

FINAL ENVIRONMENTAL IMPACT REPORT

**2021–2029 CYPRESS HOUSING ELEMENT
IMPLEMENTATION PROJECT
CYPRESS, CALIFORNIA**

SCH #2023040560



June 2024

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1.0 INTRODUCTION

This document comprises the Final Program Environmental Impact Report (PEIR) for the proposed 2021–2029 Cypress Housing Element Implementation Project (project). It is composed of comments received during the public review period, responses to those comments, and an Errata section that clarifies, amplifies, or makes minor modifications to the Draft EIR text. The Draft PEIR and technical appendices are provided separately.

In compliance with Section 15201 of the *State CEQA Guidelines*, the City of Cypress (City) has provided opportunities for public participation in the environmental process. The City distributed a Notice of Preparation (NOP) on April 21, 2023, to the California State Clearinghouse, responsible agencies, and interested parties for a 30-day public review period. The City also made the NOP available on the City’s website to inform agencies and the public about the proposed project and to solicit input on the scope of the Draft EIR. The NOP described the project and identified potential environmental impacts associated with project implementation. In addition, the City held a virtual Public Scoping Meeting on May 2, 2023, to present the proposed project and to solicit input from interested parties regarding environmental issues that the Draft PEIR should address. Appendix A of the Draft EIR contains a copy of the NOP and comments received. Section 2.2.3 of the Draft EIR identifies areas of concern raised in response to the NOP or at the scoping meeting.

The California Environmental Quality Act (CEQA) requires a Draft PEIR to have a review period lasting at least 45 days for projects that have been submitted to the State Clearinghouse for review (*State CEQA Guidelines*, Section 150105(a)). As required by *State CEQA Guidelines* Section 15087, the City provided a public Notice of Availability (NOA) of the Draft PEIR for the 2021–2029 Cypress Housing Element Implementation Project at the same time it filed a Notice of Completion with the State Clearinghouse. The Draft PEIR circulated for public review for a period of 45 days, from May 7, 2024, to June 21, 2024.

The City used several media to solicit comments on the Draft PEIR. On May 7, 2024, the City posted physical notices at three separate locations within the City in the vicinity of the proposed opportunity sites. Additionally, the NOA was mailed to the last known name and address of agencies, organizations, and individuals who previously requested such notice in writing. The City also submitted the Draft EIR to the State Clearinghouse for distribution to, and review by, State agencies. The City made a copy of the Draft EIR available at the Cypress Civic Center by appointment. In addition, the City posted the Draft EIR and all technical appendices on the City’s website.

One comment letter from a State agency, the Department of Toxic Substances Control (DTSC), was received during the public review period. The comments in the comment letter are included and responded to in this Final EIR. Comments that address environmental issues are responded to thoroughly. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues, do not require a response, pursuant to Section 15088(a) of the *State CEQA Guidelines*.



Section 15088 of the *State CEQA Guidelines*, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency’s position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
 1. Revise the text in the body of the EIR; or
 2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this Final PEIR clarifies, amplifies, or makes minor modifications to the Draft PEIR. No significant changes have been made to the information contained in the Draft PEIR as a result of the comments received on the Draft PEIR, and no significant new information has been added that would require recirculation of the document pursuant to *State CEQA Guidelines* Section 15088.5. This Final PEIR also includes an Errata section that clarifies and makes minor modifications to the Draft EIR as a result of comments received during the public review period.

1.1 INDEX OF COMMENTS RECEIVED

The following is an index list of the agencies and individuals that commented on the Draft PEIR prior to the close of the public comment period. The comments received have been organized in a manner that facilitates finding a particular comment or set of comments. The comment letter received is coded with the number as shown in Table 1.A, below.

Table 1.A: Comments Received During the Public Comment Period

Comment Code	Signatory	Date
State		
S-1	Department of Toxic Substances Control (DTSC)	6/14/2024



1.2 FORMAT OF RESPONSES TO COMMENTS

The following pages provide responses to the coded comment letter. The comment code number is provided in the upper right corner of the comment letter, and individual comments within the letter are numbered along the right-hand margin of the letter. The City's responses to the comment letter immediately follow each letter and are referenced by the index numbers in the margins.



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2.0 RESPONSES TO COMMENTS



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2.1 STATE AGENCIES



Department of Toxic Substances Control



Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

June 14, 2024

Alicia Velasco
Planning Director
City of Cypress
5275 Orange Avenue
Cypress, CA 90630
avelasco@cypressca.org

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CYPRESS HOUSING ELEMENT IMPLEMENTATION PROJECT DATED MAY 3, 2024 STATE CLEARINGHOUSE # [2023040560](#)

Dear Alicia Velasco,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Cypress Housing Element Implementation Project (Project). The City of Cypress (City) recently updated its General Plan Housing Element for the 6th Cycle Planning Period from 2021 to 2029. Although the City’s 2021–2029 Housing Element identifies several adequate sites that are able to accommodate the development of up to 1,946 new housing units, Cypress has a large unaccommodated housing need of 1,990 units to meet its Regional Housing Needs Assessment allocation of 3,936 units. The 2021–2029 Housing Element outlined several sites that are candidates for future housing development and identified two potential rezoning scenarios, which are described below. The 2021–2029 Housing Element did not actually amend the City’s planning and zoning documents. Instead, the 2021–2029 Housing Element includes a program that requires that the

City rezone identified parcels in the sites inventory within 18 months of the 2021–2029 Housing Element’s adoption date to ensure the provision of adequate and appropriate sites for future housing development. The proposed project is a programmatic update to the City’s General Plan, Lincoln Avenue Specific Plan, Cypress Town Center and Commons Specific Plan 2.0, Cypress Business and Professional Center Specific Plan, and Zoning Ordinance and would not directly result in physical development.

S-1-1,
cont.

After reviewing the NOP of a DEIR, DTSC requests consideration of the following comments:

1. The proposed project encompasses multiple active and nonactive mitigation and clean-up sites where DTSC has conducted oversight that may be impacted as a result of this project. This may restrict what construction activities are permissible in the proposed project areas in order to avoid any impacts to human health and the environment.

S-1-2

2. Due to the broad scope of the project, DTSC is unable to determine the locations of the proposed sites, whether they are listed as having documented contamination, land use restrictions, or whether there is the potential for the sites to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, DTSC recommends providing further information on the proposed project and areas that may fall under DTSC's oversight within future environmental documents. Once received, DTSC may provide additional comments on future environmental documents as further information becomes available. Please review the project area in [EnviroStor](#), DTSC’s public-facing database.

S-1-3

DTSC believes the City of Cypress must address these comments to determine if any significant impacts under the California Environmental Quality Act (CEQA) will occur and, if necessary, avoid significant impacts under CEQA. DTSC recommends the department connect with our unit if any hazardous waste projects managed or overseen by DTSC are discovered. Please refer to the [City of Cypress EnviroStor Map](#) for additional information about the areas of potential contamination.

S-1-4

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Cypress

S-1-5

Alicia Velasco
June 14, 2024
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Housing Element Implementation Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

S-1-5
cont.

Sincerely,

Tamara Purvis

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

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cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse

State.Clearinghouse@opr.ca.gov

Dave Kereazis

Associate Environmental Planner

HWMP – Permitting Division - CEQA Unit

Department of Toxic Substances Control

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HWMP – Permitting Division - CEQA Unit

Department of Toxic Substances Control

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2.1.1 DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)

Letter Code: S-1

Date: June 14, 2024

Response to Comment S-1-1

This comment provides introductory remarks and summarizes the proposed project.

The City acknowledges this comment. Because the comment does not contain any substantive comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required.

Response to Comment S-1-2

This comment states that the proposed project encompasses several active and nonactive mitigation and/or cleanup sites known to DTSC that may restrict the permissible construction activities within these sites.

The City acknowledges this comment. As stated in the Initial Study prepared for the proposed project in January 2024, the proposed project is programmatic in nature and does not directly propose any physical development. Future development facilitated by the proposed project would be required to prepare a project-specific Phase I Environmental Site Assessment (ESA) and subsequent documentation, as necessary, to determine if future development would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Project-specific impacts would be assessed and could require additional CEQA analysis in accordance with Section 15162 of the *State CEQA Guidelines*. Some future infill and redevelopment projects associated with the proposed project may qualify for CEQA exemptions, provided that they meet the requisite conditions set forth in *State CEQA Guidelines* Sections 15300–15332. As such, the potential conditions within each opportunity site pertaining to hazardous conditions would be addressed in future CEQA documents.

Response to Comment S-1-3

This comment notes that DTSC is unable to determine the exact locations of the proposed sites and their potential to contain hazardous materials. The comment recommends that the City provide further information on the proposed project and each site within future environmental documents, which DTSC may provide additional comments on.

The City acknowledges this comment. As stated in the Initial Study prepared for the proposed project in January 2024, future development would be required to prepare a project-specific Phase I ESA and subsequent documentation, as necessary, to determine if future development would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Project-specific impacts would be assessed and could require additional CEQA analysis in accordance with Section 15162 of the *State CEQA Guidelines*. Some future infill and redevelopment projects associated with the proposed project may qualify for CEQA exemptions, provided that they meet



the requisite conditions set forth in *State CEQA Guidelines* Sections 15300–15332. As such, per DTSC’s request, the potential conditions within each opportunity site pertaining to hazardous conditions would be addressed in future CEQA documents.

Response to Comment S-1-4

This comment states that the City must address the preceding comments to analyze potentially significant impacts under CEQA. This comment recommends coordination with DTSC upon discovery of any hazardous waste projects and provides a reference to the City of Cypress EnviroStor Map.

As previously stated, information regarding the status of each opportunity site pertaining to hazardous materials would be addressed in future project-specific environmental documents, as appropriate. These project-specific environmental documents will reference available Cortese List databases, including EnviroStor.

Response to Comment S-1-5

This comment provides concluding remarks and contact information.

The City acknowledges this comment and looks forward to future communications with DTSC regarding future developments facilitated by the proposed project.



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3.0 ERRATA

This section of the Final Environmental Impact Report (EIR) provides changes to the Draft EIR that have been made to clarify, correct, or add to the environmental impact analysis for the proposed 2021-2029 Cypress Housing Element Implementation Project (project). Such changes are a result of further review of, and public comments related to, the Draft EIR. The changes described in this section are generally minor changes that do not constitute significant new information, change the conclusions of the environmental analysis, or require recirculation of the document (*State California Environmental Quality Act [CEQA] Guidelines Section 15088.5*).

Such changes to the Draft EIR are indicated in this section under the appropriate Draft EIR section. Deletions are shown with ~~striethrough~~ and additions are shown with underline.

1) Section 4.4, Greenhouse Gas Emissions

The impact conclusion statement at the beginning of the first paragraph under Threshold 4.4.2 has been revised to accurately reflect that impacts under this threshold would be Less Than Significant with Mitigation Incorporated rather than Less Than Significant.

It should be noted that this impact statement was accurately presented in the final paragraph of analysis under this threshold, and in Section 1.0, Executive Summary, of the Draft EIR. This change was made for clarification only and has no effect on the analysis or conclusions contained in the Draft EIR.

Less Than Significant with Mitigation Incorporated ~~Impact~~. An evaluation of the proposed project's consistency with the 2022 Scoping Plan and the 2020–2045 RTP/SCS is provided below.



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