuts OCFCD’s right-of-way for the Coyote Creek Channel. No work is proposed or will be conducted within the channel or OCFCD’s right-of-way; therefore, no encroachment permit will be required. Furthermore, all project-related grading and construction activities (including those along the northern site boundary that abuts the Coyote Creek Channel) will occur onsite and not occur within or encroach onto OCFCD’s flood control facility. All construction-related activates will be conducted in a manner not to adversely impact the flood control facility.

A7-3 The commenter recommended that a safety study for the intersection between Sausalito Street and Chestnut Street parking lot exit be conducted. It is not clear as to what parking lot exit the commenter is referring to. There are a few access drives serving various residential developments along Sausalito Street and small parking lots east of Chestnut Street that serve commercial and office businesses; however, these are farther east of the project site and would not be impacted in any way as a result of project development. If the commenter is referring to the parking lot exit of the existing church use onsite, the Traffic Impact Study (TIA) prepared for the Proposed Project (provided as Appendix I to the IS/MND) included the Project Driveway/Sausalito Street intersection in the traffic analysis. The TIA was completed based on the scope of work approved by the City of Los Alamitos’s traffic engineer—it was reviewed and approved by the City for use in preparation of the IS/MND. In part, the TIA formed the basis for...
the analysis provided in Section 3.16, *Transportation/Traffic*, of the IS/MND. In addition, the potential for an increase in hazards due to a design feature, and also the potential for a conflict with public transit, bicycle and pedestrian facilities were evaluated in Section 3.16 of the IS/MND. As concluded in Section 3.16, no significant traffic impacts were identified.

**A7-4**

The commenter recommended that the traffic study include a density study and pedestrian cross walks for Sausalito Street and Los Alamitos, as the new development might affect traffic conditions at this intersection. It appears that the commenter assumes that a large number of future project residents will be walking easterly from the project site toward the Sausalito Street/Los Alamitos intersection, which in turn may impact the use, function and capacity of the existing crosswalk at this intersection, as well as impact the traffic conditions of this intersection. Increased delays at an intersection and pedestrian crossing results from high pedestrian crossing volumes (such as those associated with denser urban areas), which in turn affect traffic conditions at an intersection. It is highly unlikely that the pedestrian crosswalk and traffic conditions of this intersection will be impacted in any way as a result of project development, as use of this intersection by future project residents is anticipated, but at a small scale. Pedestrian crossing at this intersection by a large number of project residents (whether spread out through the day or at peak hours) is not anticipated and highly unlikely. Based on site visits conducted, pedestrian activity in the project area is minimal and the existing public sidewalks appear to provide sufficient capacity to handle the existing pedestrian volumes. Additionally, the commercial and industrial uses and services located east of the Sausalito Street/Los Alamitos intersection, as well as those dotted along the eastern side of Los Alamitos (north and south of the intersection) are not high-pedestrian traffic generators or uses that attract large numbers of customer, patrons, or visitors (e.g., a busy shopping mall or attraction).

Furthermore, as noted in response to Comment A7-3, above, the TIA prepared for the Proposed Project was completed based on the scope of work approved by the City’s traffic engineer, and was reviewed and approved by the City for use in preparation of the IS/MND. As concluded in Section 3.16, no significant traffic impacts were identified.

**A7-5**

The commenter stated that the short-term water quality impacts discussed in Section 3.9, *Hydrology and Water Quality*, of the IS/MND (page 64) should discuss disposal of construction dewatering discharge, if such discharges are anticipated. In response to the commenter, construction dewatering discharge is not proposed or anticipated; therefore, there is no need to provide a discussion of such discharges.
A7-6 The commenter stated that the post-construction hydrology and water quality discussion provided in Section 3.9, *Hydrology and Water Quality*, of the IS/MND (commencing on page 82) should note attention to the potential adoption of the Santa Ana Water Quality Control Board’s “Fifth Term” permit, and that if a “Fifth Term” permit is adopted, that NPDES and water quality plans put forth and designed per the “Fourth Term” could be subject to changes per the “Fifth Term” permit. The following text of Section 3.9 (pages 81 and 82) has been revised in response to the commenter and to provide clarification. Changes made to the IS/MND are identified here in **strikeout** text to indicate deletions and in *underlined* text to signify additions.

**Operation Phase**

The Project Site is in the Coyote Creek Watershed, which covers 165 square miles in north Orange County and in Los Angeles County (OCPW 2010). Coyote Creek Channel, which abuts the Project Site’s northwestern boundary (see Figure 3, *Aerial Photograph*), flows into the San Gabriel River just above the river’s mouth. Under existing conditions, runoff from the Project Site drains into an existing catch basin at the southeasterly corner of the site. There are currently no water quality devices/features onsite to provide any treatment for the “first flush” generated onsite.¹

Coyote Creek Channel is listed on the Clean Water Act Section 303(d) List of Water-Quality Limited Segments for bacteria and diazinon (pesticide). Expected pollutants from the Proposed Project include sediment, nutrients, pathogens, pesticides, oil and grease, and trash. Therefore, the project’s primary pollutants of concern are pathogens and pesticides, due to impairments to Coyote Creek (Short 2016a). Mitigation of these pollutants of concern is accomplished through the implementation of postdevelopment (operation phase) BMPs, as discussed below.

In May 2009, SARWQCB reissued the North Orange County Municipal Separate Stormwater (MS4) Storm Water Permit as WDR Order R8-2009-0030 (NPDES Permit No. CAS618030) to the County of Orange, incorporated cities of the county, and Orange County Public Works Flood Division, all of which are within the Santa Ana Region. Pursuant to this “Fourth-Term” MS4 Permit, the co-permittees were required to develop and implement drainage area management plans (DAMP) for their jurisdictions, as well as local implementation plans (LIPs), which describe the co-permittees’ urban runoff management programs for their local jurisdictions, such as the City of Los Alamitos. For information purposes, there is the potential that SARWQCB will adopt a “Fifth Term” MS4 Permit. If it is adopted, the NPDES and water quality plans put forth by and designed for the Proposed Project could be subject to the “Fourth Term” permit.

¹ First flush is the initial surface runoff of a rainstorm. During this phase, water pollution entering storm drains in areas with high proportions of impervious surfaces is typically more concentrated compared to the remainder of the storm.
The commenter stated that the Preliminary Water Quality Management Plan (WQMP) prepared for the Proposed Project should indicate whether the project is a Priority Project under the City's municipal stormwater permit (SARWQCB Order No. R8-2009-0030), or a Non-Priority Project, which would require preparation of a Non-Priority Water Quality Project Plan. Although not clearly stated in the Preliminary WQMP (which is included as Appendix F to the IS/MND), the Proposed Project is considered a Priority Project. Accordingly, preparation of a Non-Priority Water Quality Project Plan is not required.
LETTER A8 – Office of Planning and Research, State Clearinghouse (2 pages)

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

September 1, 2017

Steve Mendoza, CD Director
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

Subject: Sausalito Street Condominiums
SC#: 2017081004

Dear Steve Mendoza, CD Director:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 31, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

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

Sincerely,

[Signature]

Scott Morgan
Director, State Clearinghouse
Response to Comments

Document Details Report
State Clearinghouse Data Base

SCHB 2017081004
Project Title Sausalito Street Condominiums
Lead Agency Los Alamitos, City of
Type MND Mitigated Negative Declaration
Description Project development includes demolition of an existing church building and associated parking lot and
landscape improvements, as well as removal of all landscape improvements. Upon clearing, the
2.44-acre project site would be redeveloped from its existing church use to a residential use.
Specifically, project development includes 50 residential condominiums in 11 three-story buildings;
vehicular and pedestrian circulation improvements; parking and utility improvements; common
landscape/open space areas; and various landscape and landscape improvements. Project
development requires City approval of a tentative tract map and site plan review.

Lead Agency Contact
Name Steve Mendoza, CD Director
Agency City of Los Alamitos
Phone (562) 431-3538 x301
Fax

Address 3191 Katella Avenue
City Los Alamitos
State CA Zip 90720

Project Location
County Orange
City Los Alamitos
Region
Lat/Long 33° 48.33.62" N / 118° 04.29" W
Cross Streets Sausalito Street and Chestnut Street
Parcel No. 242-222-13
Township 4S Range 11W Section 19 Base S

Proximity to:
Highways I-605
Airports Joint Forces Training Base
Railways
Waterways Coyote Creek Channel
Schools Los Al High; Oak Middle
Land Use General Plan Land Use Designation: Multi Family Residential; Zoning Designation: Multiple Family
Residential (R/3)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources;
Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Economics/Job; Forest Land/Fire Hazard; Geologic/Sensitive; Minerals; Noise; Landuse; Growth Inducing; Wetland/Riparian; Water
Supply; Water Quality; Vegetation; Traffic/Circulation; Tumors/Chemicals; Solid Waste; Soil
Erosion/Compaction/Grading; Sewer Capacity; Septic System; Schools/Universities; Recreation/Parks;
Public Services; Population/Housing Balance; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation;
Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol;
Caltrans, District 12; State Water Resources Control Board, Division of Drinking Water, District 8;
Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 08/02/2017 Start of Review 08/02/2017 End of Review 08/31/2017

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

A8-1 The comment acknowledges that the City of Los Alamitos has complied with State Clearinghouse review requirements for the Initial Study/Mitigated Negative Declaration (IS/MND), pursuant to CEQA. The comment also acknowledges that the State Clearinghouse received the IS/MND and submitted it to select state agencies for review. As noted in the comment letter, no state agencies submitted comments by or before the closing date of the review period. The comment is acknowledged and included in the official environmental record of the proposed project; no response is necessary.
Response to Comments

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