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VIA E-MAIL

August 17, 2023

Pedro Gomez
City of Santa Ana
20 Civic Centre Plaza
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Em: pgomez@santa-ana.org

RE: Appeal No. 2023-03: Cabrillo Town Center Project

Dear Mr. Gomez and City of Santa Ana,

On behalf of the Southwest Mountain States Regional Council of Carpenters (“**Southwest Mountain States Carpenters**” or “**SWMSRCC**”), my Office is submitting these supplemental comments to the City of Santa Ana (“**City**”) regarding its appeal, No. 2023-03, of the Planning Commission’s approval of the Cabrillo Town Center project (“**Project**”).

The Project proposes construction of a mixed-use 5-story wrap development with 26,800 sqft. of leasable commercial space, 449 residential units, a townhome community with six 3-story buildings containing 58 units, and associated parking, open space, landscaping, and amenities.

The Southwest Mountain States Carpenters is a labor union representing 63,000 union carpenters in 10 states, including California, and has a strong interest in well-ordered land use planning and in addressing the environmental impacts of development projects. Individual members of SWMSRCC live, work, and recreate in the City and surrounding communities and would be directly affected by the Project’s environmental impacts.

The Southwest Mountain States Carpenters incorporates by reference all previously submitted comments raising issues regarding the environmental assessment for the Project, including but not limited to its April 24, 2023; May 3, 2023; and May 16, 2023 comment. See *Citizens for Clean Energy v City of Woodland* (2014) 225 Cal.App.4th 173,

191 (finding that any party who has objected to the project’s environmental documentation may assert any issue timely raised).

As noted in our previous comment letters, contrary to the City’s finding that no subsequent EIR is necessary pursuant to the CEQA Guidelines because the Project is within the scope of Metro East Mixed-Use Overlay Zone EIR (“**Metro EIR**”) and that there are no substantial changes with respect to the circumstances or new necessary mitigation measures, SWMSRCC maintains that there have been substantial changes to the Project and Project circumstances, and new information of substantial importance which has come out since the certification of the Metro EIR. Thus, a subsequent EIR must be prepared pursuant to Section 15162 of the CEQA Guidelines.

A. The Project Must Comply with New Transportation Impact Methodology Requirements

In July 2020, Senate Bill (“**SB**”) 743 took effect in order to help reduce transportation impacts. Specifically, in an effort to reduce greenhouse gas impacts and create long term sustainability, SB 743 changed the standard for evaluating transportation impacts under CEQA from a Level of Service (“**LOS**”) standard to Vehicle Miles Traveled (“**VTM**”) standard. Thus, pursuant to CEQA Guidelines, section 15064.3(a), VMT “is the most appropriate measure of transportation impacts”.

Here, the Metro EIR, which was certified in 2007, uses the outdated LOS methodology to analyze traffic and transportation impacts. Metro PEIR at 4.12-9, *et seq.*¹ Thus, a subsequent EIR analyzing the Project’s VMT is necessary in order to adequately assess the Project’s transportation impacts and comply with CEQA, especially when considering that the Metro EIR found *significant and unavoidable transportation impacts* given the substantial increase in traffic. *Id.* at 4.12-54.

Further, as noted by transportation expert Norman L. Marshall, such failure to conduct VMT analysis not only conflicts with CEQA but also the City of Santa Ana’s adopted Resolution No. 2019-049 (“**Resolution**”) since the Project does not satisfy the three categories of projects identified by the Resolution that are screened from complete VMT analysis. August 3, 2023 Letter from Norman L. Marshall to Talia Nimmer (“**Exhibit A**”). Specifically, the Resolution provides that projects can be screened from VMT analysis when they are (1) in a transit priority area; (2) in a low

¹ The EIR can be found at <https://www.santa-ana.org/metro-east-mixed-use-overlay-zone/>.

VTM area; or (3) presumed to have less than a significant VMT impact because it is a local serving retail project of less than 50,000 sqft., is a neighborhood school, or will generate less than 110 daily trips. *Id.* at 2. Given that the Project is located outside of the Resolution's identified transit priority and low VMT areas; is predominantly a housing project, i.e., not local-serving retail or a school; and will generate approx. 2,751 daily trips, 875 more daily trips than the existing land use on the project site, the Project fails to satisfy any of the Resolution's three VMT screens. Thus, the City's Resolution requires a VMT analysis with the Orange County Transportation Analysis Model ("OCTAM"), which has not been done. *Id.* at 5. A subsequent EIR must be prepared which includes such analysis by the City's own requirements.

B. The City's Transportation Mitigation Requirement is Infeasible for the Project

In addition to failing to comply with the Resolution requirement to prepare a VMT analysis with OCTAM for the Project, the Project further likely runs afoul to the Resolution's mandate that "[o]nce a significant impact is identified, the project's VMT per capita should be mitigated to be at or less than 15% below the existing Countywide VMT [service population]." Exhibit A at 5. This is because, as noted by transportation expert Noman Marshall, should a significant VMT impact be determined after a VMT analysis with OCTAM is conducted for the Project "[a]chieving significant VMT mitigation at this Project site may be impossible". *Id.*

Specifically, parking measures which encourage residents to shift trips from autos to walking, biking, and transit, such as limiting residential parking supply and unbundling residential parking costs from property cost, do not work well in auto-oriented areas like the Project site which is auto-oriented. *Id.* at 8. Moreover, unbundling residential parking costs is in fact explicitly prohibited by the City. Accordingly, should a significant impact be determined during the necessary VMT analysis for the Project, which is likely the case given the Metro EIR and Project's Revised Traffic Circulation Analysis findings, the Project will further conflict with the City's Resolution since its transportation mitigation requirement is infeasible. Thus, for this reason too, a subsequent EIR must be conducted in order to assess whether the Project can adequately mitigate the Project's transportation impacts and whether the Project conflicts with the City's Resolution.

C. The Metro EIR Fails to Adequately Analyze the Project's Noise Impacts

Yet another reason why a subsequent EIR must be prepared is because the Metro EIR does not adequately analyze the Project's noise impacts for several reasons.

i. *The Metro EIR Fails to Identify All Nearby Sensitive Receptors*

First, as noted by noise expert Steve Rogers, the Metro EIR does not adequately describe the environmental setting of the Project because it fails to capture all of the nearby sensitive receptors. June 29, 2023 Letter from Steve Rogers to Talia Nimmer ("Exhibit B"). Specifically, although the Metro EIR identifies a total of 15 nearby sensitive receptors, the locations selected are almost all on busy streets or close to freeways, and therefore do not represent quieter locations that are set back and/or shielded from major traffic routes. *Id.* at 2; Metro EIR at 4.9-3. For example, the Metro EIR fails to include the Lake Dianne Apartments complex, which is located immediately northeast of the Project site and represents the closest sensitive receivers to the sources of noise associated with the Project. Exhibit B at 2. Thus, a subsequent EIR must be prepared to assess ambient noise conditions for receivers further away from major traffic routes and/or shielded by intervening structures such as the Lake Diane apartment complex.

ii. *The Metro EIR Fails to Adequately Characterize Ambient Noise Conditions*

With regard to the sensitive receptors which the Metro EIR does identify, it fails to adequately characterize their ambient noise conditions. Rather, the sensitive receptors are short-term (15-minute), daytime readings only and therefore do not capture the quieter evening and nighttime periods, when any noise impacts from the Project will be more disruptive to nearby receivers. *Id.* at 1. Further, they are insufficient to determine 24-hour weighted average noise metrics, such as Community Noise Equivalent Level ("CNEL"), which is the basis of the noise standards in the City of Santa Ana General Plan. *Id.* at 2. A subsequent EIR must be prepared to adequately characterize the ambient noise conditions by (1) conducting 24-hour baseline noise measurements at locations selected to represent baseline ambient noise conditions at all sensitive receivers around the Project site; and (2) conducting continuous monitoring or, at a minimum, conducting 15- minute readings at 9AM – 5PM (daytime); 8PM – 10PM (evening); and 1AM – 3AM (nighttime). *Id.* at 5.

iii. The Metro EIR's Significance Threshold Is Inadequate

The CEQA Guidelines require that both temporary/periodic and permanent noise impacts be identified and addressed. Exhibit B at 2; *see* CEQA Guidelines Appendix G at 11; *see also* CEQA Guidelines §§ 15126; 15126.2(a). However, the thresholds of significance proposed in the Metro EIR would apply to operational (i.e. permanent) noise impacts only. Exhibit B at 2; Metro EIR at 4.9-14.

Moreover, the Metro EIR contends that noise level increases less than 5 dba are insignificant so long as the CNEL at sensitive receptors is below 65 dba. *Id.* However, it would be quite possible for noise from the Project to exceed the allowed limits according to the Santa Ana Municipal Code while remaining well below the proposed CNEL 65 significance threshold. For example, as noted by noise expert Steve Rogers:

the nighttime noise limit in the Municipal Code for continuous noise – such as air- conditioning – is 50 dBA (SAMC Section 18-312), for receivers where the ambient (nighttime) noise level is less than 50 dBA, which is likely the case for much of the Lake Dianne property. In this scenario, a continuous noise source that runs 24-hours per day and produces 53 dBA on the neighboring property would be out of compliance with the Municipal Code, but would result in a CNEL of less than 60.

Accordingly, a subsequent EIR must be prepared which revises the threshold of significance as follows: Any *temporary or permanent* noise impact resulting from the Project shall be considered significant if *either one* of the following conditions apply: (1) the Project results in noise levels in excess of standards established in the City of Santa Ana Municipal Code or General Plan; or (2) the Project results in a noise level increase of 5 dBA or more.

iv. The Metro EIR's Construction Noise Analysis and Mitigation Measures Must Be Revised

The Metro EIR states that the impact of noise due to construction in the overlay zone could be substantial, even with mitigation, but that these impacts should be considered less-than-significant because the noise of construction is temporary and exempt from the noise limits in the Santa Ana Municipal Code. Exhibit B at 3; Metro EIR at 4.9-15. However, the characterization of construction noise impacts as less than significant is inconsistent with the CEQA Guidelines since, as the Metro EIR acknowledges, implementation of the Project may result in a significant adverse

impact on noise if the Project would cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project. Exhibit B at 3; Metro EIR at 4.9-14.

Additionally, the Metro EIR's imposed mitigation measure for construction noise impacts are improperly deferred since they are vague in nature and would likely be difficult or impossible to enforce in practice. For example, MM-OZ 4.9-2 includes requirements to: "Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible" "Schedule high noise-producing activities between the hours of 8:00 a.m. and 5:00 p.m. to minimize disruption on sensitive uses"; and "Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources". Metro EIR at 4.9-17. Use of the phrase "where feasible" provides a workaround, allowing the construction crew to locate equipment and stage materials as close as they see fit to sensitive neighbors. Similarly, there is no definition of the "high noise-producing activities," which should cease at 5PM, or the amount of reduction required to be achieved by noise barriers/blankets around equipment. Absent such specification, the measures are improperly deferred. *See* CEQA Guidelines § 15126.4 ("Formulation of mitigation measures shall not be deferred until some future time").

As recommended by noise expert Steve Rogers, a subsequent EIR must be prepared to adequately analyze and mitigate the Project's construction impacts by: (1) providing a Project-specific list of the types of equipment to be used during the various phases of demolition and construction, which identifies source noise levels (FHWA reference values) as well as the number of pieces to be employed for each phase and equipment type; (2) including a clear statement whether the Project will deliberately exclude any particularly noisy construction equipment/activities (such as pile-driving); (3) revising the construction noise analysis to reflect the total impact of all proposed equipment operating together, rather than a single piece of equipment operating in isolation; and (4) revising mitigation measure MM-OZ 4.9-2, so that bullet points 3 through 6 read as follows:

- Place noise-generating construction equipment and locate construction staging areas away from sensitive uses.

- Restrict any activities that result in noise levels in excess of the Thresholds of Significance to the hours of 8:00 AM to 5:00 PM to minimize disruption of sensitive uses.
- Implement noise barriers or noise blankets around construction equipment to achieve a minimum noise level reduction of 15 dBA.
- Use electric air compressors and similar power tools rather than diesel equipment.

i. The Metro EIR's Operation Noise Analysis Underestimates the Project's Impacts

Finally, the Metro EIR's operation noise analysis and mitigation measures must be revised. The Metro EIR includes an analysis of HVAC noise associated with new developments in the overlay zone. The calculation starts with the assumption that HVAC systems "can result in noise levels that average between 50 and 65 dBA, L_{eq} at 50-feet from the equipment", then reasons that shielding around rooftop equipment might typically be expected to provide 15 dBA of noise reduction, resulting in a net noise level at 50-feet of 50 dBA. Metro EIR at 4.9-19. For equipment that runs 24-hours per day, the preparers point out that the relationship between the L_{eq} noise level and the CNEL is 6.7 dBA, so that an L_{eq} of 50 dBA at 50-feet would equate to a CNEL of 57. And since 57 CNEL falls below the proposed 65 CNEL significance threshold, the Metro EIR concludes that HVAC noise is less than significant. As noted by noise expert Steve Rogers, such analysis is problematic for at least two reasons.

Firstly, the estimate of HVAC unit noise seems too low for a mixed-use project that will likely have hundreds of HVAC units operating simultaneously. This is because the combined effect of multiple similar noise sources grouped together is calculated from the equation: Total Noise Level = Noise Level for Single Source + $10 \times \log_{10}$ (Number of Sources). So, while we would expect that a single AC unit, serving a single apartment could produce a noise level of approximately 55 dBA at 50-feet, a grouping of 100 units (for example serving one section of the building) would have a total noise level of $55 + 10 \times \log_{10}(100) = 75$ dBA at 50-feet. Larger, commercial-grade equipment associated with the commercial and office portions of the project as well as ventilation fans for the parking structure (if required) would likely produce more noise

than residential AC units, further adding to the noise sum for surrounding receivers. It is therefore likely that the analysis in the MEMU EIR substantially underestimates the total HVAC noise impact of the project.

The second problem with the HVAC noise analysis in the [Metro] EIR is that (like the proposed thresholds of significance) it overlooks the noise limits in the Santa Ana Municipal Code. The SAMC requires that noise from continuous sources – such as HVAC equipment – be limited to 50 dBA at night, unless the ambient noise level on the receiving property is greater than 50 dBA, in which case the ambient noise level becomes the noise limit. We expect that nighttime ambient noise levels on much of the Lake Dianne property are less than 50 dBA, so that the allowable limit for the combined noise of all HVAC equipment associated with the project is 50 dBA, not CNEL 65 as the MEMU EIR suggests. Exhibit B at 4.

Accordingly, the analysis presented in the Metro EIR does not adequately demonstrate that HVAC noise associated with the Project will be less than significant.

Moreover, the Project would include a significant amount of active and passive open space and outdoor amenities, including a 7,500 square-foot roof terrace, which would accommodate uses such as outdoor dining, game terrace, and view deck. According to the Planning Commission staff report, the roof terrace would be equipped with synthetic turf (possibly for sports), a media wall, and festival lighting, suggesting nighttime use. However, the analysis in Metro EIR does not consider the potential for operational noise impacts associated with the type of outdoor amenities proposed for the Project and does not, therefore, demonstrate that any such impact is less than significant. Exhibit B at 4-5.

A subsequent EIR must be prepared which (1) revises the operational noise impact analysis to reflect the combined all of the equipment in the project HVAC system; (2) includes an evaluation of Project design features that would be incorporated into the building design to attenuate HVAC noise – such as equipment screens, duct silencers, etc.; (3) includes revised analysis adequately demonstrating that HVAC noise from the Project will be controlled to the point where it: (a) complies with the noise standards in the SAMC, and (b) limits noise level increases at surrounding sensitive uses to less than 5 dBA; (4) includes the outdoor amenities in the operational noise impact analysis, which provides realistic evaluation of crowd noise, sports/games, amplified sound, AV systems, etc. and should recognize the more stringent standards in the

SAMC that apply to impact noise (balls bouncing) speech and music; and (5) supplements the operational noise mitigation measures as necessary to address noise from outdoor amenities, including but not limited to: limiting hours of use and/or occupancy of outdoor areas, additional noise shielding/screening features in the project design, limiting playback levels for outdoor amplified sound systems, etc.

D. The Project Requires New Feasible Mitigation Measures to Mitigate Greenhouse Gas Impacts

The Project at hand also requires new feasible mitigation measures not specified in the PEIR such as electric vehicle (“EV”) parking and charging stations and solar system installation. Such measures are of particular importance given the Metro EIR failed entirely to assess greenhouse gas (“GHG”) impacts. Metro EIR at 4-1 – 4-2.

First, although the Project is slated to provide 898 parking stalls, the Master EIR fails to specify the new requirement that residential buildings must designate 10% of their parking spaces as EV capable, equip 25% of the parking spaces with low power level 2 EV charging receptacles, and equip 5% of the spaces with level 2 EV supply equipment. GBC 4.106.4.2.

Further, the Metro EIR fails to include a mitigation measure requiring the installation of photovoltaic and battery system, as required by section 1040.10 of the 2022 Energy Efficiency Standards. Thus, a subsequent EIR must be prepared to specify and incorporate these additional feasible mitigation measures.

E. The Project May Have Significant Land Use Impacts Which Were Not Analyzed in the Metro EIR

Finally, the Project may have significant unanalyzed land use impacts stemming from the Project’s request for a tentative tract map (“TTM”), which the Metro EIR failed to analyze. Specifically, the Metro EIR provides that the:

project approvals include certification of the EIR for the proposed project, as well as adoption of the Overlay Zone and associated General Plan Amendment and Zone Change. This EIR is intended as a Program EIR, *and specific development proposals made in the Overlay Zone would be subject to separate environmental clearance/ review.* Metro EIR at 3-17.


Thus, a subsequent EIR must be prepared which specifically analyzes the Project’s TTM request in its land use consistency analysis.

Additionally, the Project runs afoul to the General Plan since it fails to provide any affordable housing units. One policy of the General Plan is to “encourage private and commercial recreational facilities that are physically open to the public and are affordable to residents of surrounding neighborhoods”. General Plan, Policy OS-1.10. Similarly, the General Plan provides that the City must “explore development and subdivision options that promote new opportunities for sustainable, livable, and affordable development.” General Plan, Policy UD-2.8. As the Project at hand provides no affordable housing units, it conflicts with the General Plan. For this reason too, a subsequent EIR is warranted to assess the Project’s land use impacts.

V. CONCLUSION

For all of the foregoing reasons, SWMSRCC respectfully request that the City grant its appeal and require that the City prepare a subsequent EIR for the Project to be CEQA compliant. If the City has any questions, feel free to contact my office.

Sincerely,



Talia Nimmer
Attorneys for Southwest Mountain
States Regional Council of Carpenters

Attached:

Exhibit A: August 3, 2023 Letter from Norman L. Marshall to Talia Nimmer; and

Exhibit B: June 29, 2023 Letter from Steve Rogers to Talia Nimmer.

EXHIBIT A



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Norman Marshall, President
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August 3, 2023

Talia Nimmer
Mitchell M. Tsai, Attorney At Law
139 South Hudson Avenue Suite 200
Pasadena, CA 91101

Subject: Comments on the Cabrillo Town Center Project

Dear Ms. Nimmer,

I have reviewed vehicle miles traveled ("VMT") impacts of the proposed 20 Civic Center Plaza project in Santa Ana as described in the Planning Commission *Staff Report*, dated April 24, 2023, and the attached *Revised Traffic Circulation Analysis*, dated November 18, 2022. I make the following findings:

- 1) SB 743 requires that vehicle miles traveled ("VMT") impacts be analyzed under CEQA. These impacts have not been analyzed for the proposed project.
- 2) The City of Santa Ana has adopted a *Resolution and Guidelines* for evaluating project VMT impacts that include three categories of projects that are screened from complete analysis. The proposed project does not satisfy any of these screens. As the project fails to satisfy any of the City's three VMT screens, the City's Resolution requires a VMT analysis with the Orange County Transportation Analysis Model ("OCTAM"). This OCTAM analysis is required for this project and has not been done.
- 3) If the OCTAM analysis results in a significant VMT impact, the Guidelines require mitigation to "15% below the existing Countywide VMT/SP" [Service Population].
- 4) The proposed project is in an auto-oriented, VMT-inefficient part of the City of Santa Ana, and the project's location also will largely preclude significant mitigation of its VMT impacts. One of the VMT-reduction measures recommended by the California Air Pollution Control Officers Association (CAPCOA), unbundling residential parking costs and rents, is prohibited by the City of Santa Ana.

The Applicant Fails to Quantify the Project's VMT Impacts As Required

SB 743 requires that vehicle miles traveled ("VMT") impacts be analyzed under CEQA. These impacts have not been analyzed for the proposed project.

The City of Santa Ana has adopted Resolution No. 2019-049 entitled *A Resolution of the City Council of the City of Santa Ana Adopting "Vehicle Miles Traveled" Thresholds of Significance for purposes of Analyzing Transportation Impacts Under the California Environmental Quality Act*. The *City of Santa Ana Traffic Impact Study Guidelines* attached to the Resolution states:

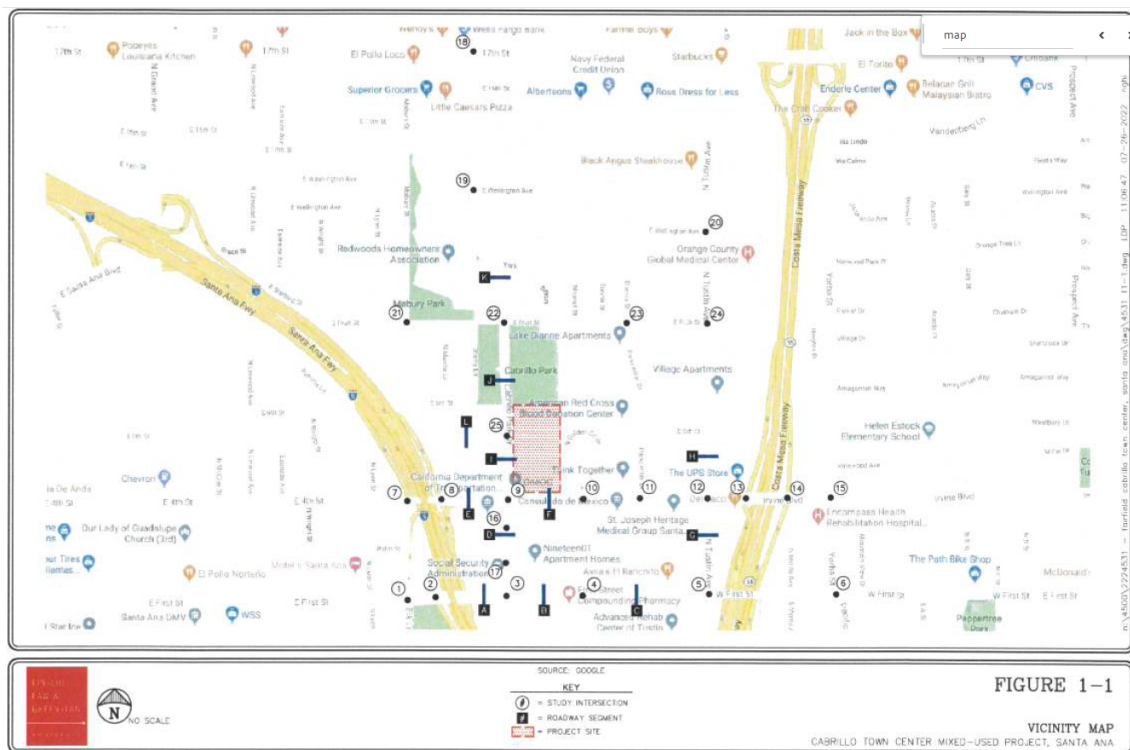
The City of Santa Ana has identified Vehicle Miles Traveled (VMT) as the metric for transportation impact analysis in all traffic studies in accordance with California Environmental Quality Act (CEQA) and California Senate Bill 743 (SB 743). The City of Santa Ana has prepared these Traffic Impact Study (TIS) Guidelines for assessing potential transportation impacts of proposed development projects, General Plan Amendments, and changes to the zoning in the City.

For land use projects (including this proposed project), the *Resolution* identifies three categories where projects can be screened from more complete VMT analysis:

- Transit Priority Area (TPA),
- Low VMT area,
- Project type.

Figure 1 reproduces the vicinity map from the *Revised Traffic Circulation Analysis*.

Figure 1: Vicinity Map



The City's *Guidelines* includes maps of the first two screening categories, and a map that combines them – reproduced here as Figure 2.

Figure 2: Santa Ana Development Areas that Cannot Be Screened [re VMT]

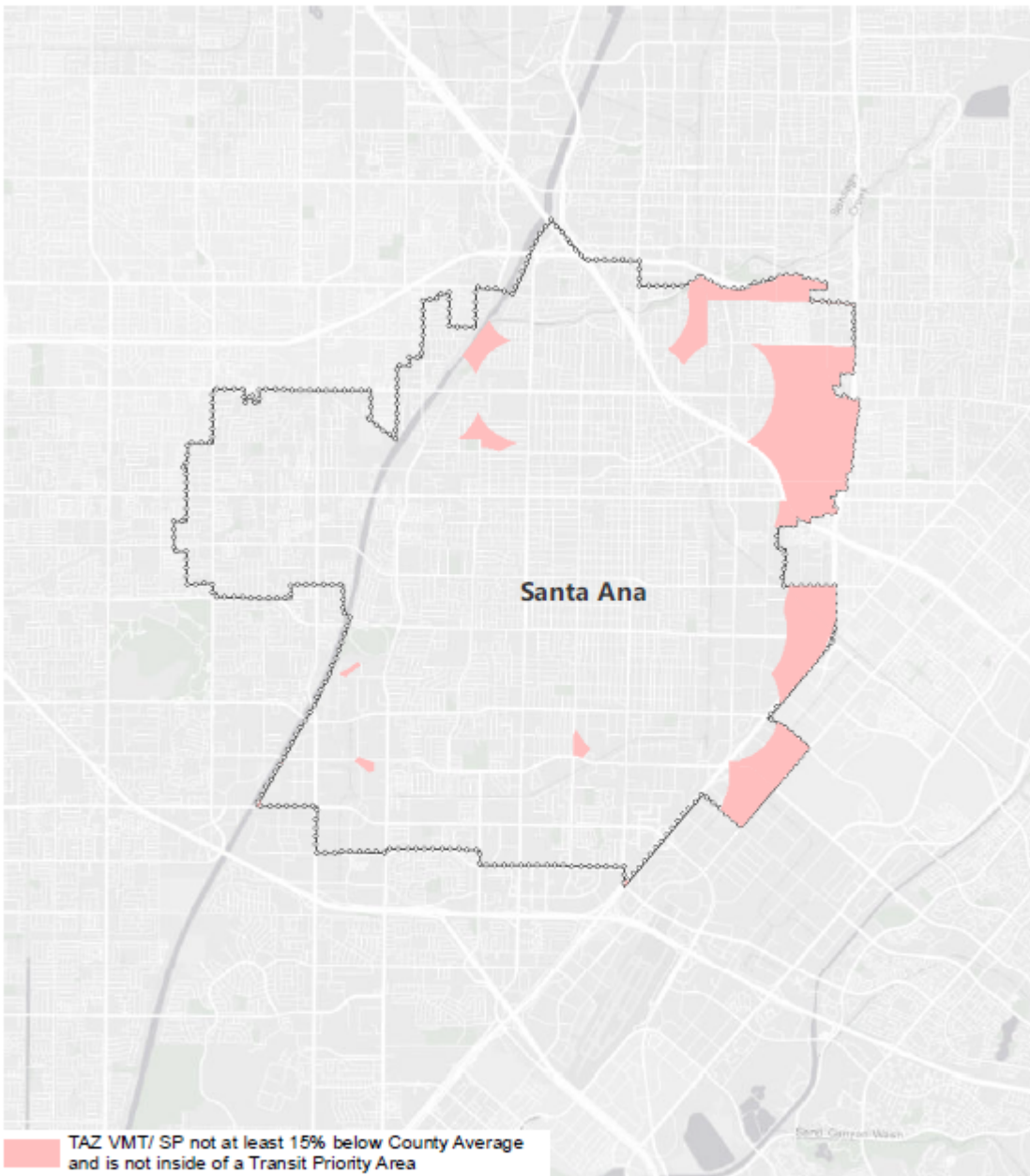
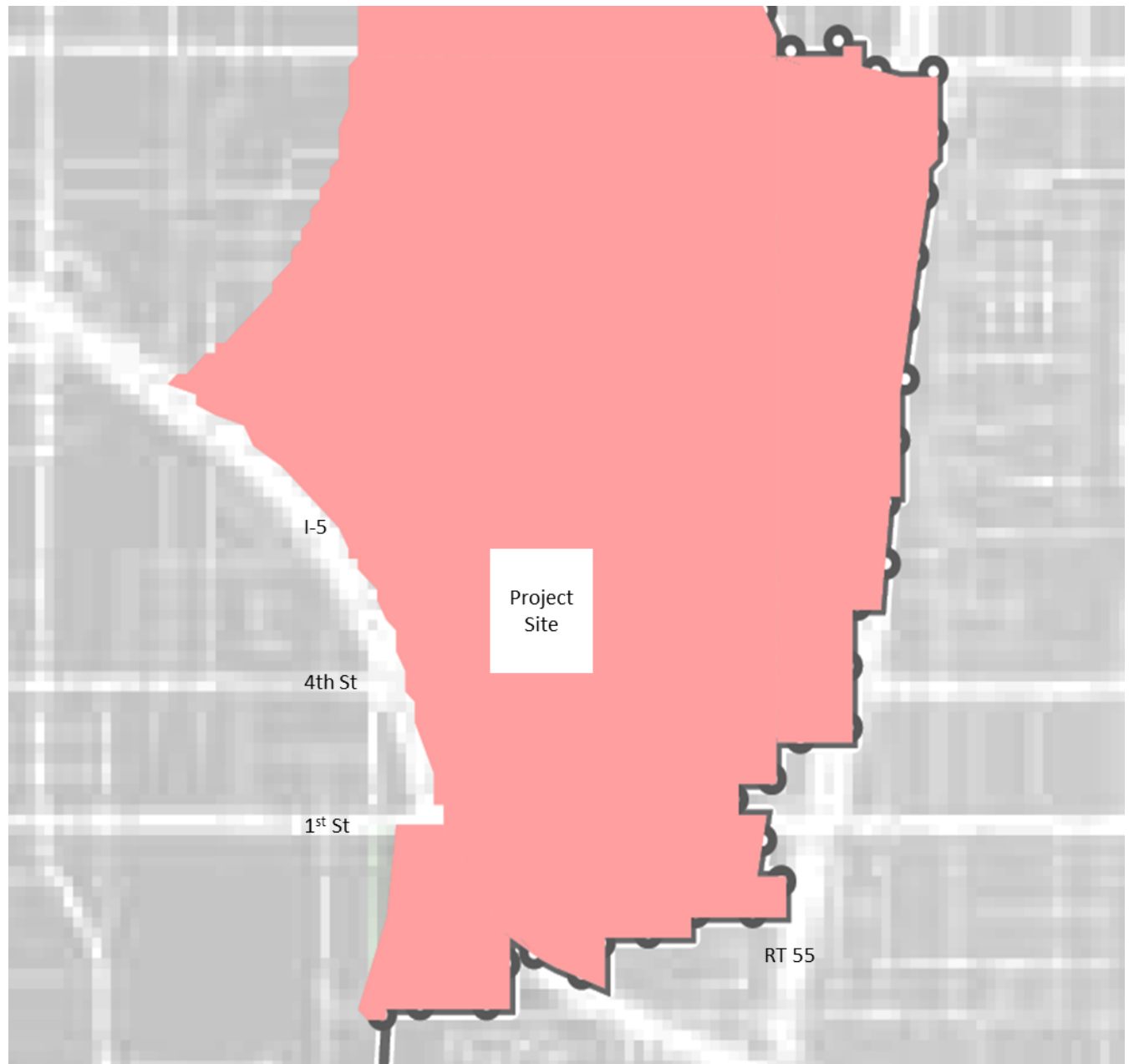


Figure 3 reproduces a portion of Figure 2 with increased contrast to show the street grid, along with the approximate location of the proposed project. The project is within the area that “cannot be screened.”

Figure 3: Approximate Project Location Shown to Be in Area that “Cannot Be Screened”



The third screening criteria includes three types of projects that are presumed to have a less than significant VMT impact including:

- Local serving retail projects of less than 50,000 square feet,
- Neighborhood schools, and
- Projects that generate less than 110 daily trips.

The proposed project satisfies none of these categories. It is predominantly a housing project, i.e., not local-serving retail or a school. The *Revised Traffic Circulation Analysis* estimates that the project would generate 2,751 daily trips after an adjustment for internal capture, and 875 more daily trips than the existing land use on the project site, i.e., much more than 110 daily trips. (Table 5-1, p. 19)

As the project fails to satisfy any of the City's three VMT screens, the City's Resolution requires a VMT analysis with the Orange County Transportation Analysis Model ("OCTAM"). This OCTAM analysis is required for this project and has not been done.

A Significant VMT Impact Must Be Mitigated

The *Resolution* states:

A Significant impact would occur if the project causes total daily VMT within the City to be higher than the no project alternative under cumulative conditions. This analysis should be performed using the 'project effect' method.

The *Guidelines* attached to the *Resolution* state:

Once a significant impact is identified, the project's VMT per capita should be mitigated to be at or less than 15% below the existing Countywide VMT/SP. Mitigation should consist of Transportation Demand Management (TDM) measures analyzed under a VMT-reduction methodology consistent with Chapter 7 of the California Air Pollution Control Officers Association (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* (August 2010) and approved by the City's Traffic Engineering Division.

Since the City's *Guidelines* were adopted, CAPCOA has updated its guidance with the publication of its *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021)*. This newer publication states:

The Handbook builds on CAPCOA's previous efforts to provide accurate and reliable quantification measures. In 2010, CAPCOA published *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emissions Reductions from Greenhouse Gas Mitigation Measures* (hereafter referred to as the "2010 Handbook"). Since that time, climate science has evolved and GHG reduction practices have advanced in sophistication. New priorities have also arisen, such as strengthening climate resilience and infusing health and equity into integrated planning efforts. Therefore, CAPCOA decided it was time to develop an updated and expanded resource to provide the latest data and methods to quantify GHG emissions reductions, climate change vulnerability reductions, and equity improvements in a single resource: The Handbook. (p. 2-3)

The City's VMT *Guidelines* are best followed by applying the updated CALCOA *Handbook*.

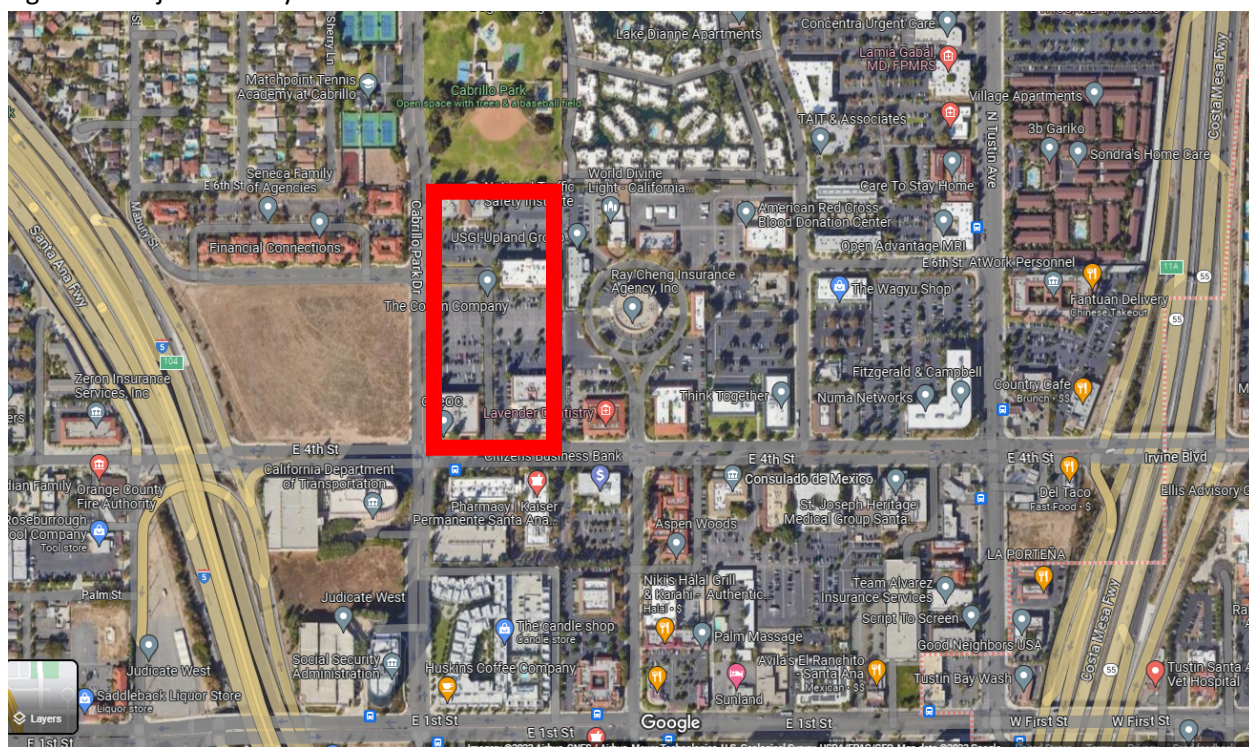
Achieving significant VMT mitigation at this project site may be impossible. The *Handbook* includes 14 quantified VMT reduction measures at the Project/Site scale (p. 63). 9 of the 14 measures involve trip reduction projects that are not applicable to the predominantly residential character of the proposed project. The other 5 measures include 3 land use measures and 2 parking measures.

The land use measures are applicable to residential development include:

- T-1 Increase Residential Density,
- T-3 Provide Transit-Oriented Development, and
- T-4 Integrate Affordable and Below Market Rate Housing.

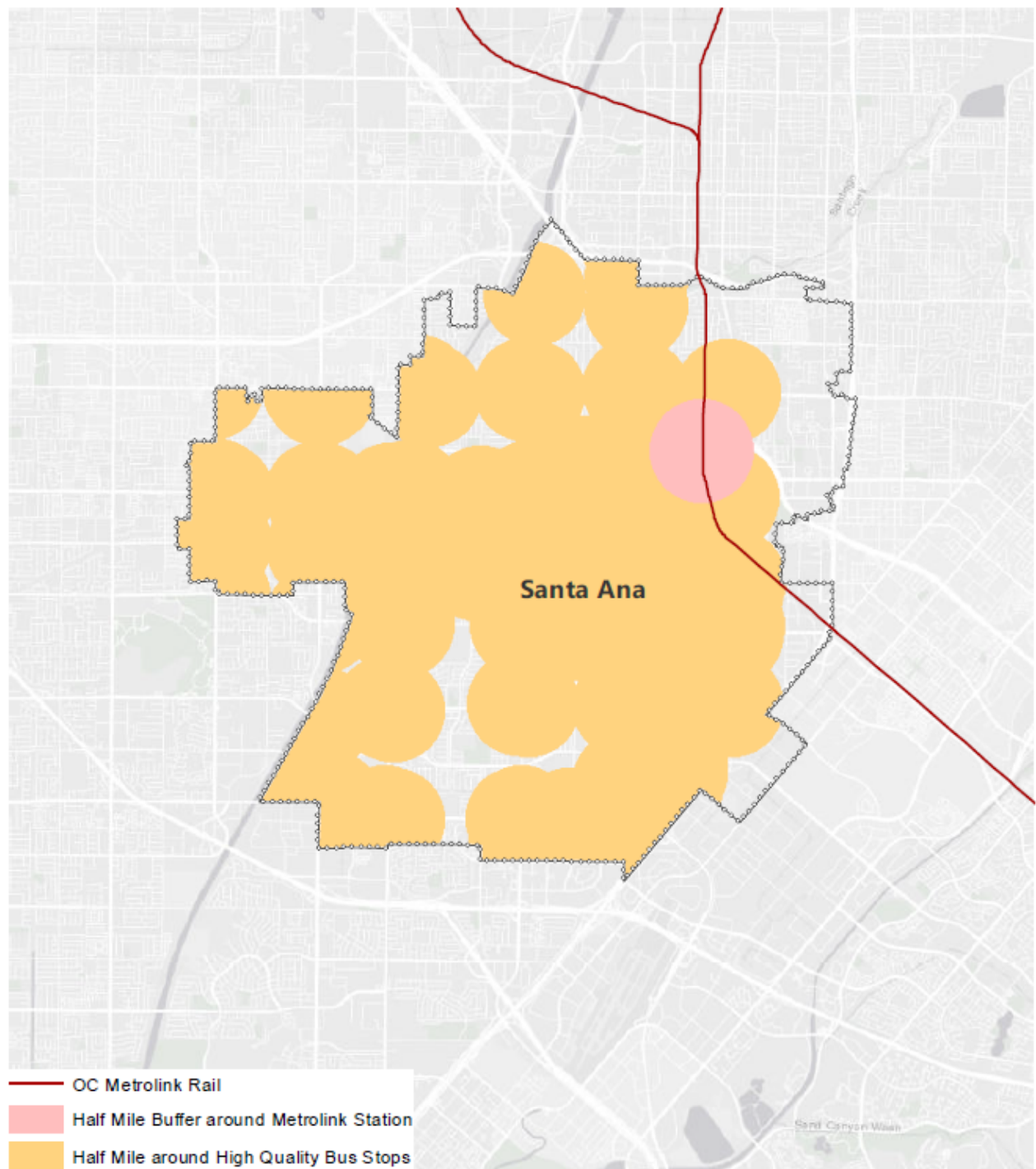
The proposed project is denser than the surrounding area (Measure T-1), and density is associated with lower VMT. However, the *Handbook* states: “This measure is best quantified when applied to larger developments and developments where the density is somewhat similar to the surrounding area due to the underlying research being founded in data from the neighborhood.” (p. 70) The VMT benefits of density are highly correlated with being in walkable mixed-use neighborhoods. As shown in Figure 4, the proposed project is not within a higher-density mixed use neighborhood. There appears to be no housing of similar density in the neighborhood today. A large proportion of the land use is devoted to autos including freeways, wide streets, and surface parking. In the immediate vicinity of the proposed project, 4th Street is a 6-lane divided roadway posted at 40 mph and Cabrillo Park Drive is a four-lane, divided roadway posted at 35 mph (*Revised Traffic Circulation Analysis*, p. 8). Therefore, the VMT-reduction benefits of density in this location are uncertain.

Figure 4: Project Vicinity



The proposed project is not a transit-oriented development (TOD) (Measure T-3). The *Handbook* states: “TOD refers to projects built in compact, walkable areas that have easy access to public transit, ideally in a location with a mix of uses, including housing, retail offices, and community facilities.” As shown in Figure 5, although most of the City of Santa Ana is within Transit Priority Areas (within a half mile of a Metrolink Station and/or a High-Quality Bus Stop), but the proposed project is not.

Figure 5: Santa Ana Transit Priority Areas (Reproduced from the City's Guidelines)



The proposed project does not integrate affordable and below market rate housing (Measure T-4). Instead of including affordable housing in the project, the “applicant has selected the option to pay in-lieu fees.” (*Staff Letter*, p. 4-6)

The parking VMT-reduction measures documented in the *Handbook* include:

- T-15 Limit Residential Parking Supply, and
- T-16 Unbundle Residential Parking Costs from Property Cost, and

Both parking measures encourage residents to shift trips from autos to walking, biking, and transit. The *Handbook* states:

Limiting the amount of parking available creates scarcity and adds additional time and inconvenience to trips made by private auto, thus disincentivizing driving as a mode of travel. (Measure T-15)

On the assumption that parking costs are passed through to the vehicle owners/drivers utilizing the parking spaces, this measure results in decreased vehicle ownership and, therefore, a reduction in VMT and GHG emissions. (Measure T-16)

The *Handbook* cautions that these measures may not work well in auto-oriented areas like the area where the proposed project is sited. The *Handbook* states:

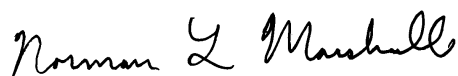
When limiting parking supply, a best practice is to do so at sites that are located near high quality alternative modes of travel (such as a rail station, frequent bus line, or in a higher density area with multiple walkable locations nearby). (Measure T-15)

Measure T-16, unbundling residential parking costs, is explicitly prohibited by the City of Santa Ana. Its document, *Off-Street Parking Requirements*, states:

No owner or agent of any owner of multiple-family residential property shall impose any charge on any resident for the privilege of parking in the offstreet parking spaces on such property which is separate and distinct from the rent charged to such resident for such resident's dwelling unit.¹

The proposed project is in an auto-oriented, VMT-inefficient part of the City of Santa Ana, and the project’s location also will largely preclude significant mitigation of its VMT impacts.

Sincerely,



Norman L. Marshall

¹ <https://storage.googleapis.com/proudcity/santaanaca/uploads/2022/03/Off-StreetParking11-17.pdf>, p. 5 of 17.

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982

Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (32 Years, 18 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovative Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in \$250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additionally analyzed using the City’s Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka’ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Carolina including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

EXHIBIT B



Steve Rogers Acoustics

June 29, 2023

Talia Nimmer
Mitchel M. Tsai, Attorney at Law
139 South Hudson Avenue, Suite 200
Pasadena CA 91101
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Subject: **Cabrillo Town Center Project, Santa Ana
Review of Environmental Noise Analysis**

Dear Talia:

We have completed a review of environmental noise analysis that supported the City Planning Commission staff recommendation to approve of the Site Plan Review and Tentative Tract Map for the Cabrillo Town Center project in Santa Ana. Here are our findings:

OVERVIEW

- The project site is within the bounds of the Metro East Mixed Use (MEMU) Overlay Zone in the City of Santa Ana.
- In its Site Plan Review and Tentative Tract Map evaluation, the City of Santa Ana Planning Commission has relied on the findings and recommendations of the MEMU Environmental Impact Report dated March 2007 and Supplemental Impact Report dated August 2018.
- The closing paragraph on page 12 of the Planning Commission Staff Report dated April 24, 2023 includes this statement:

"The previously prepared 2007 EIR and 2018 SEIR adequately described the project's environmental setting, significant impacts and alternatives, and mitigation measures related to each impact. "

We disagree. In our opinion, there are aspects of the noise analysis in the MEMU EIR/SEIR that do not adequately describe the environmental setting of the Cabrillo Town Center project. We also find that the evaluation of noise impacts in the MEMU EIR/SEIR does not capture the full scope of likely noise sources associated with a large mixed-use project and is based on thresholds of significance that overlook key local regulations.

- Additional study – including field work – is required to adequately evaluate the potential noise impacts of the Cabrillo Town Center project and determine additional mitigation measures/features necessary to adequately protect neighboring residential uses.

AMBIENT NOISE BASELINE, OVERLOOKED SENSITIVE RECEIVERS

- Section 4.9 of the MEMU EIR reports results of a series of noise measurements made at a total of 15 monitoring locations in and around the MEMU area, as shown in Figure 4.9-1 and described in table 4.9-3. These measurements do not adequately characterize the baseline noise condition at sensitive receivers around the project site because:
 - They are short-term (15-minute), daytime readings only and do not therefore capture the quieter evening and nighttime periods, when any noise impacts from the project will be more disruptive to nearby receivers.



- They are insufficient to determine 24-hour weighted average noise metrics, such as Community Noise Equivalent Level (CNEL), which is the basis of the noise standards in the City of Santa Ana General Plan.
- The selected monitoring locations do not represent noise conditions on the Lake Dianne Apartments complex, which is located immediately northeast of the project site. The apartments here represent the closest sensitive receivers to the sources of noise associated with the project.
- The monitoring locations selected for the baseline noise evaluation are almost all on busy streets or close to freeways, which do not represent quieter locations that are set back and/or shielded from major traffic routes – such as the apartments on the Lake Dianne property.
- In Table 4.9-4, the MEMU EIR provides “reference” CNEL values for an extensive list of road segments around the Overlay Zone area, which have been calculated using the Federal Highway Administration Noise Prediction Model. However, these projected noise levels are for hypothetical off-site receivers located very close to busy streets (50-ft from the centerline) and do not help characterize ambient noise conditions for receivers further away from major traffic routes and/or shielded by intervening structures.

THRESHOLDS OF SIGNIFICANCE

- The noise impact assessment for the MEMU was based on thresholds of significance defined on page 4.9-14 of the EIR.
- As we would expect, reference is made to Appendix G of the CEQA Guidelines; however, the significance thresholds themselves are problematic for the following reasons:
 - Temporary/Periodic Impacts are Excluded
CEQA Guidelines require that both temporary/periodic and permanent noise impacts be identified and addressed. However, the thresholds of significance proposed in the MEMU EIR would apply to operational (permanent) noise impacts only.
 - Increase of less than 3 dBA
The preparers propose that any increase in noise, whether temporary or long-term, should be considered insignificant if it is less than 3 dBA. While it is true that a noise increase of 3 dBA would not be discernable to most people, it is also possible that a 3 dBA increase could make the difference between complying with local noise regulations (City of Santa Ana Municipal Code and General Plan) and not. In other words, there may be situations where a 3 dBA increase in noise level would – according to the CEQA Guidelines, as quoted on page 4.9-14 of the EIR – constitute a “significant adverse impact”.
 - Increase of less than 3 dBA, more than 5 dBA
The MEMU EIR suggests that a noise level increase of more than 3 dBA but less than 5 dBA should be considered less than significant so long as the CNEL at sensitive land uses, including residential uses, is below 65. However, it would be quite possible for noise from the project to exceed the allowed limits according to the Santa Ana Municipal Code while remaining well below the proposed CNEL 65 significance threshold.

For example, the nighttime noise limit in the Municipal Code for continuous noise – such as air-conditioning – is 50 dBA (SAMC Section 18-312), for receivers where the ambient (nighttime) noise level is less than 50 dBA, which is likely the case for much of the Lake Dianne property. In



this scenario, a continuous noise source that runs 24-hours per day and produces 53 dBA on the neighboring property would be out of compliance with the Municipal Code, but would result in a CNEL of less than 60.

- Increase of 5 dBA or More

For noise level increases of 5 dBA or more, two different significance thresholds are presented on page 4.9-1 of the MEMU EIR. One states simply that noise level increases of 5 dBA or more should be considered significant, while the other states that noise level increases of 5 dBA or more should only be considered significant if the resulting CNEL is 65 or higher.

We agree that a noise increase of 5 dBA or more caused by the Cabrillo Town Center project should be considered significant. We do not agree that a 5 dBA noise level increase is only significant if it also results in a CNEL of 65 or higher.

CONSTRUCTION NOISE IMPACTS

- In the description of Impact 4.9-1 on page 4.9-15, the MEMU EIR states that the impact of noise due to construction in the overlay zone could be substantial, even with mitigation, but that these impacts should be considered less-than-significant because the noise of construction is temporary and exempt from the noise limits in the Santa Ana Municipal Code (construction is one of the exemptions listed in SAMC Section 18-314).
- We agree that construction is temporary (even if a large project such as Cabrillo Town Center would take years to build) and acknowledge the construction noise exemption in the Municipal Code. Nonetheless, the characterization of construction noise impacts as less than significant is inconsistent with the CEQA Guidelines as they are stated elsewhere in the MEMU EIR. According to the fourth bullet point on page 4.9-14, implementation of the project may result in a significant adverse impact on noise if the project would:
 - *Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.*

CONSTRUCTION NOISE MITIGATION

- On pages 4.9-17 and -18, the MEMU EIR provides a list of noise and vibration mitigation measures prescribed for construction activities within the overlay zone. Beyond reiteration of the construction hours restrictions in the Santa Ana Municipal Code (no construction after 8PM or before 7AM Monday – Saturday, no construction on Sundays or Federal holidays), these mitigations are often general/vague in nature and would likely be difficult or impossible to enforce in practice.
- For example, MM-OZ 4.9-2 includes requirements to:
 - *“Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible*
 - *Schedule high noise-producing activities between the hours of 8:00 a.m. and 5:00 p.m. to minimize disruption on sensitive uses*
 - *Implement noise attenuation measures, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources”*

Use of the phrase “where feasible” provides a workaround, allowing the construction crew to locate equipment and stage materials as close as they see fit to sensitive neighbors. Similarly, there is no



definition of the “high noise-producing activities,” which should cease at 5PM, or the amount of reduction required to be achieved by noise barriers/blankets around equipment.

OPERATIONAL IMPACTS

HVAC Equipment Noise

- The MEMU EIR includes an analysis of HVAC noise associated with new developments in the overlay zone, starting on page 4.9-19. The calculation starts with the assumption that HVAC systems “*can result in noise levels that average between 50 and 65 dBA, Leq at 50-feet from the equipment*”, then reasons that shielding around rooftop equipment might typically be expected to provide 15 dBA of noise reduction, resulting in a net noise level at 50-feet of 50 dBA. For equipment that runs 24-hours per day, the preparers point out that the relationship between the Leq noise level and the CNEL is 6.7 dBA, so that an Leq of 50 dBA at 50-feet would equate to a CNEL of 57. And since 57 CNEL falls below the proposed 65 CNEL significance threshold, the EIR concludes that HVAC noise is less than significant.
- We see two problems with this calculation and less-than-significant conclusion:
 - Firstly, the estimate of HVAC unit noise seems too low for a mixed-use project that will likely have hundreds of HVAC units operating simultaneously. This is because the combined effect of multiple similar noise sources grouped together is calculated from the equation:

$$\text{Total Noise Level} = \text{Noise Level for Single Source} \times 10^{\log_{10}(\text{Number of Sources})}$$

- So, while we would expect that a single AC unit, serving a single apartment could produce a noise level of approximately 55 dBA at 50-feet, a grouping of 100 units (for example serving one section of the building) would have a total noise level of $55 + 10^{\log_{10}(100)} = 75$ dBA at 50-feet. Larger, commercial-grade equipment associated with the commercial and office portions of the project as well as ventilation fans for the parking structure (if required) would likely produce more noise than residential AC units, further adding to the noise sum for surrounding receivers. It is therefore likely that the analysis in the MEMU EIR substantially underestimates the total HVAC noise impact of the project.
- The second problem with the HVAC noise analysis in the MEMU EIR is that (like the proposed thresholds of significance) it overlooks the noise limits in the Santa Ana Municipal Code. The SAMC requires that noise from continuous sources – such as HVAC equipment – be limited to 50 dBA at night, unless the ambient noise level on the receiving property is greater than 50 dBA, in which case the ambient noise level becomes the noise limit. We expect that nighttime ambient noise levels on much of the Lake Dianne property are less than 50 dBA, so that the allowable limit for the combined noise of all HVAC equipment associated with the project is 50 dBA, not CNEL 65 as the MEMU EIR suggests.
 - For these reasons, we believe that the analysis presented in the MEMU EIR does not adequately demonstrate that HVAC noise associated with the Cabrillo Town Center project will be less than significant.

Outdoor Amenities

- The Cabrillo Town Center project would include a significant amount of active and passive open space and outdoor amenities, including a 7,500 square-foot roof terrace, which would accommodate uses such as outdoor dining, game terrace, and view deck.



- According to the Planning Commission staff report, the roof terrace would be equipped with synthetic turf (possibly for sports) a media wall and festival lighting, suggesting nighttime use.
- The analysis in Section 4.9 of the MEMU EIR does not consider the potential for operational noise impacts associated with the type of outdoor amenities proposed for the project and does not, therefore, demonstrate that any such impact is less than significant.

SUMMARY & RECOMMENDATIONS

We find that the MEMU EIR/SEIR does not adequately describe the environmental noise setting, nor does it properly evaluate the noise impacts of the Cabrillo Town Center project. In addition, the noise mitigation measures included in the MEMU EIR need to be revised and supplemented to better address project impacts. We therefore recommend that the MEMU EIR/SEIR be supplemented with revised/additional project-specific environmental noise analysis and documentation as follows:

Sensitive Receivers & Baseline Ambient Noise Levels

- Recognize the residential uses within the Lake Dianne Apartments complex – which are the closest sensitive receivers to the project site – and include this area in the noise impact analysis and baseline ambient noise measurements.
- Conduct 24-hour baseline noise measurements at locations selected to represent baseline ambient noise conditions at all sensitive receivers around the project site. The baseline noise survey should not be limited to locations on busy streets and should accurately reflect conditions at sensitive uses (such as those in the southwest quadrant of the Lake Dianne Apartments property) that are set back and/or shielded from traffic noise sources.
- Continuous noise monitoring is preferred. However, if continuous monitoring is not feasible at any of the receiver locations, then – at a minimum – the baseline should be established by means of 15-minute readings at each of the following three timeframes: 9AM – 5PM (daytime), 8PM – 10PM (evening) and 1AM – 3AM (nighttime).

Thresholds of Significance

- Revise the thresholds of significance in the MEMU EIR to include temporary impacts and for consistency with the noise limits in the City of Santa Ana Municipal Code, as follows:

Any temporary or permanent noise impact resulting from the project shall be considered significant if either one of the following conditions apply:

- (1) The project results in noise levels in excess of standards established in the City of Santa Ana Municipal Code or General Plan.*
- (2) The project results in a noise level increase of 5 dBA or more.*

Construction Noise Impacts & Mitigation

- Provide a project-specific list of the types of equipment to be used during the various phases of demolition and construction. For each phase and equipment type, identify source noise levels (FHWA reference values) as well as the number of pieces to be employed in that phase.
- If the project will deliberately exclude any particularly noisy construction equipment/activities (such as pile-driving) then the project documentation must include a clear statement to this effect.
- Revise the construction noise analysis to reflect the total impact of all proposed equipment operating together, rather than a single piece of equipment operating in isolation.




- Revise/strengthen mitigation measure MM-OZ 4.9-2, so that bullet points 3 through 6 read as follows:
 - *Place noise-generating construction equipment and locate construction staging areas away from sensitive uses.*
 - *Restrict any activities that result in noise levels in excess of the Thresholds of Significance to the hours of 8:00 AM to 5:00 PM to minimize disruption of sensitive uses.*
 - *Implement noise barriers or noise blankets around construction equipment to achieve a minimum noise level reduction of 15 dBA.*
 - *Use electric air compressors and similar power tools rather than diesel equipment.*

Operational Noise Impacts & Mitigation

- Revise the operational noise impact analysis to reflect the combined all of the equipment in the project HVAC system.
- Include an evaluation of project design features that would be incorporated into the building design to attenuate HVAC noise – such as equipment screens, duct silencers, etc.
- The revised analysis must adequately demonstrate that HVAC noise from the project will be controlled to the point where it: (a) complies with the noise standards in the SAMC, and (b) limits noise level increases at surrounding sensitive uses to less than 5 dBA.
- Include the outdoor amenities in the operational noise impact analysis. The analysis should include realistic evaluation of crowd noise, sports/games, amplified sound, AV systems, etc. and should recognize the more stringent standards in the SAMC that apply to impact noise (balls bouncing) speech and music.
- Supplement the operational noise mitigation measures as necessary to address noise from outdoor amenities. Mitigation measures may include: limiting hours of use and/or occupancy of outdoor areas, additional noise shielding/screening features in the project design, limiting playback levels for outdoor amplified sound systems, etc.

Yours sincerely,

Steve Rogers Acoustics, LLC



Steve Rogers
Principal