



PLANNING & DEVELOPMENT SERVICES
DEPARTMENT
300 N. FLOWER STREET
P. O. BOX 4048
SANTA ANA, CALIFORNIA 92702-4048

NOTICE OF PREPARATION

DATE: February 24, 2003
SUBJECT: Notice of Intent to Prepare Draft Environmental Impact Report # 589

Project Title: General Plan Amendment / Zone Change (PA 01-114) (aka: The Ranch Plan)
Applicant: Rancho Mission Viejo
Contact: Chuck Shoemaker **Phone:** (714) 834-2166

A Notice of Preparation (NOP) is a brief notice sent by a lead agency to notify Responsible Agencies, Trustee Agencies and involved federal agencies that the lead agency plans to prepare an Environmental Impact Report (EIR) for a project. The County is considered the lead agency and is responsible for the preparation of an EIR under the terms and requirements of the California Environmental Quality Act (CEQA) and the implementing Guidelines for the California Environmental Quality Act ("Guidelines").

With respect to the subject project, the Orange County Planning & Development Services Department (County) has determined that an Environmental Impact Report (EIR) will be prepared for a land development project proposed by Rancho Mission Viejo as described in Section 3 of the attached Project Summary. The applicant's objectives are identified in Section 5 of the attached Project Summary.

Please note that this NOP and the proposed EIR are for the General Plan Amendment, Zone Change and related land use approvals requested by Rancho Mission Viejo as described in Section 3 of the attached Project Summary. A separate EIR/EIS is currently being prepared by the U.S. Fish and Wildlife Service / California Department of Fish and Game / County of Orange for the Southern Orange County Natural Community Conservation Planning program and Habitat Conservation Plan (NCCP/HCP). Another EIR/EIS is also being prepared by the U.S. Army Corps of Engineers / California Department of Fish and Game for the Special Area Management Plan / Master Streambed Alteration Agreement (SAMP/MSAA) for the San Juan Creek and San Mateo Creek watersheds. The County EIR for the Rancho Mission Viejo proposal will be coordinated with these other documents.

The project alternatives that have been identified by the County to date are listed in Section 6 of the attached Project Summary. These alternatives reflect the alternatives that have been identified to date during the preparation of the separate EIR/EISs for the NCCP/HCP and SAMP/MSAA. If additional relevant and feasible alternatives are identified by these separate project processes prior to the preparation of the County EIR for the Rancho Mission Viejo application, the alternatives will be considered as potential alternatives for analysis in the County EIR.

The attached summary of the project, objectives and alternatives is not an analysis of the projects or its impacts. The Project Summary information is intended to provide Responsible Agencies with sufficient information describing the project and the potential environmental effects to enable the Responsible Agencies to make a meaningful response. In order for the concerns of your agency to be incorporated into the Draft EIR, we need to know the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project. Responsible and Trustee agencies must consider the EIR prepared by the County of Orange when considering a permit or approval of the project. The purpose of this notice is: (1) to serve as the Notice of Preparation to potential Responsible Agency jurisdictions required by Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues, from interested parties other than potential Responsible Agencies, including interested or affected members of the public. The County requests that any potential Responsible or Trustee Agency responding to this notice respond in a manner consistent with the Guidelines Section 15082(b). Specifically, the County requests that the Responsible and Trustee Agency's response identify significant environmental issues, reasonable alternatives and mitigation measures which the agency will need to have explored in the draft EIR.

All parties that have submitted their names and mailing addresses will be notified of the availability of the Draft EIR. If you wish to be placed on the mailing list or have any questions or need additional information, please contact the person identified above.


Pursuant to CEQA Section 21080.4, Responsible Agencies must submit any comments in response to this notice not later than **30 days after receipt of this notice**. The County will accept comments from these Agencies and others regarding this notice through the close of business, **March 26, 2003**.

All comments or other responses to this notice must be submitted in writing to:

Planning And Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

ATTENTION: Chuck Shoemaker

Submitted by:



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PROJECT SUMMARY

The County of Orange (County) will be the Lead Agency under the California Environmental Quality Act (CEQA) for the preparation of a Program Environmental Impact Report (EIR) for the Project. Section 15168 of the CEQA Guidelines states that a Program EIR "...may be prepared on a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) As logical parts in the chain of contemplated actions, (3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

1. Project Sponsor's Name and Address

Rancho Mission Viejo
28811 Ortega Highway
San Juan Capistrano, CA 92675

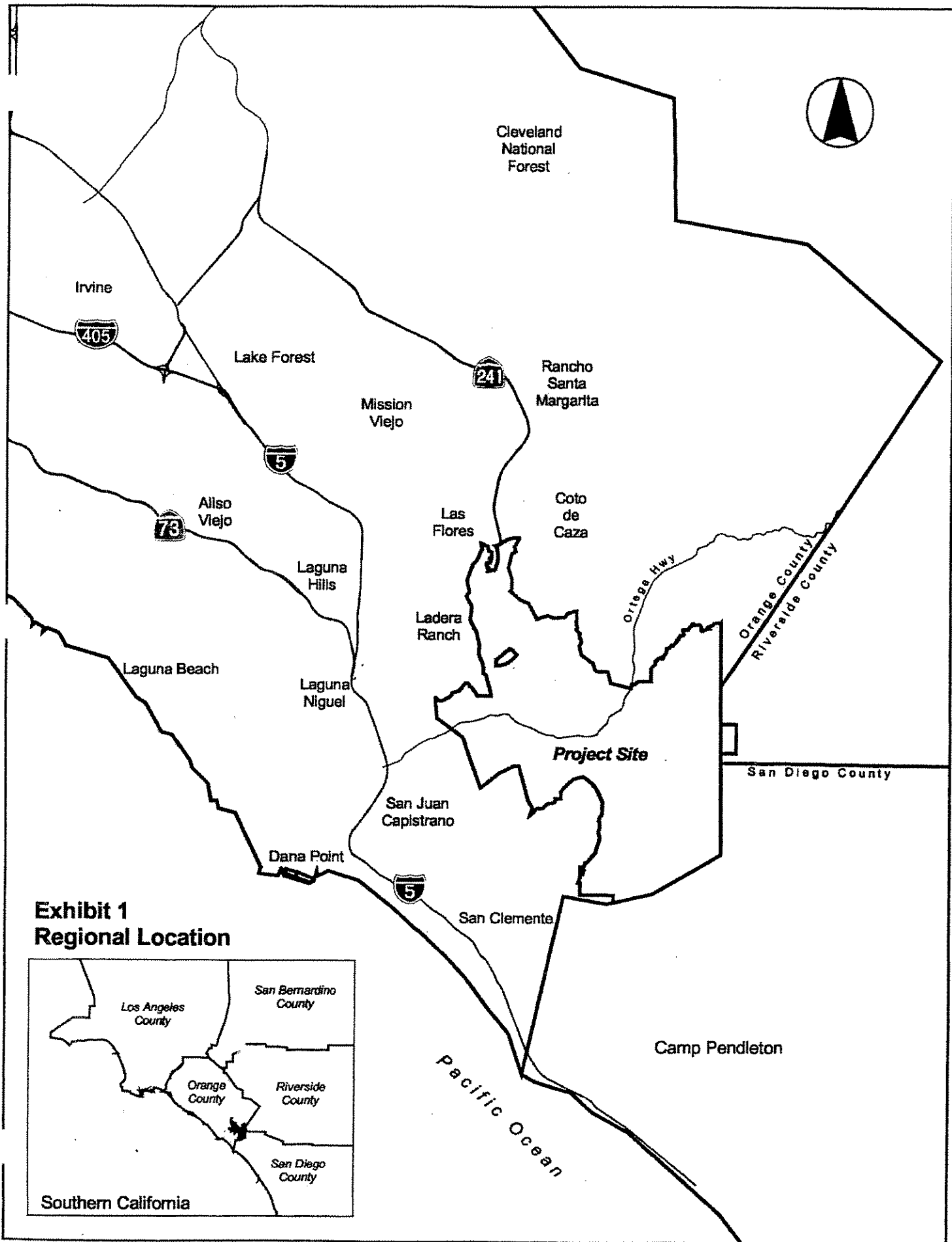
2. Project Location

The approximately 22,850-acre project site is located in south Orange County and constitutes the remaining undeveloped portions of the Rancho Mission Viejo located within unincorporated Orange County. The planned community of Ladera Ranch and the cities of Mission Viejo, San Juan Capistrano and San Clemente surround the Project area on the west. The City of Rancho Santa Margarita bounds the northern edge of the Project area; the southern edge is bounded by Marine Corps Base (MCB) Camp Pendleton in San Diego County. Caspers Wilderness Park and the Cleveland National Forest bound the property on its eastern edge. The regional location and local vicinity maps are depicted in Exhibits 1 and 2, respectively. Exhibit 3 provides an aerial photograph of the project site and surrounding area with major landmarks identified.

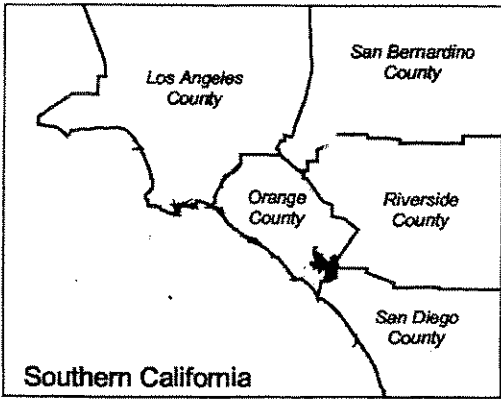
Regional access to the project site is via Interstate 5 (I-5), which is located west of the project site and State Route 241 (SR-241) (also known as the Foothill Transportation Corridor), which currently terminates at Oso Parkway, just north of the project site. Ortega Highway runs east-west through the project site. Antonio Parkway provides the project area with north-south arterial highway access.

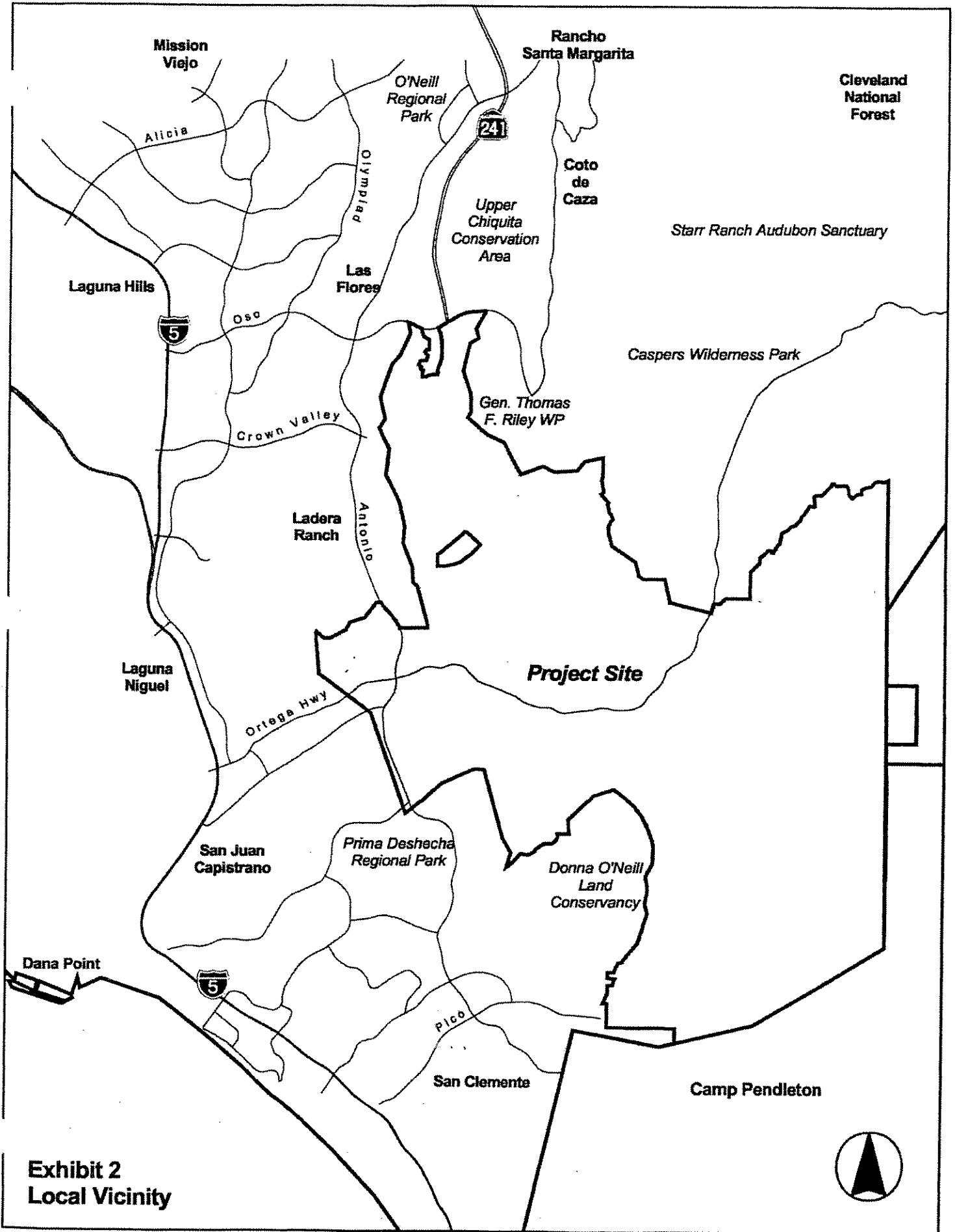
3. Description Of Project

As proposed by Rancho Mission Viejo in its application to the County, the project would result in the development, over approximately 30 years, of up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, up to four golf courses, a proposed 1,079-acre regional park, and an approximately 13,161 acres open space area (a 420 acre portion of which would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units, and equestrian facilities). Ranching activities would also be retained within a portion of the proposed open space area. Infrastructure would be constructed to support all of these uses, including road improvements, utility improvements and schools. The number and locations of schools will be further refined



**Exhibit 1
Regional Location**

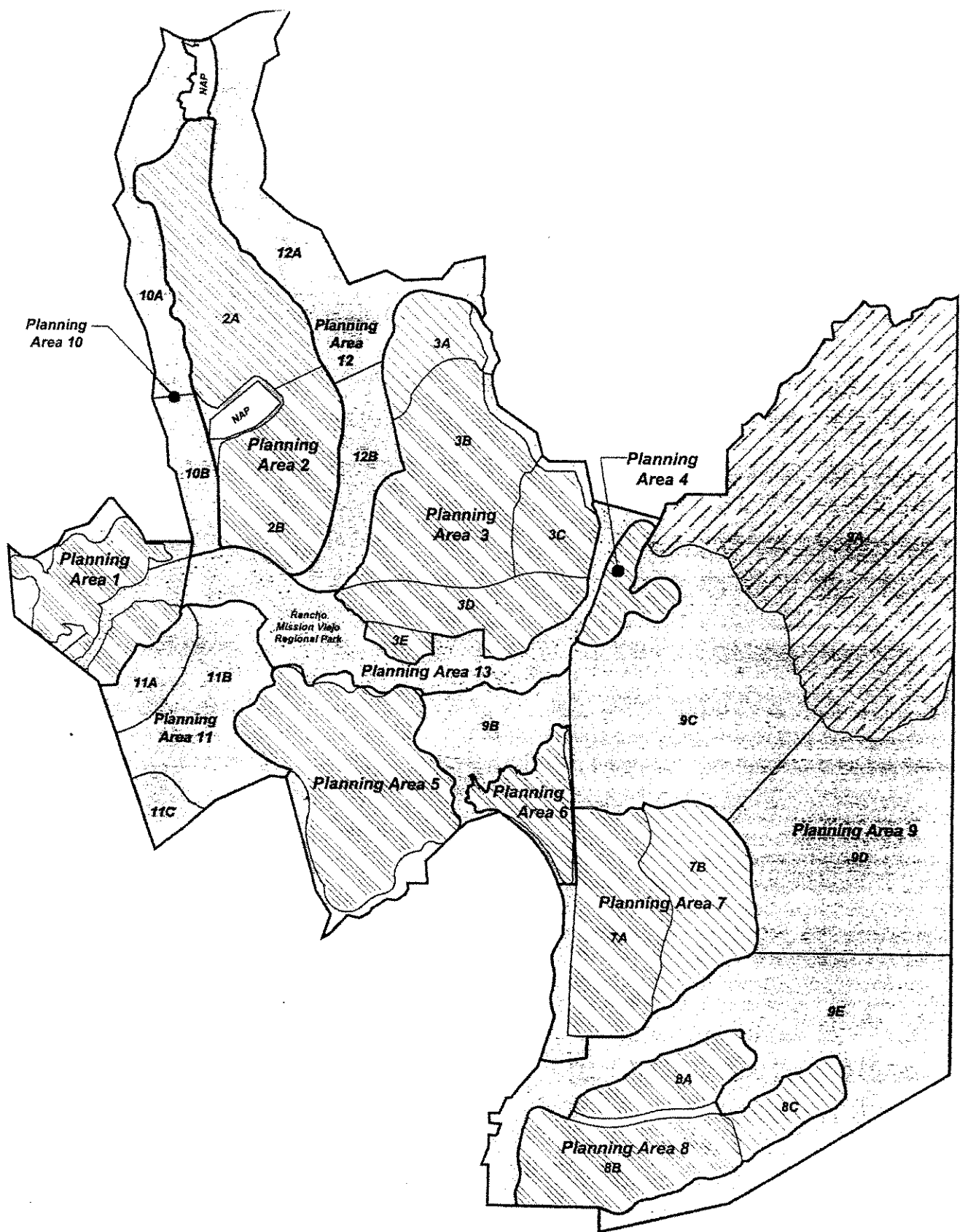





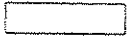


**Exhibit 2
Local Vicinity**



**Exhibit 3
Project Site**



Legend

-  Residential
-  Open Space
-  Regional Park
-  O'Neill Ranch Overlay



**Exhibit 4
Project Planning Areas**

during the entitlement and environmental review processes. Existing agriculture uses may also be expanded as a result of implementation of the Project. The project proposal entails a zone change from A-1 General Agricultural and Sand and Gravel (for portions of San Juan Creek) to PC-Planned Community zoning district, which would encompass the entire project site. In addition, several elements of the County of Orange General Plan would need to be amended in order to allow development of the Project, including the Land Use, Transportation, Resources, and Recreation elements. These amendments are further described below. A Development Agreement between Rancho Mission Viejo and the County is also intended to be processed concurrent with this Project. Also, all remaining Williamson Act contracts covering lands within the project site are proposed to be cancelled as part of the project.

To ensure comprehensive planning, the Project will be processed concurrently with the two regional planning efforts that are ongoing for the project site. The United States Fish and Wildlife Service (USFWS), in cooperation with the California Department of Fish and Game (CDFG) and the County of Orange, have initiated a joint federal, state and local planning effort to provide for the long-term protection of natural communities and their related species while allowing compatible development and economic use. The program, known as the Southern Subregion Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), will provide for a permanent habitat reserve system and an adaptive management program capable of protecting, enhancing and restoring natural communities over the long term. The second effort is being lead by the Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG) for the protection of aquatic resources. Known as the Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA), this program will develop a comprehensive management plan that establishes an approach and set of actions to preserve, enhance, and restore aquatic resources, while allowing reasonable and responsible economic activities and development within the project site. In addition to the EIR to be prepared for the Project as discussed in this Notice of Preparation, separate environmental documents are being prepared for the NCCP/HCP (a joint EIS/EIR) and the SAMP/MSAA (a joint EIS/EIR).

Land Use Component

The General Plan land use designations on the project site would be 1B-Suburban Residential and 5-Open Space. To complement the 1B-Suburban Residential designation, overlay land use categories are proposed in conjunction with the PC-Planned Community Zoning District to allow supporting uses within certain portions of the project site carrying the 1B-Suburban Residential designation. The type and amount of supporting uses in each overlay zone would be clearly identified as part of the project approval. The overlay zone allows flexibility in the placement of these uses to best complement the project design and would be established at the Area Plan level of approval. Overlay zones are proposed for urban activity center, business park, neighborhood center, and golf resort uses. Additionally, there is an O'Neill Ranch overlay zone, which would allow a limited number of attached dwelling units, estate units, and golf course. The discussion for each planning area identifies the type and the amount of uses proposed in each overlay.

Residential Uses

The project proposes the designation of approximately 9,296 acres of the 22,850 acres for 1B-Suburban Residential on the General Plan Land Use Element. This would allow residential and associated urban development. The proposed residential uses would allow for a broad range of housing types and densities for a diversity of income levels and lifestyles. A mix of housing types would be provided, including single-family, multi-family, senior (age-restricted) housing, and apartments. This development would be located in nine planning areas. The location of these planning areas is shown on Exhibit 4. The uses in each of these planning areas are described below.

Planning Area 1 -- This planning area is located east of the City of San Juan Capistrano boundary in the vicinity of Antonio Parkway and Ortega Hwy. This planning area would encompass approximately 810 acres and provide a mix of residential, urban activity center, business park, and open space uses. Approximately 540 acres of residential development is proposed, with construction of 1,020 dwelling units. Approximately 108 gross acres of urban activity center and 38 gross acres of business park uses are also proposed as overlay land use categories within this same area. The overlay land uses would support approximately 630,000 square feet of urban activity center and approximately 575,000 square feet of business park uses. Within this planning area there would also be 148 acres of open space. This open space, together with the 540 acres to be developed with urban uses, would be designated I-B-Suburban Residential on the Orange County General Plan. A 122-acre portion of the proposed Rancho Mission Viejo Regional Park, which is discussed below, also is included in this planning area and would be designated 5-Open Space on the General Plan. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 2 -- Located north of Ortega Highway, east of Antonio Parkway, south of Oso Parkway and Tesoro High School, and west of Cañada Gobernadora, this planning area encompasses approximately 1,680 acres. The area would be designated 1B-Suburban Residential on the General Plan. A total of 1,180 units are proposed within the Planning Area. This planning area also proposed approximately 40 gross acres of business park overlay zone, with an expected 610,000 square feet of business park uses. Forty-nine acres of open space is proposed in this planning area. The proposed Rancho Mission Viejo Regional Park would extend along the southern boundary of this planning area.

Planning Area 3 -- This planning area encompasses approximately 2,308 gross acres and would be designated 1B-Suburban Residential on the General Plan. This planning area is located north of San Juan Creek, west of Caspers Regional Park, south of Coto de Caza, and east of Cañada Gobernadora. Approximately 6,000 dwelling units would be constructed on 2,193 acres. The remainder of the Planning Area (115 acres) would remain as open space. The residential areas would include apartments, estates, and senior housing. This planning area would also support overlay zones that propose 100 gross acres of business park with an expected 1,525,000 square feet of business uses and 22 gross acres of commercial use with an estimated 220,000 square feet of retail space. An additional 22 gross acres of urban activity overlay zone is proposed with approximately 140,000 square feet of use. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 4 -- This planning area is located south of Ortega Highway. This area is proposed for 216 acres of residential development. The General Plan Land Use designation would be 1B-Suburban Residential. Development proposed would total 150 dwelling units and an overlay zone for a five-acre commercial site with approximately 50,000 square feet of neighborhood center in this planning area. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 5 -- This planning area is located south of Ortega Highway and east of the City of San Juan Capistrano. The project proposes the designation of a total of 1350 acres of 1B-Suburban Residential. Approximately 2,440 dwelling units are proposed on 1,191 acres for this planning area. Open space (159 acres) is also proposed within this planning area. This planning area would also have an overlay zone of approximately five acres for commercial development with a total of 50,000 square feet of neighborhood center. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 6 -- This planning area is located north of the Donna O'Neill Land Conservancy at Rancho Mission Viejo (previously known as the Rancho Mission Viejo Land Conservancy). This planning area would be 308 acres of 1B-Suburban Residential. A total of 110 dwelling units are proposed on 275 acres. Thirty-three acres of open space are also proposed in this planning area.

Planning Area 7 -- Located north of the existing TRW site, this planning area would designate 1,482 acres of 1B-Suburban Residential. Approximately 1,480 dwelling units are proposed on 1,350 acres of this planning area. 132 acres of open space are also proposed within this planning area. This planning area would also support an overlay zone with a two-acre commercial site providing approximately 20,000 square feet of neighborhood center. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 8 -- This planning area is located south of Planning Area 7, and north of the southern RMV property boundary. The plan proposes 1,264 gross acres of 1B-Suburban Residential, supporting 1,400 dwelling units on 1,214 acres. Open space (50 acres) is also proposed within this planning area. Within an overlay zone, an additional five acres of commercial development would provide a total of 50,000 square feet of neighborhood center. This area would also support overlay zones of approximately 80 acres of proposed business park with 1,220,000 square feet of business park uses, and 20 acres for a golf oriented resort. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 9 -- This open space area would cover approximately 9,218 acres in the southeastern portion of the project site, and would retain its existing 5-Open Space land use designation under the General Plan. Preservation of acreage within this Planning Area, as part of the Southern Subregion NCCP/HCP program, will constitute a key component of that program's habitat reserve. The Project applicant also proposes to continue ranching operations. In recognition of the biological sensitivity of the area, a grazing management plan would be developed to ensure the continued coexistence of ranching operations and sensitive species. The grazing management plan will be developed in conjunction with the Southern Subregional NCCP/HCP program.

Also, within a 420 acre overlay zone, known as the O'Neill Ranch, the Project would provide for a total of 100 estate homes on approximately 200 acres, along with 120 casitas on 20 acres, and a 200-acre golf course. The very low-density housing to be developed in this overlay zone would be incorporated within the surrounding open space.

Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 10 – This open space area (retaining the 5-Open Space designation on the General Plan) would be preserved as part of the Southern Subregion NCCP/HCP program. A total of approximately 778 acres would remain undeveloped and be located within the habitat reserve of the NCCP/HCP program. The Project applicant also proposes to continue ranching operations in the Planning Area. As noted above, a grazing management plan would be developed in conjunction with the NCCP/HCP program.

Planning Area 11 – This open space area (retaining the 5-Open Space designation on the General Plan) would be preserved as part of the Southern Subregion NCCP/HCP program. A total of approximately 1,050 acres would remain undeveloped and be located within the habitat reserve of the NCCP/HCP program. The Project applicant also proposes to continue ranching operations in the Planning Area. As noted above, a grazing management plan would be developed in conjunction with the NCCP/HCP program. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

Planning Area 12 – This open space area (retaining the 5-Open Space designation on the General Plan) would be preserved as part of the Southern Subregion NCCP/HCP program. A total of approximately 1,429 acres would remain undeveloped and be located within the habitat reserve of the NCCP/HCP program. The Project applicant also proposes to continue ranching operations in the Planning Area. As noted above, a grazing management plan would be developed in conjunction with the NCCP/HCP program.

Planning Area 13 – A central feature of the Project is the proposed Rancho Mission Viejo Regional Park. The park (retaining the 5-Open Space designation on the General Plan) would encompass approximately 1,079 acres¹ and extend along San Juan Creek from the City of San Juan Capistrano boundary to the existing Caspers Regional Wilderness Park. The park would include area both north and south of creek. It would provide passive and active recreational opportunities. A Class I (off-road) bike path is proposed to extend along the north side of the creek and a riding and hiking trail along the south side of the creek. At the southern edge of Planning Area 3, and on the north side of the creek, a sports complex is proposed. In addition, areas for picnicking would be provided throughout the park. Existing authorized land uses would continue until the commencement of any new proposed land use for the affected areas.

¹ The total acreage of the Rancho Mission Viejo Regional Plan is 1,079 acres with 122 acres in Planning Area 1 and 957 acres in Planning Area 13.

Schools

To support the project, additional schools would be needed. Based on preliminary analysis of the students that would be generated by the project, development of three elementary schools and a middle school would be required. The additional students generated by the project, combined with existing demand, may necessitate the construction of a high school within the project limits. The precise locations of the schools are not known at this level of processing; however, the schools would be located in the development portions of the planning areas. The locations would be determined in consultation with the school district when tentative tract maps are proposed. Each elementary school would be built on approximately 10 acres and would provide for approximately 600 to 800 children. They would serve the proposed development and would be phased with construction. The middle school would be built on approximately 20 acres and would serve approximately 1,500 students. It would serve students from the proposed project. The high school, if required, would be built on approximately 50 acres and serve approximately 2,200 students.

Infrastructure Improvements

To support the proposed development, infrastructure improvements would be required. These would include roadway improvements and utility improvements. The implementation of these improvements would be phased with development to meet the increased demand. The Project reflects the extension of the SR-241 tollroad because it is depicted on the Master Plan of Arterial Highways (MPAH), but it is not part of the project. The impacts associated with South Orange County Transportation Infrastructure Improvement Project (SOCTIIP), including the construction of SR-241, are being evaluated in a separate EIS/EIR being prepared by the Federal Highway Administration and the Transportation Corridor Agency (TCA). The Project EIR will consider the impacts of the SOCTIIP alternatives on the Project. The EIR prepared for the Project will evaluate the ability of the proposed circulation network to accommodate the projects estimated traffic demand with and without the extension of SR-241. It has also been reported that an alternative alignment of the SCRRA/MetroLink railroad may be considered in association with existing and/or proposed tollroads. To the extent that sufficient details emerge regarding this possible alternative alignment prior to the release of the Project EIR, and if it would potentially affect the project site, the alignment would be addressed in the Project EIR.

The infrastructure improvements proposed as part of the Project are outlined below.

Circulation Improvements

A circulation network to support the proposed development is an integral part of the project. The circulation improvements would include both arterial highways and a local circulation network. Arterial highways would be added to, as well as deleted from, the County of Orange Circulation Element of the General Plan and the Master Plan of Arterial Highways (MPAH), administered by the Orange County Transportation Authority (OCTA). The MPAH modifications are shown on Exhibits 5A and 5B and would include the following:

- New Ortega Highway-- an east-west arterial highway on the north side of San Juan Creek, would be added to the MPAH. The road would provide an east-west link through Rancho Mission Viejo from Antonio Parkway to connect with the existing Ortega Hwy, State Route 74 at the common boundary of Rancho Mission Viejo and Caspers Park. The road would be constructed as a four-lane primary arterial highway, with a right-of-way reserve for a six-lane major between Antonio Parkway and the future SR-241.
- Cristianitos Road-- An addition to the MPAH of a north-south arterial highway proposed to extend from Avenida Pico northerly through Cristianitos and Trampas canyons, crossing San Juan Creek and New Ortega Road, and connecting with a newly proposed interchange with the SR-241. The new interchange with SR-241 would be a substitute for the Crown Valley Parkway interchange. The road would be grade separated to preclude a direct connection with the existing Ortega Highway. The road would be constructed as a four-lane primary from the future extension of SR-241, southerly to the connection with Avenida Talega. From Avenida Talega southerly to Avenida Pico, the road would be constructed as a two-lane collector with a right-of-way reserve for a four-lane secondary.
- Chiquita Canyon Road --This roadway would be added to the MPAH serving north-south traffic demand. The road would extend from New Ortega Highway northerly to the terminus of the existing road adjacent to Tesoro High School south of Oso Parkway. The road would be constructed as a two-lane collector with provisions that the roadway may be gated and accessible for local traffic only.
- Ortega Highway --The project would provide for the future deletion of the segment of the existing Ortega Highway (SR-74) that parallels the New Ortega Highway from the MPAH because it would only provide access to the Rancho Mission Viejo Regional Park. The deletion of this segment, from Antonio Parkway to the New Ortega Highway, would be conditioned upon a) Caltrans concurrence, b) the completion of New Ortega Highway, and c) the termination of leases/uses that have rights to access/use the roadway for non-locally serving purposes.
- Avenida Talega --The project proposes the reclassification of the segment of roadway within unincorporated Orange County from a secondary arterial highway to a collector road.
- Crown Valley Parkway--Deletion of the proposed segment of the arterial highway east of Antonio Parkway. This would also involve the deletion of the proposed Crown Valley Parkway interchange with the proposed extension of SR-241. This action would require concurrence of the TCA.
- Trabuco Creek Road -- Deletion from the MPAH of the proposed extension of Trabuco Creek Road to the proposed extension of Avery Parkway.

In addition to arterial highway improvements, the project proposes construction of a local circulation network. Much of the local circulation network would be defined at the time tentative tract maps are processed. However, local collector streets that would connect the trips from within the development to the arterial highway system have been preliminary identified as shown on Exhibits 6A and 6B. While additional collector streets would be identified when specific development projects are proposed, the following collector network has been identified:

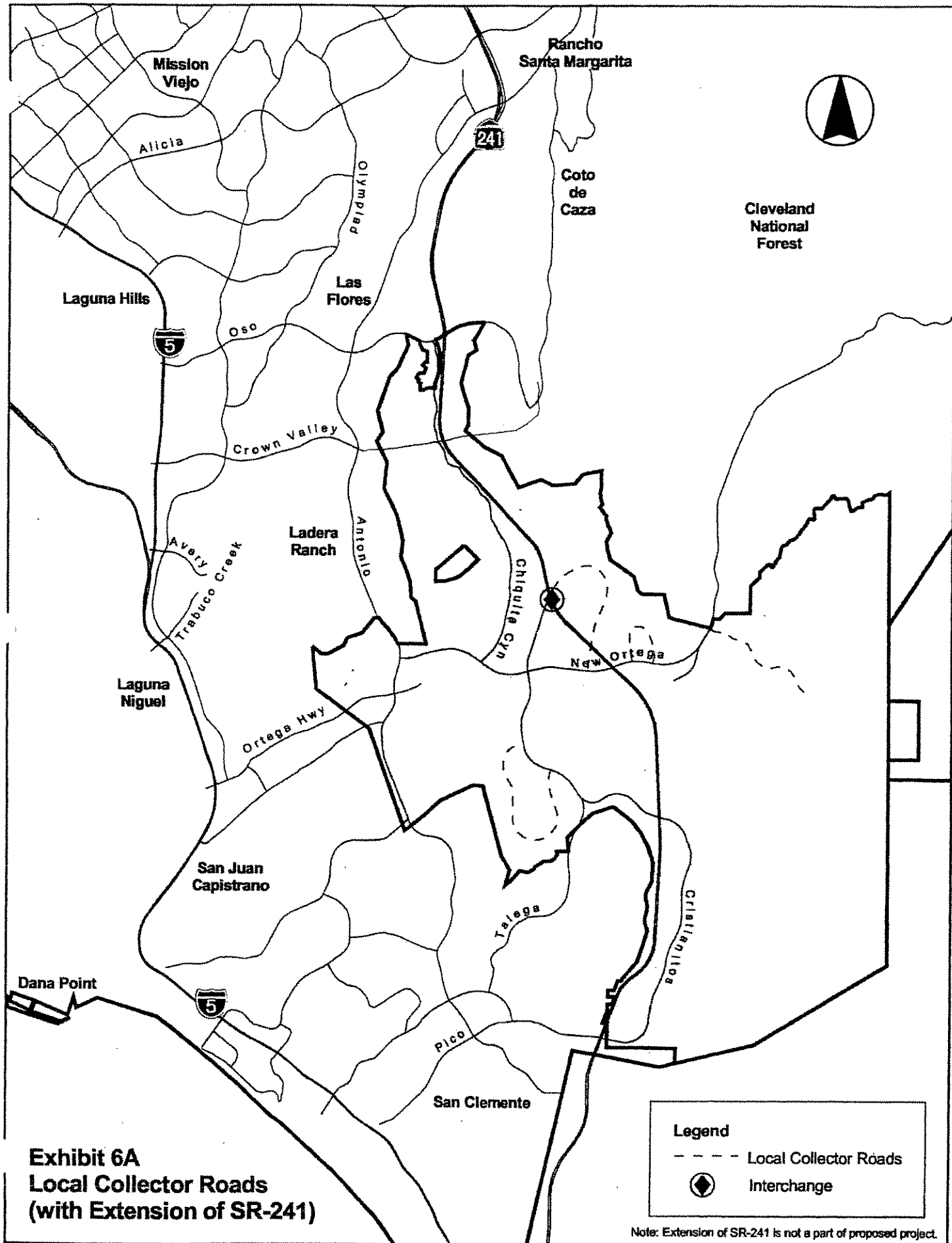
- Gobernadora Road, a primary loop road would provide internal circulation to Planning Area 3 (PA 3). The proposed road would connect to a newly proposed interchange with SR_241, extend southerly crossing SR-241 to connect to New Ortega Highway in the center of PA 3. The road would be constructed as a four-lane community collector.
- East Gobernadora Road would be an internal loop road to provide circulation for the eastern portion of PA 3. The road will connect to New Ortega Highway. The road will be constructed as a two-lane collector.
- Trampas Road, a primary loop road, would provide internal circulation to Planning Area 5. The proposed road would connect to Cristianitos Road and would be constructed as a two-lane collector, with a right-of-way reserve for a four-lane community collector.
- Verdugo Road would provide access to Planning Area 9. The proposed road would connect to New Ortega Highway near Caspers Park. The road would be constructed as a two-lane rural roadway.

Utilities

Water and sewer improvements would be required to meet the demand of the proposed 14,000 residential units and the proposed urban uses. The improvements would include a network of domestic and non-domestic water lines and sewer lines that would be implemented in conjunction with tentative tract maps, as well as facility improvements such as pump stations, lift stations, and reservoir sites that would be needed to support the proposed development: Reservoirs would be sited in proximity to the development, but also at elevations to ensure adequate pressure zones. As a result, a water reservoir may be located in one planning area, but serve an adjacent area because of elevation requirements for the reservoir.

The precise location and size of these facilities will be determined at the time tentative tract maps are processed. Coordination with the Santa Margarita Water District would be required. SMWD currently has adequate sewer treatment capacity to serve the project.

The Santa Margarita Water District will prepare a water supply assessment in accordance with state law to address whether projected water supplies will meet the demand projected for the Project for the next 20 years. The water supply assessment will be included in the Project EIR.



**Exhibit 6A
Local Collector Roads
(with Extension of SR-241)**

Legend

- - - Local Collector Roads
- ◆ Interchange

Note: Extension of SR-241 is not a part of proposed project.

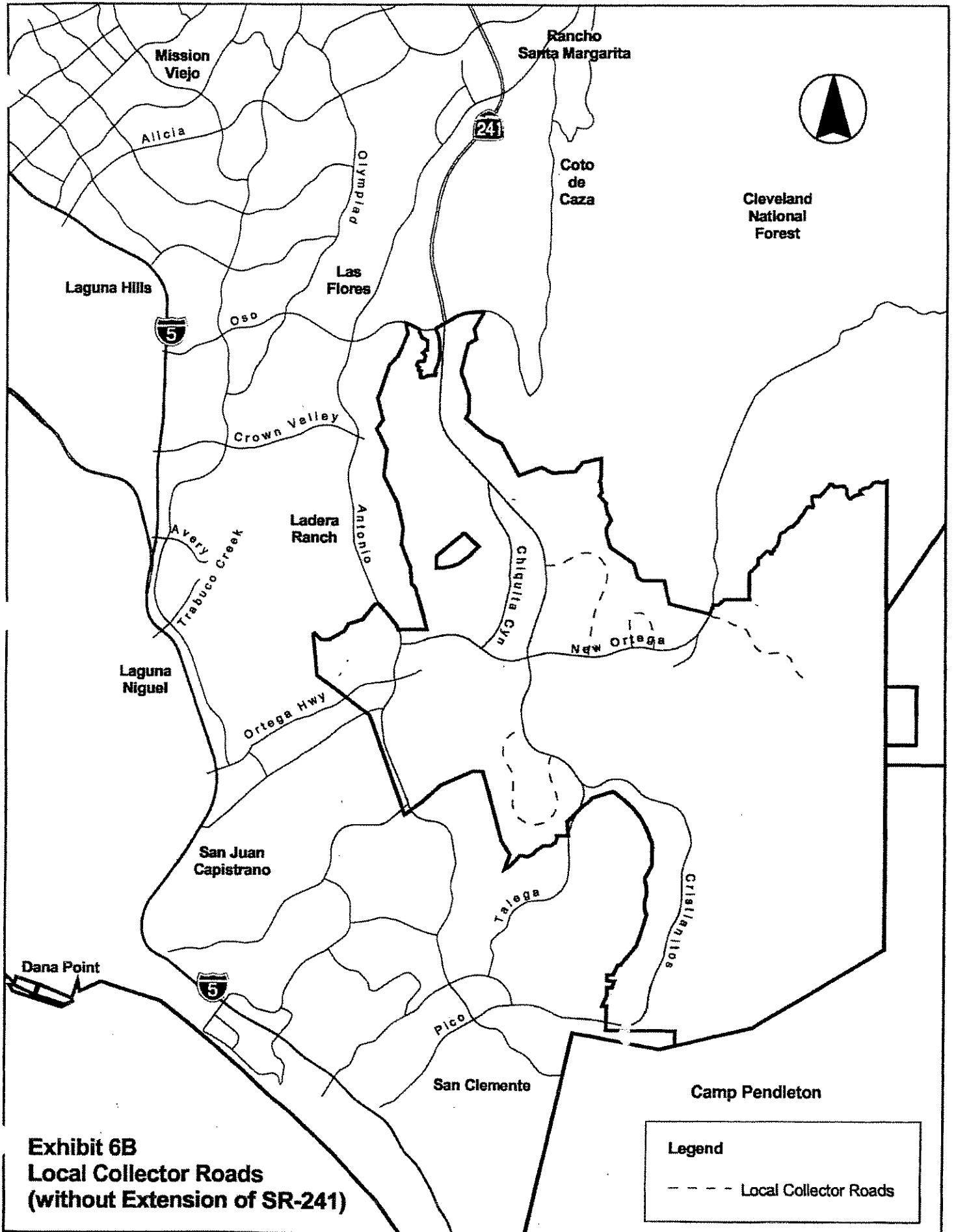


Exhibit 6B
Local Collector Roads
(without Extension of SR-241)

Legend	
-----	Local Collector Roads

Electric, natural gas, telephone, and cable improvements would also be required to serve the proposed new development. It is anticipated that an electrical substation would be required, as well as other distribution facilities.

General Plan Amendments

As previously indicated, amendments to the Orange County General Plan would be required. The following elements of the General Plan would be amended:

Land Use Element

The Land Use Element establishes criteria and standards for land use development in unincorporated Orange County, including population and building intensities. Land use categories in the Land Use Element depict the general distribution, location, and extent of public and private use of land. The project site currently is designated Open Space on the Orange County General Plan. The Open Space designation is considered an interim land use designation, or "holding zone" until such time as specific land uses are identified.

The project would amend the Land Use Element of the General Plan to provide for 9,296 acres of 1B-Suburban Residential, which would provide for up to 4,000 dwelling units, 258 acres of business park, 130 acres of Urban Activity Center, 39 acres of neighborhood center and 20 acres of golf orientated resort. The remaining 13,554 acres of the project site would be retained as Open Space (Category 5 designation). This does not include the 686 acres of open space that would be located within the area designated 1B-Suburban Residential.

Transportation Element

The Transportation Element of the General Plan sets forth a comprehensive strategy for planning, developing, and maintaining a surface transportation system to serve existing and planned land uses in unincorporated Orange County. The Transportation Element contains three components: The Circulation Plan, the Bikeways Plan, and the Scenic Highways Plan. The project proposes to amend all three components of the Transportation Element.

Circulation Plan -- As identified above, the project would provide for the addition of three additional arterial highways, the deletion of a portion of two arterial highways, and the reclassification of a portion of another arterial highway on the County's Circulation Plan. These modifications to the Circulation Plan were fully discussed above under the proposed infrastructure improvements. It should be noted, that within the discussion of infrastructure and modifications to the MPAH, the deletion of the Avery Parkway/Trabuco Creek Road connection is identified. This would be an OCTA MPAH amendment, but since it is within the City of Mission Viejo, it would not be an amendment to the County Circulation Plan.

Bikeways Plan -- Figure IV-7 (Bikeway Plan) would be modified to designate specific locations/alignments for proposed bikeways within the Project area, including the proposed Class I Off-Road Bikeway through the proposed Rancho Mission Viejo Regional Park. The specific locations/alignments would be determined in conjunction with the NCCP/HCP and SAMP/MsAA processes.

Scenic Highways Plan -- Figure IV-11 (Scenic Highway Plan) would be modified to reflect the New Ortega Highway as a Landscape Corridor. The existing Ortega Highway would retain its designation as a Viewscape Corridor.

Resources Element

The purpose of the Resources Element is to set forth a comprehensive strategy for the development, management, preservation, and conservation of resources that are necessary to meet Orange County's existing and future demand. The Resources Element addresses a wide range of issues. The Project would result in amendments to several of the figures within the Element.

Prime Farmland -- The NCCP/HCP and SAMP/MSAA processes are expected to result in the protection of certain resources within the project site. This would influence the Project and potentially the location of future agricultural operations. Should existing and potential agricultural operations be influenced, there would be a need to reflect possible modification of Prime Farmland in Orange County as shown on Figure VI-1 of the Resources Element. This figure would be modified to reflect changes in uses proposed in the Project. The California Department of Conservation (CDC) Prime Farmland map is the basis for this figure in the General Plan; therefore, coordination with CDC would be required to amend the State's Prime Farmland designation.

Agricultural Preserve -- Figure VI-2 reflects the Agricultural Preserves in Orange County. A component of the Project is a request to remove a total of 12,354.59 acres from the Agricultural Preserves. Notices of non-renewal have been filed for all the areas that would be removed from the Agricultural Preserves. The acreage is currently scheduled to be removed from the preserves between December 31, 2003 and December 31, 2008. The current proposal would cancel all Williamson Act contracts upon approval of the Project.

Mineral Resources -- Figure VI-3 of the Resources Element depicts mineral resources within Orange County. One such resource area is located within San Juan Creek. The Project proposes the Rancho Mission Viejo Regional Park within this area. Once implemented, the recreational land use would not be consistent with the extraction of sand and gravel resources. The figure in the General Plan would need to be modified to reflect this change in land use. Since the mapping in the General Plan is based on CDC mapping of mineral resources, this would require coordination with CDC to amend the state's mapping.

Wildlife Habitat Areas -- Figure VI-4 (Wildlife Habitat Areas) would need to be modified to reflect the permanent habitat reserve established through the Project, in conjunction with the NCCP/HCP and the SAMP/MSAA.

Recreation Element

The Recreation Element contains the official policies pertaining to the acquisition, development, operation, maintenance, and financing of the County's recreational facilities. The project would require an amendment to two components of the Recreation Element.

Master Plan of Riding and Hiking Trails -- Figure VII.1 would be amended to designate specific locations/alignments for proposed trails and staging areas within the Project area. These specific locations/alignments would be determined in conjunction with the NCCP/HCP and SAMP/MSAA processes.

Master Plan of Regional Recreational Facilities -- Figure VII.2 of the Recreation Element would be modified to add the proposed 1,079-acre Rancho Mission Viejo Regional Park to the Master Plan.

Zone Change

The Zoning Code is an ordinance that provides for the implementation of the General Plan. Zoning regulates permitted and prohibited land uses and establishes development standards for land uses. The site is currently zoned A-1 General Agricultural, and S&G Sand and Gravel Extraction districts. To implement the Project, a zone change would be required. A PC Planned Community designation is proposed for the entire project site. The PC zoning designation is intended to "provide the authority, regulations, and procedures whereby large land areas can be planned, zoned, developed, and administered as individual integrated communities" (County of Orange 2002). A comprehensive Planned Community Program text has been proposed in conjunction with the processing of the Project.

4. Existing Setting and Surrounding Land Uses

The project site encompasses approximately 22,850 acres of unincorporated land in southeastern Orange County. Substantial portions of the study area have been used for ranching and agricultural uses for the past 120 years. Through lease agreements, commercial nursery operations, research and development uses, and natural resources extraction are ongoing activities on the Ranch. Previous extractions of mineral resources within the study area include rock aggregate, petroleum, silica sand, clay and expanded aggregate. Given the expanse of the project site and variety of historic uses, many different conditions are represented in the project site.

Circulation facilities within the project boundaries include Ortega Highway that runs in an east-west direction through the project site and connects with I-5 to the west. Ortega Highway continues east of the project site to Riverside County. Antonio Parkway/La Pata Avenue is a north-south arterial highway that extends through the western portion of the project site. Antonio Parkway begins north of the project site in the City of Rancho Santa Margarita, extends through the Las Flores and Ladera Ranch communities, and enters the project site. At Ortega Highway, Antonio Parkway turns into La Pata Avenue where it currently extends to the Prima Deshecha Landfill. Other private and ranch roads also exist within the project site.

Large land developments in the vicinity of the project site include Rancho Santa Margarita, Las Flores, Coto de Caza, and the planned communities of Ladera Ranch and Talega Valley, both currently under development. Existing land uses within the study area include the Rancho Mission Viejo headquarters located on Ortega Highway, west of Antonio Parkway. Also in that vicinity, north and south of Ortega Highway is The Oaks / Blenheim Equestrian Center. Further east along Ortega Highway and San Juan Creek are a variety of commercial nursery operations, the Solag Disposal materials recovery facility (MRF), concrete batch plant, and a company that manufactures paving

stones. In proximity to the Prima Deshecha Landfill is the BFI Greenwaste commercial composting site. The TRW Capistrano Test Site is located on an approximately 3,000-acre lease in the southern portion of the study area adjacent to the City of San Clemente and MCB Camp Pendleton.

Within the study area are several major public facilities and utilities, including the Chiquita Water Reclamation Plant, located in Chiquita Canyon. Other major utilities include a 66-inch domestic water line and smaller non-domestic water and sewer lines in the vicinity of Cristianitos Road. In addition, there are several large overhead electric distribution lines owned by San Diego Gas and Electric (SDG&E) and Southern California Edison that extend from the San Onofre Nuclear Generating Station located south of the study area. Facilities located adjacent to the study area include the Prima Deshecha landfill, located on the western boundary of the project site, and two SDG&E substations located just west of the southern edge of the project.

Several creeks are located with the project site. Just north of Ortega Highway, San Juan Creek flows in an east-west direction through the study area. San Juan Creek is a major drainage basin that discharges into the Pacific Ocean, in the vicinity of Dana Point. Major tributaries of San Juan Creek are Arroyo Trabuco, Oso Creek, Cañada Chiquita, Cañada Gobernadora, Bell Canyon Creek, and Verdugo Canyon Creek. Cristianitos Creek is located south of Ortega Highway and traverses the project site in a north-south direction. Major tributaries to Cristianitos Creek within the project site are Gabino Canyon Creek, Blind Canyon Creek, and Talega Canyon Creek. Cristianitos Creek is within the western portion of the San Mateo Creek watershed.

Given the size of the project site, the geology of the area contains a wide variety of soils and rock materials. Two faults traverse the project site: the Mission Viejo fault and the Cristianitos fault. The Cristianitos fault is classified as inactive, whereas the Mission Viejo fault is classified as potentially active. The nearest known active fault is the Newport-Inglewood fault, located five miles away. Landslides are located throughout the project site, with the greatest number being west of the Cristianitos fault.

The project site contains a diverse population of flora and fauna species onsite. The project site has a number of sensitive vegetation communities that provide habitat to sensitive species. This includes, but is not limited to scrub habitats, chaparral, vernal pools and seeps, riparian habitat and woodland habitat. Grasslands within the project site are currently used for grazing activities and also provides habitat and foraging areas for wildlife. The project site supports sensitive plant species, as well. Over the past few years, portions of the project site have been designated critical habitat for certain listed species, including the coastal California gnatcatcher. Each of the designations was subsequently challenged in the federal courts. Those courts have now remanded each of the critical habitat designations to the USFWS for reconsideration. In the case of the gnatcatcher, a proposed new designation is expected to be published in April 2003.

5. Project Objectives

Rancho Mission Viejo, the project applicant, has outlined the objectives it seeks to obtain through implementation of the Project. These objectives are summarized below. Through a concurrent comprehensive land use, conservation planning, state/federal/local regulatory and entitlement process, instead of the historically applied sequential review and approval process, the project seeks to provide, within Rancho

Mission Viejo portions of the San Juan Creek and San Mateo Creek watersheds, an economically viable mix of residential, commercial, urban and natural open-space land uses which addresses: 1) the needs and goals of Southern Orange County as reflected in the plans and policies of the Orange County General Plan, 2) the growth management goals of the Southern California Association of Governments, 3) the air quality objectives of the South Coast Air Quality Management Plan, 4) habitat, aquatic resource and watershed protection goals of the Southern Subregion Natural Community Conservation Planning Program (NCCP) and the San Juan Creek and San Mateo Creek Watershed Special Area Management Plan (SAMP), 5) the water quality protection goals of the State Non-point Source Pollution Control Program and Basin Plan, and 6) the financial return necessary for the landowner to offset the level of risk, loss of investment opportunities, and commitment of land and financial resources required to provide for the large-scale protection of many valuable natural resources. The opportunity for comprehensive planning is enhanced by virtue of the project applicant's control of the entire 22,850 acre project site.

Specifically, it is the intent of the project applicant to balance the following objectives in the context of a comprehensive, concurrent land use, conservation planning, state/federal/local regulatory and entitlement process.

Growth Management

According to the Orange County Projections 2000 (OCP-2000), by the year 2025, Orange County is projected to experience marked increases in population, employment and housing. Because the rate of increase in new housing is projected to lag behind the rate of increase in employment, the County would also experience an increased housing deficit.

The project's Growth Management Goal is to build self sustaining master planned communities that will accommodate up to 14,000 dwelling units of the projected county population growth and approximately 5 million square feet of non-residential uses indicated for RMV lands in accordance with the goals established for Southern Orange County by the Orange County General Plan Growth Management Element and the Jobs/Housing Balance goals established for Southern Orange County by SCAG. While the project itself cannot fully satisfy the total housing needs of the County, the intent is to weight the project toward housing in order to provide for more housing than job opportunities over the life of the project in an effort to contribute to a long-term balance between jobs and housing within the County.

Land Use

1) Implement land uses that respond to the goals, objectives and policies of the County of Orange Growth Management Element regarding development. Among other things, Growth Management Element objectives and policies advocate the phasing of development in accordance with any applicable phasing plan adopted by the County. The intent of such phasing plans is to establish both a phasing allocation of development commensurate with roadway and public facility capacities and an overall build-out development plan which can be supported by implementation of the planned infrastructure system.

- 2) Retain flexibility in land use designations to allow opportunities for meeting changing economic and social circumstances over time.
- 3) Comply with the County of Orange Growth Management Element policy on Balanced Community Development, which states in part "Balanced community development shall be established which encourages employment of local residents and provides for both employment and employee housing opportunities within the County or Growth Management Area."
- 4) Implement land uses that are compatible with adjacent land uses.
- 5) Locate commercial, industrial centers and other potential large business users along existing and/or planned transportation facilities.
- 6) Create a viable habitat reserve system via a phased open space dedication program that assures the orderly phased dedication of open space as portions of the Project area are developed, comparable to other major phased dedication programs in the County.

Housing

- 1) Provide a broad range of residential densities and housing product types that permits a mix of housing opportunities that (a) provide for a diversity of income levels and lifestyles, (b) respond to the market demand, (c) are supported by a transportation network, (d) allow for the logical extension of the transportation network, and (e) are feasible in light of geotechnical constraints.
- 2) Achieve an absorption rate that is commensurate with the capacities of the existing and planned transportation circulation network and provides sufficient funding for the costs and phasing of constructing supporting infrastructure, including open space and habitat dedications.
- 3) Minimize local home-to-work commute distances and reduce overall regional vehicle miles traveled (VMT) to employment centers in Southern and Central Orange County by providing housing opportunities in proximity to local and Orange County employment centers.

Transportation

- 1) Assist in implementing the County of Orange Growth Management Element goal of ensuring that adequate transportation facilities are provided for future residents. In this regard, consult with adjacent cities, the County and OCTA, in conformance with the objectives of the Growth Management Element and the Congestion Management Program, to analyze the project's traffic impacts, to determine feasible mitigation measures and to establish an appropriate implementation program.
- 2) Identify opportunities for expanding, enhancing and/or managing the capacity of the arterial highway system to accommodate Project development.
- 3) Address planned regional transportation facilities alternatives provided by the relevant lead transportation agencies.

- 4) Implement Transportation System Management/Transportation Demand Management measures where appropriate.

Public Services/Public Safety/Governance

- 1) Provide a development master plan that contains a mix of land uses that provides the foundation for a viable and self-sustaining community that can be appropriately governed over the long-term.
- 2) Provide a development pattern and layout that results in a community with a distinct identity and sense of place, thereby encouraging a sense of belonging and community cohesion.
- 3) Integrate into the mix of development such essential elements as sites for public and private schools, parks and other public/civic facilities.
- 4) Plan and design public facilities to maximize community identity and sense of place.
- 5) Utilize the preserved natural terrain, including riparian drainage corridors, sensitive habitat areas, and wildlife habitat linkages to define the boundaries of distinctive neighborhoods/communities.

Recreation

- 1) Address the need for regional park sites and commercial recreational facilities to meet the recreation needs of existing and future residents, including natural parks, active recreational facilities, such as soccer fields, golf courses and equestrian facilities, educational facilities such as interpretative centers, museums and cultural centers and other recreation based uses such as picnicking,
- 2) Locate any regional park site(s) and commercial recreational facilities to minimize potential conflicts between recreational and development uses, and between active recreation and habitat and aquatic resource preservation/management areas.
- 3) Integrate any wilderness or natural park areas into NCCP and SAMP resource protection programs.
- 4) Address the need for local park sites and facilities to meet the local recreation needs of existing and future residents.
- 5) Maximize opportunities for joint-use of community facilities and recreational areas (such as joint use of recreational facilities for public schools and city parks).
- 6) Encourage multi-use recreational facilities for all age groups.

Trails

- 1) Provide for trail linkages between open space and recreation facilities and between community and municipal trail systems.
 - a) Provide for a link in the Orange County "Mountains to the Coast" trail.

- b) Provide for links to the City of Mission Viejo, San Juan Capistrano and San Clemente trails.
- 2) Facilitate implementation of the Master Plan of Regional Riding and Hiking Trails.
- 3) Locate and manage trail linkages in a manner that is consistent with the goals, policies and other provisions of the NCCP/HCP and SAMP programs.
- 4) Facilitate implementation of the Master Plan of County Bikeways.

Natural/Biological Resources

Establish and implement a subregional/watershed-level protection, management, enhancement and restoration program for upland and aquatic habitats and species in those portions of San Juan Creek and San Mateo Creek watersheds within the study area in accordance with the requirements of federal and state laws, including the Endangered Species Act (ESA), California Endangered Species Act (CESA), Natural Communities Conservation Planning Act (NCCPA), Clean Water Act (CWA) and Porter-Cologne Act, through the preparation of a SAMP/MSAA and NCCP/HCP. These concurrent and integrated planning efforts are further described above under Section 3 - Project Description. As noted above, these efforts will provide for a comprehensive program that will ensure the preservation and long-term protection, enhancement, management and restoration of identified habitats and species. Included as part of the program is the creation of a permanent reserve system that is designed to protect the significant biological functions and values within the study areas. The reserve system will be designed to provide for biological connectivity, including protection of vital wildlife movement corridors. Also included are adaptive management programs keyed to identified habitat and species needs. In order to ensure provision of adequate funding and other resource commitments, and to ensure timely completion of obligations, an implementation agreement will be entered into by all of the parties to the SAMP/MSAA and NCCP/HCP.

Hydrology/Water Quality/Flood Control

- 1) Where flood control protection is indicated in conjunction with Project development, provide for such protection in a manner that is consistent with protection of important hydrologic and biologic resources.
- 2) Protect and, where feasible, enhance hydrologic functions and water quality.
- 3) As part of the SAMP/MSAA, develop comprehensive preservation, enhancement and restoration plans in consideration of habitat enhancement, water quality improvement and flood hazard reduction.
- 4) Prepare a watershed-level water quality program as it relates to new development proposed as part of the project.

Agriculture & Mineral Resources

- 1) Provide for ongoing and future compatible agricultural operations, including cattle grazing.

- 2) Avoid reliance on mineral resources outside of the SAMP study area and encourage the use of local mineral resources during construction of authorized uses.

Cultural/Historic Resources

- 1) Preserve the following historic ranch uses: the Rancho Mission Viejo Cow Camp, Amantes Camp, O'Neill/Moiso family cemetery and Rancho Mission Viejo corporate headquarters.
- 2) Identify significant cultural, archaeological and paleontological resources in accordance with requirements of Section 106 of the National Historic Preservation Act and other applicable laws.
- 3) Protect and/or recover significant cultural, archaeological and paleontological resources in accordance with requirements of Section 106 of the National Historic Preservation Act and other applicable laws.

6. Alternatives to Be Analyzed in the Program EIR

The CEQA Guidelines (Sec. 15126.6(a)) require that, "an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."

The range of alternatives to be addressed for the GPA/ZC will include alternatives that are specifically required (i.e., no action/no development/existing conditions, avoidance of impacts, existing zoning alternatives). These required alternatives may or may not contribute to achieving the goals and purposes of the Project or the NCCP/HCP and SAMP/MSAA programs.

In addition to the required GPA/ZC alternatives, other preliminary conceptual alternatives have been identified through the coordinated planning process as of the date of the NOP. Those alternatives are identified below as Alternatives B-1 through B-8. A summary description of each alternative is also provided. For further details on each alternative, the reader is directed to the County of Orange website <http://pdsd.oc.ca.gov/soccpp/>:

Required Alternatives

The required alternatives for the GPA/ZC are briefly described below as preliminary Alternatives A-1 through A-5.

Alternative A-1: A "No Action" alternative would assume existing conditions on the RMV and continued use of the RMV property for existing agricultural, livestock, resource extraction, and other lease activities. No residential or other urban uses would be proposed.

Alternative A-2: An "Existing Zoning" alternative would allow large-lot residential development, agricultural uses and sand/gravel mining, resource extraction activities in

conformance with the existing zoning code (e.g., one dwelling unit per four acres) without preparing a NCCP/HCP or SAMP/MSAA.

Alternative A-3: This "Regional/Subregional Growth Projections" alternative would authorize development of the project site based on the County's OCP 2000 housing projections by providing for 20,000 new dwellings within the RMV portion of the subregion.

Alternative A-4: This "Incremental Development" alternative, a variant of the no project alternative, would allow the applicant to proceed with project-by-project review of new development proposals within the RMV Ranch property

Alternative A-5: The "Impact Avoidance" alternative would avoid environmental impacts to: 1) state and federal threatened/endangered species; 2) federally regulated wetlands and waters of the U.S., including wetlands.; and 3) state-regulated wetlands and streams.

Coordinated NCCP/SAMP/Project Alternatives

Identification of project alternatives for the GPA/ZC, NCCP/HCP and SAMP/MSAA is being coordinated among the various lead agencies. No component of the coordinated process limits either the range of alternatives that is being considered for any of the other process components; nor will the range of alternatives limit the selection of a "proposed alternative" under each of the three planning/regulatory processes. However, the intent of the integrated planning process is to identify alternatives that are compatible with each other and that will facilitate achieving programmatic goals and objectives for each of the three coordinated project components: the NCCP/HCP, SAMP/MSAA and GPA/ZC.

It is important to note that the federal and state agencies participating in the coordinated planning process will coordinate with the County in determining which of the preliminary alternatives (including any new or modified alternatives), in addition to the proposed Project (Alternative B-4), will be carried forward for analysis in the joint EIS/EIRs being prepared for the NCCP/HCP and SAMP/MSAA processes and the County's EIR. Public comments received during the public workshops/scoping sessions and in response to this NOP will be considered in this determination.

Alternative B-1: Maximize open space protection within the RMV property and restore areas degraded by past use

Alternative B-2: Allow new development in disturbed and other areas in the San Juan Creek watershed and avoiding new development within Chiquita Canyon and the San Mateo Creek watershed

Alternative B-3: Provide significant economic development (i.e. new housing, commercial and employment uses) while limiting new development within the San Mateo Watershed to Cristianitos Canyon sub-basin and avoiding new development north of the proposed extension of Crown Valley Parkway right-of-way (as shown on the MPAH) in the Chiquita Canyon sub-basin.

Alternative B-4: This alternative is the applicant's proposed Project.

Alternative B-5: Avoid new development within the San Mateo Creek watershed and locate all new development within the San Juan Creek watershed.

Alternative B-6: Avoid future development within the Chiquita sub-basin east of Chiquita ridge and Verdugo Canyon sub-basin, concentrate new development in areas in the San Juan Creek watershed, and limit new development in the San Mateo Creek watershed to areas already disturbed by past uses.

Alternative B-7: Provide for a limited new development footprint in Chiquita Canyon and, within the San Mateo Creek watershed, limit new development to the disturbed areas of the TRW Talega sub-basin /Lower Gabino area and Cristianitos/Lower Gabino sub-basins while avoiding Upper Gabino and Verdugo and La Paz sub-basins.

Alternative B-8: Allow new development in the western portion of RMV adjacent to Ortega Highway, in and around the existing silica mining area in Trampas Canyon, in and adjacent to the existing nursery, ranching and sand/gravel mining operations in the Gobernadora area, and avoid new development within Chiquita Canyon and the San Mateo Creek watershed

7. Orange County Approvals Covered by the Program EIR

As a Program EIR, the document to be prepared will address the overall program for the Project. Implementation of the Project would require approvals from multiple agencies. It is intended that the County of Orange discretionary actions that could be approved based on this Program EIR would include the following:

- Certification of the Program EIR, including adoption of Findings and a Statement of Overriding Considerations
- Adoption of an amendment to the Orange County General Plan, including, as discussed above, revisions to the Land Use Element, Transportation Element, Recreation Element, and Resources Element
- Adoption of a Zone Change to zone the 22,850 acre site as Planned Community
- Williamson Act Cancellation
- Approval of a Development Agreement

In addition to the approvals identified above, the project would be subject to other review and approvals by the County of Orange prior to implementation. These would include, but not be limited to, Area Plans, site development permits, tentative tract maps, grading permits, and use permits. Subsequent activities in the Project program would be examined in the light of the Program EIR to determine whether additional CEQA documentation is needed. CEQA documentation would be provided pursuant to the requirements of CEQA Section 21166 and CEQA Guidelines Sections 15162 and 15168 for subsequent approvals.

8. Other Agencies Whose Approval(s) are Required for Project Implementation

CEQA defines a responsible agency as “a public agency, other than the lead agency which has responsibility for carrying out or approving a project.” Responsible agencies are consulted during the preparation of the Program EIR to ensure there is an understanding of the issues and concerns each of these agencies may have regarding the project. By understanding these concerns and addressing them in the Program EIR, the responsible agencies would use the Program EIR as the necessary CEQA documentation for the project. This consultation formally begins with the NOP, continuing through the review and comment of the draft environmental document, and is culminated with the issuance of permits. Responsible agencies for the Project are expected to include:

- United States Fish and Wildlife Service²
- United States Army Corps of Engineers³
- California Department of Fish and Game
- California Department of Transportation
- California Department of Conservation
- San Diego Regional Water Quality Control Board
- Orange County Transportation Authority
- Santa Margarita Water District
- Transportation Corridor Agency

9. Environmental Factors Potentially Affected

Based on the attached Initial Study, the project has the potential to have significant impacts on a number of environmental factors. Using the County of Orange Environmental Checklist, at least one impact area was identified as having a “Potential Significant Impact” in the following areas:

Land Use and Planning	Agriculture	Population and Housing
Geophysical	Hydrology and Drainage	Water Quality
Transportation/Circulation	Air Quality	Noise
Biological Resources	Aesthetics	Cultural Resources
Recreation	Mineral Resources	Hazards
Public Services	Utility and Service Systems	

² The USFWS and CDFG would consider this EIR in conjunction with the EIS/EIR prepared for the NCCP/HCP when processing required permits.

³ The ACOE would consider this EIR in conjunction with the EIS/EIR prepared for the SAMP/MSAA when processing required permits.

ENVIRONMENTAL ANALYSIS CHECKLIST

ISSUES & SUPPORTING DATA SOURCES:	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
1. LAND USE & PLANNING. Would the project:				
a) Conflict with general plan designation or zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with applicable environmental plans or policies of agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disrupt or divide the physical arrangement of an established community (e.g. low income, minority)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Conflict with adjacent, existing or planned land uses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. AGRICULTURE. Would project:				
a) Convert Farmlands listed as "Prime", "Unique" or of "Statewide Importance," as shown on the State Farmland Mapping and Monitoring Program, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. POPULATION & HOUSING. Would project:				
a) Cumulatively exceed adopted regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area directly or indirectly through project in an undeveloped area or extension of major infrastructure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace existing housing affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. GEOPHYSICAL. Would project result in or expose people to impacts involving:				
a) Local fault rupture?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Seismicity: ground shaking or liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Landslides or mudslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Erosion, changes in topography or unstable soil conditions from excavation, grading or fills?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Subsidence of the land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expansive soils?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Unique geologic or physical features?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. HYDROLOGY & DRAINAGE. Would the project:				
a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in manner which would result in:				
i) substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) a substantial increase in the rate or amount of surface runoff in manner, which would result in flooding on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES & SUPPORTING DATA SOURCES:

d) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?

Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level?
- c) Otherwise substantially degrade water quality?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. TRANSPORTATION/CIRCULATION. Would the project result in:

- a) Increased vehicle trips or traffic congestion beyond adopted policies and/or forecasts?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Safety hazards from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?
- d) Inadequate emergency access or access to nearby uses?
- e) Insufficient parking capacity on-site or off-site?
- f) Hazards or barriers for pedestrians or bicyclists?
- g) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?
- h) Rail, waterborne or air traffic impacts?
- i) Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. AIR QUALITY. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Exceed any SCAQMD standard or contribute to air quality deterioration beyond projections of SCAQMD?
- c) Expose sensitive population groups to pollutants in excess of acceptable levels?
- d) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- e) Create objectionable odors affecting a substantial number of people?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. NOISE. Would the project result in:

- a) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- b) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- c) Expose people to noise levels exceeding adopted County standards?
- d) If located within an airport land use plan or, where such plan has not been adopted, within two miles of a private or public airport or public use airport, expose people residing or working in the project area to excessive noise levels?
- e) Expose persons to or generation of excessive ground borne vibration or ground borne noise levels?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. BIOLOGICAL RESOURCES. Would the project impact:

- a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?
- b) Locally designated species (e.g. heritage trees)?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES & SUPPORTING DATA SOURCES:

	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
c) Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Wetland habitat (e.g. marsh, riparian and vernal pool)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Adopted or proposed conservation plans and policies (e.g. Natural Community Conservation Plan or Resource Management Plan)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. AESTHETICS. Would the project:

a) Affect a scenic vista or view open to the public?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect a designated scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create light or glare beyond the physical limits of the project site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. CULTURAL/SCIENTIFIC RESOURCES, Would the project:

a) Disturb archaeo or paleo resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect historical resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have the potential to cause a physical change, which would affect unique ethnic cultural values?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. RECREATION. Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with adopted recreational plans or policies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. HAZARDS. Would the project:

a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. PUBLIC SERVICES. Would the project result in need(s) for new/alterd government

ISSUES & SUPPORTING DATA SOURCES:

facilities/services in:

	Potential Significant Impact	Less than Significant w/ Mitigation	Less than Significant Impact	No Impact
a) Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Other government services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. UTILITIES & SERVICE SYSTEMS. Would the project result in needs for new or substantial alterations in:

a) Power or natural gas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Communications systems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Sewer or septic tanks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid waste disposal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MANDATORY FINDINGS

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California History or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have the potential to achieve the short-term environmental goals to the disadvantage of the long-term environmental goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have possible environmental effects, which are individually limited but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Does project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DETERMINATION:

Based upon the evidence in light of the whole record documented in the attached environmental checklist explanation, cited incorporations and attachments, I find that the proposed project:

COULD NOT have a significant effect on the environment, and a negative declaration (ND) will be prepared pursuant to CEQA Guidelines Article 6, 15070 through 15075.

COULD have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures have been added to the project. A negative declaration (MND) will be prepared pursuant to CEQA Guidelines Article 6, 15070 through 15075.

MAY have a significant effect on the environment, which has not been analyzed previously. Therefore, an environmental impact report (EIR) is required.

ENVIRONMENTAL ANALYSIS CHECKLIST RESPONSES

1. **LAND USE & PLANNING. Would the proposal:**
- a) **Conflict with general plan designation or zoning?**
 - d) **Conflict with adjacent, existing or planned land uses?**

Potential Significant Impact. The project site is located in unincorporated Orange County. The project would be inconsistent with the existing General Plan designations and zoning; however, the project is requesting to amend these documents to ensure that development would be consistent with applicable plans and policies. The project site is currently designated 5-Open Space and is zoned A-1 Agricultural and S&G Sand and Gravel Extraction. The Open Space designation on the General Plan is considered a placeholder until such time as specific land use plans are identified. The Project is the vehicle for identifying those uses. The project would result in 9,418 acres being redesignated as 1B-Suburban Residential with the remaining 13,432 acres being retained as 5-Open Space. The entire project site would be zoned PC Planned Community. The document will evaluate the applicable goals and policies from the County of Orange General Plan, as well as analyses of applicable planning policies identified in regional planning documents.

The project would result in a change in land use character as the area, which is currently undeveloped, transitions to suburban development. Areas currently used for other uses, such as commercial nurseries, sand and gravel, and recycling would be converted to urban uses. There would be the potential for conflicts between existing and proposed land uses dependent on the phasing of development. Additionally, the development of residential uses in close proximity to the Prima Deshecha Landfill could result in impacts if sufficient buffers are not provided. Land use compatibility, community character, as well as secondary impacts, will be addressed in the EIR.

- b) **Conflict with applicable environmental plans or policies of agencies with jurisdiction over the project?**

Less Than Significant Impact. The NCCP/HCP and the SAMP are key environmental planning documents being developed that will address the resources in the project site. The project would be processed concurrently with these documents and no conflicts would be anticipated. These documents are not adopted plans at this time, so it is not possible to fully determine the project's consistency with these plans. These plans, as well as applicable planning policies identified in regional planning documents, will be addressed in the EIR.

- c) **Disrupt or divide the physical arrangement of an established community (e.g. low income, minority)?**

Less Than Significant Impact. The project site is not currently developed; therefore, the project will not result in the disruption or impact to the physical arrangement of an established community; however, the project will displace other uses.. The loss of those uses and the ability for those businesses to relocate in Orange County or elsewhere in the region will be evaluated.

2. **AGRICULTURE. Would project:**
- a) **Convert Farmlands listed as "Prime", "Unique" or of "Statewide Importance" as shown on the State Farmland Mapping and Monitoring Program, to non-agricultural use?**
 - b) **Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?**

Potential Significant Impact. The project would result in the long-term conversion of agricultural and ranching lands to non-agricultural uses. The Natural Resource Conservation Service has designated areas within the project site as being Prime, Unique, and Farmland of Statewide Importance. The project would result in the long-term loss of these resources for agricultural purposes. Additionally, the project proposes the cancellation of contracts for agricultural preserves covering over 12,000 acres. Notices of non-renewal have been filed for all the parcels. Without the project, the contracts would end between December 31, 2003 and December 31, 2008; however, the project would immediately remove these lands from agricultural preserves. The EIR will evaluate impacts on agricultural lands and the removal of land subject to the Williamson Act.

3. **POPULATION & HOUSING. Would project:**
- a) **Cumulatively exceed adopted regional or local population projections?**
 - c) **Displace existing housing affecting a substantial number of people?**

No Impact. The project would not exceed the adopted growth projections for the project site. The OCP-2000 projections would be the basis for the high-density alternative. No alternatives are proposed that would exceed the adopted projections. The project would not result in the displacement of any existing housing. The project would provide housing in the project site.

- b) **Induce substantial growth in an area directly or indirectly through project in an undeveloped areas or extension of major infrastructure?**

Potential Significant Impact. The proposed project represents the last large parcel of land in south Orange County. The project would not be expected to induce substantial growth beyond current projections in Orange County because of the limited amount of land that would be available to accommodate additional growth. However, given that the project would develop at a level substantially lower than the adopted growth projections, it may result in increased pressure on surrounding areas, such as Riverside and San Diego counties to absorb the demand for housing. This will be addressed in the EIR.

4. **GEOPHYSICAL. Would project result in or expose people to impacts involving:**
- a) **Local fault rupture?**
 - b) **Seismicity: ground shaking or liquefaction?**
 - c) **Have soils incapable of adequately supporting the use of septic tanks or altern. tive wastewater disposal systems where sewers are not available for the disposal of wastewater?**
 - d) **Landslides or mudslides?**
 - e) **Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?**
 - f) **Subsidence of the land?**

- g) **Expansive soils?**
- h) **Unique geologic or physical features?**

Potential Significant Impact. The project site is subject to seismic hazards. Two faults (the Cristianitos and the Mission Viejo faults) traverse the site, though neither of the faults are considered active. The site is approximately five miles from the Newport-Inglewood fault. A number of known landslides are located on the project site. The project would be required to construct in accordance with the applicable Building Codes and the Orange County grading code. Compliance with the regulatory environment would reduce the impact on the proposed development; however, due to these geotechnical constraints, there may be the need for remedial grading and other corrective measures. The EIR will address the full range of geotechnical issues and the potential impacts associated with the development of the proposed land uses. The issues to be discussed will include landslides, soil types, seismic faults, and geologic hazards that may influence development. In addition to identifying all geotechnical constraints, the document will identify the measures anticipated to be required to ensure that safety is not compromised.

5. **HYDROLOGY & DRAINAGE. Would the proposal:**

- a) **Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in manner which would result in:**
 - i) **substantial erosion or siltation on- or off-site?**
 - ii) **a substantial increase in the rate or amount of surface runoff in manner which would result in flooding on- or off-site?**
- b) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**
- c) **Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?**
- d) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?**

Potential Significant Impact. Several creeks are located within the project site. Just north of Ortega Highway, San Juan Creek flows in an east-west direction through the study area. San Juan Creek is a major drainage basin that discharges into the Pacific Ocean, in the vicinity of Dana Point. Major tributaries of San Juan Creek are Arroyo Trabuco, Oso Creek, Cañada Chiquita, Cañada Gobernadora, Bell Canyon Creek, and Verdugo Canyon Creek. Cristianitos Creek is located south of Ortega Highway and traverses the project site in a north-south direction. Major tributaries to Cristianitos Creek within the project site are La Paz Creek, Gabino Canyon Creek, Blind Canyon Creek, and Talega Canyon Creek. Cristianitos Creek is within the western portion of the San Mateo Creek watershed. The grading associated with the project will result in modifications to the existing drainage patterns. The project will increase the amount of development in the area. This would result in increased impervious surfaces and increased urban runoff. Without proper design this could result in significant impacts both onsite and downstream. The EIR will address changes to the existing drainage patterns, need for retention facilities to avoid downstream impacts, and how the project would interface with the existing flood control facilities in the area.

6. **WATER QUALITY. Would the project:**
- a) **Violate any water quality standards or waste discharge requirements?**
 - b) **Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level?**
 - c) **Otherwise substantially degrade water quality?**

Potential Significant Impact. As noted under Hydrology and Drainage, a number of natural watercourses traverse the project site, including designated blue line streams. San Juan Creek flows through the project site. The Regional Water Quality Control Board has identified a portion of San Juan Creek downstream of the project site as an impaired water body. The project would have the potential to add to the cumulative impacts on this watercourse. As a result of the project there would be the potential for increased erosion, introduction of urban pollutants into the watercourses, and fill being placed in the natural watercourses. All of these actions could result in significant impacts to water quality. The EIR will address these issues both quantitatively and qualitatively. The document will evaluate the use of Best Management Practices as defined by the Countywide Drainage Area Management Plan. This would include both structural and non-structural measures. Measures such as water quality basins and natural treatment systems will be considered.

7. **TRANSPORTATION/CIRCULATION. Would the proposal result in:**
- a) **Increased vehicle trips or traffic congestion beyond adopted policies and/or forecasts?**
 - b) **Exceed, either individually or cumulatively, a level of service standards established by the county congestion management agency for designated roads or highways?**

Potential Significant Impact. The project site has a limited amount of existing arterial highways. Currently, Ortega Highway provides the only east-west facility. Antonio Parkway forms the western boundary of the project site. The segment of Interstate 5 that is parallel to the project site operates at a deficient level of service. The project proposes up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, and up to four golf courses. These uses would generate a substantial number of trips. Due to the limited number of arterial highways existing or proposed for the study area, the project proposes the addition of additional roadways to accommodate the additional demand. The EIR will evaluate the potential impact of these trips on the existing and proposed circulation network. The document will consider both the project-related traffic, as well as the long-term cumulative traffic. The project assumes the extension of SR-241 because it is a facility shown on the MPAH; however, given that the timing of construction for that facility is uncertain, the EIR will evaluate the traffic impacts both with and without SR-241. The Congestion Management Plan network and arterial highway network will be evaluated in the EIR.

- c) **Safety hazards from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?**
- d) **Inadequate emergency access of access to nearby uses?**
- e) **Insufficient parking capacity on-site or off-site?**
- f) **Hazards or barriers for pedestrians or bicyclists?**

- g) **Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?**

No Impact. The project would not result in design features or uses that would pose safety hazards. The ranching operations would not result in safety conflict with the other uses. All roadways, bikeways, and trail systems would be constructed in compliance with County standards. The project would not result in barriers for pedestrians and bicyclists or result in inadequate emergency access. Facilities would be constructed to support the new development. Site-specific access would be evaluated during the Area Plan and tentative tract map stages of approval. No further evaluation of these issues is warranted in the Program EIR.

- h) **Rail, waterborne or air traffic impacts?**

- i) **Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Less Than Significant Impact. The project would result in an incremental increase in the demand for rail and air travel associated with the increased population in the project area. This would not be considered a significant impact because it would not be disproportionate compared to other similar uses. The amount of development proposed is within the long-range growth projections for Orange County. Long-range planning done at the regional level addresses the provision of this infrastructure. It would not pose any safety risks or change circulation patterns. No further evaluation of rail, waterborne, or air traffic will be discussed in the Program EIR.

8. **AIR QUALITY. Would the proposal:**

- a) **Conflict with or obstruct implementation of the applicable air quality plan?**
b) **Exceed any SCAQMD standard or contribute to air quality deterioration beyond projections of SCAQMD?**
c) **Expose sensitive population groups to pollutants in excess of acceptable levels?**
d) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

Potential Significant Impact. The project will result in an increase in both long-term and short-term air emissions. Long-term emission would be associated with the use of the project. Short-term impacts would result from construction activities. Both the long-term and short-term impacts will be evaluated in the EIR. The South Coast Air Quality Management District (SCAQMD) standards will be used when determining the potential for a significant impact.

- e) **Create objectionable odors affecting a substantial number of people?**

Less Than Significant Impact. No climatic changes are anticipated with the project because the project would not change the flow of air streams. Grading of the hill-sides would occur, but the amount of grading would not be of the magnitude that overall climate changes would occur. The project would not create objectionable odors. The proposed uses (residential, urban activity, ranching, and recreation) would be compatible with the surrounding land uses and would not differ from what is existing in the surrounding areas. There is the potential that existing uses (i.e., the Chiquita

Reclamation Plant and the Prima Deshecha Landfill) would generate odors that could affect the proposed residential uses. The EIR will address the compatibility of the proposed uses in close proximity to these potentially odor producing existing uses.

9. NOISE. Would the proposal result in:

- a) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity without the project?**
- b) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing with the project?**
- c) **Expose people to noise levels exceeding adopted County standards?**

Potential Significant Impact. The proposed project would result in increased noise levels due to the increased amount of traffic on the roadways. This may result in noise impacts to existing residential uses along roadways, such as Ortega Highway. The existing uses are often in close proximity to the road. The adequacy of existing barriers, as well as impacts in locations with no barriers will be addressed in the EIR. The potential for noise levels in excess of adopted standards will be evaluated in the Program EIR.

- d) **If located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**
- e) **Expose persons to or generation of excessive ground borne vibration or ground borne noise levels?**

No Impact. The project is not located within an airport land use plan or within two miles of a public airport. This issue will not be addressed in the Program EIR.

10. BIOLOGICAL RESOURCES. Would the project impact:

- a) **Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?**
- b) **Locally designated species (e.g. heritage trees)?**
- c) **Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?**
- d) **Wetland habitat (e.g. marsh, riparian and vernal pool)?**
- e) **Wildlife dispersal or migration corridors?**
- f) **Adopted conservation plans and policies (e.g. Natural Community Conservation Plan or Resource Management Plan)?**

Potential Significant Impact. The project site contains a diverse population of flora and fauna species onsite. The project site has a number of sensitive vegetation communities that provide habitat to sensitive species. This includes, but is not limited to scrub habitats, chaparral, vernal pools and seeps, riparian habitat and woodland habitat. Grasslands within the project site currently is used for grazing activities, also provides habitat and foraging areas for wildlife. The project site supports sensitive plant species, as well. Portions of the project site have been identified as high quality habitat for certain listed species, including the coastal California gnatcatcher.

The project would result in the removal of natural habitat with potential impacts on endangered, threatened, or rare species. The Program EIR will evaluate the effects on

biotic resources, including sensitive habitat and wetlands. Consistency with the proposed NCCP/HCP and SAMP programs will be included in the evaluation.

11. **AESTHETICS. Would the project:**

- a) **Affect a scenic vista or view open to the public?**
- b) **Affect a designated scenic highway?**
- c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**
- d) **Create light or glare beyond the physical limits of the project site?**

Potential Significant Impact. The proposed project will result in the alteration of the existing viewsheds as a result of grading and construction activities. The visual impact associated with these activities will be evaluated. Ortega Highway is designated on the County Scenic Highway Plan as a viewscape corridor. The project proposes an amendment to the Scenic Highway Plan to designate New Ortega Highway as a scenic highway. The EIR will evaluate the consistency of the project with the applicable policies associated with scenic highways.

12. **CULTURAL/SCIENTIFIC RESOURCES. Would the project:**

- a) **Disturb archaeo or paleo resources?**
- b) **Affect historical resources?**
- c) **Have the potential to cause a physical change, which would affect unique ethnic cultural values?**

Potential Significant Impact. The project site is known to contain cultural resources, including archaeological, paleontological, and historical resources. The EIR will contain an evaluation of the resources in the project site and the potential impact on those resources.

13. **RECREATION. Would proposal:**

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration or the facility would occur or be accelerated?**
- b) **Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**
- c) **Conflict with adopted recreational plans or policies?**

Potential Significant Impact. The proposed project would result in a substantial increase in population in the project area. Associated with this increase in population would be an increased demand for recreational resources. This increased demand would be served through the development of a new regional park, as well as the neighborhood and community parks that would be developed to serve the proposed development. These parks would alleviate much of the demand for both passive and active recreational facilities. The amount of parkland proposed would exceed the amount required under the Quimby Act; therefore, spill over demand on other park facilities is not expected. However, development of the parks may result in impacts on the environment. The EIR will evaluate the physical impacts of the proposed parks and consistency with recreational plans and policies.

14. **MINERAL RESOURCES. Would the project:**

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Potential Significant Impact. The Resources Element of the Orange County General Plan identifies San Juan Creek has having usable aggregate. Sand and gravel extraction has historically occurred along the banks of San Juan Creek within the project site. The project would preclude the extraction of resources from San Juan Creek, reducing the overall amount of sand and gravel resources that are available within Orange County. The Program EIR will address the resources within the project site and the potential impact on those resources.

15. **HAZARDS. Would the project:**

- a) **Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
- b) **Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**
- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**
- e) **For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**
- f) **For a project within the vicinity of private airstrip, would the project result in a safety hazard for people residing or working in the project area?**
- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact. The project would not result in undue hazards. The only use of hazardous materials would be of those materials generally associated with residential and urban uses (i.e., paints, household cleaners, etc.). The project site has been subject to agricultural operations and past petroleum exploration. There may be residual pesticides and fertilizers on site. Though this would not be expected to result in a significant health hazard for future residents, this issue will be evaluated in the Program EIR.

- d) **Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**
- h) **Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Potential Significant Impact. The project site includes the TRW Capistrano Test Site. This is a research and development testing site facility for government, military, and aerospace projects. Hazardous materials have been used on the site. The EIR will

evaluate the potential impacts associated with the past use on proposed residential land uses. Additionally, portions of the site Orange County Safety Element identifies portions of the project site as being in high and very high fire hazard zones. The EIR will address these issues.

16. **PUBLIC SERVICES. Would project result in need(s) for new/altered government facilities/services in:**
- a) **Fire protection?**
 - b) **Police protection?**
 - c) **Schools?**
 - d) **Maintenance of public facilities, including roads?**
 - e) **Other government services?**

Potential Significant Impact. The project would increase demand for government facilities and service because of the increased population in the project site. The project proposes to provide for new schools and additional roadways; however, there would be long-term public cost associated with the maintenance of these facilities. The increased population would also result in the need for an additional fire station and police service. This issue will be addressed in the EIR.

17. **UTILITIES & SERVICE SYSTEMS. Would project result in needs for new or substantial alterations:**
- a) **Power or natural gas?**
 - b) **Communications systems?**
 - c) **Local or regional water treatment or distribution facilities?**
 - d) **Sewer or septic tanks?**
 - e) **Solid waste disposal?**

Potential Significant Impact. The proposed project will result in increased demand for utilities and service systems. The increased population, though within the projected growth for Orange County, would place increase demand on utilities. This will be addressed in the EIR.

MANDATORY FINDINGS

The project may result in significant impacts on the natural and cultural environment. As discussed in the Initial Study, the project would have the potential to have significant impacts in a wide array of topical areas including, but not limited to, biological resources, cultural resources, traffic, noise, air quality, land use, agricultural lands, public services and utilities. All topical areas within the CEQA Checklist identified a potential significant impact.

In addition to project related impacts, the Project would contribute to cumulative impacts. In conjunction with other projects, significant cumulative impacts on biological resources, air quality, noise, traffic, land use, agricultural lands, and water resources would be anticipated.

These project-related and cumulative impacts have the potential of having an adverse impact on human beings. The removal of vegetation and degradation of the natural environment would reduce the quality of habitat for fish and wildlife, including threatened and endangered species. The project has the potential of having a wide range of environmental impacts. The EIR will assess the severity of these effects generated by the proposed project.

NOP Respondents "The Ranch Plan"

Federal Agencies

- U.S. Fish & Wildlife
CA. Department of Fish & Game
U.S. Depart. of the Interior
Karen A. Goegel, Assist. Field Supr.
William E. Tippets, Env. Pro. Mgr.
- Marine Corps Base Camp Pendleton
Larry Rannals, Community Plans

State Agencies

- Department of Conservation
Erik Vink, Assistant Director
- California Highway Patrol
Lecia Elzig, Capt. San Juan Cap.
- Dept. of Toxic Substances Control
Haissam Y. Salloum, P.E.
- Ca. Dept. of Parks & Recreation
Michael Tope, Dist. Superintendent
- Caltrans, District 12
Gail Farber

Local Agencies (County, City, Special Agencies)

- Orange County Sheriff-Coroner Depart.
Tom Davis, S. Operations Division
- Orange County Sheriff-Coroner Depart.
Michael S. Carona, Sheriff-Coroner
- City of Mission Viejo
Charles E. Wilson, AICP
- City of San Juan Capistrano
George Scarborough, City Manager
- City of Rancho Santa Margarita
Kathleen Haton, Planning Director
- Orange County Fire Authority
Gene Begnell, Battalion Chief (3/18/03)
- Orange County Fire Authority
Gene Begnell, Battalion Chief (3/18/03)
- OCTA
Christopher Wright
- Transportation Corridor Authority
Macie Cleary-Milan, Env. Planning
- Orange County, Grading, Plan Check
Johnnie Earnest, Chief
- Orange County, Acoustics, Bldg. Permits
Doug Friedman
- Orange County, Subdivision & Grading
Grant Anderson
- Orange County, IWMD
John Arnau, Planner III
- Orange County, Historic Resources
Rob Selway
- Orange County, CEO, Strategic Affairs
Bill Mahoney
- Orange County PFRD
Ken R. Smith
- Capistrano Unified School District
David A. Doomey
- South Coast AQMD
Steve Smith, CEQA Section
- County of Riverside Transportation &
Land Management Agency
Kathleen Browne

Public

- Terri Trammell
- Calvin Hecht
- David Bendall
- Terrell Watt, AICP

Residence or Representing

- Irvine
- San Clemente
- Aliso Viejo
- Endangered Habit League

- Coleman and Diana Rodgers
- Dave Huber
- Barbara Rosenbaum
- Brenda Stouffer
- Dan Songster, President
- Ilse M. Byrnes
- Paul Carlton
- Gregory W. Sanders

- Thomas & Judith Gielow
- Sierra Club, Bill Corcoran
- Marni Magda
- Valerie Dencker
- Steve Netherby
- Pauline Hollinger Faye
- Jeff & Shelley Mott
- Lynda A. Hernandez
- Michael J. Bosse
- Jeff Petersen
- Rich Kemenesi
- Lyn Harris Hicks
- Jim Parkhurst
- Dawn Kukla

Mission Viejo
San Clemente
Trabuco Canyon and Sierra Club member
Dana Point, Heart & Soul Coalition
O.C. Chapter, CA Native Plants Soc.
San Juan Capo. Trails & Greenways
Sierra Club, SCORE member
Nossaman, Guthner, Knox & Elliott Law
Office, Irvine
Costa Mesa
Los Angeles
Laguna Beach
Lake Forest
Netherby Associates, San Clemente
San Clemente
Trabuco Canyon
Huntington Beach
San Clemente
Monarch Beach
West Covina
CREED, San Clemente
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- San Juan Capo. Trails & Greenways
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- Los Angeles
- Laguna Beach
- Lake Forest
- Netherby Associates, San Clemente
- San Clemente
- Trabuco Canyon
- Huntington Beach
- San Clemente
- Monarch Beach
- West Covina
- CREED, San Clemente
- San Clemente
- Aliso Viejo

Ranch Plan GPA/ZC (PA 01-114)

**Comments Received on Notice of Preparation
For
Environmental Impact Report 589**



US Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009
(760) 431-9440
FAX (760) 918-0638



CA Dept. of Fish & Game
4949 Viewridge Avenue
San Diego, California 92123-1662
(858) 467-4201
FAX (858) 467-4235

In Reply Refer To:
FWS/CDFG-OR-812.3

Mr. Chuck Shoemaker
County of Orange
300 N. Flower Street
P.O. Box 4048
Santa Ana, California 92702-4048

MAR 25 2003

Re: **Notice of Preparation of a Draft Environmental Impact Report for the General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan) in the County of Orange, State Clearinghouse Number 2003021141**

Dear Mr. Shoemaker:

The California Department of Fish and Game (Department) and U. S. Fish and Wildlife Service (Service) (collectively, "Wildlife Agencies") staffs have reviewed the above Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the General Plan Amendment/Zone Change (PA 01-114)(Ranch Plan) in the County of Orange (County). This project is within the planning area for Orange County's Southern Subregional Natural Community Conservation Plan (NCCP) that is currently being developed in consultation with the project proponent, the Rancho Mission Viejo Company (RMV), the County and the Wildlife Agencies.

As proposed, the project would result in the development of approximately 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, up to four golf courses, a proposed 1,079-acre regional park and limited golf course and residential development within an approximately 13,161-acre open space area. The Wildlife Agencies are continuing discussions with representatives of the County, RMV and other interested parties to develop the NCCP to ensure the protection, conservation and management of resources in southern Orange County.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381 respectively. As a Trustee Agency, the Department must be consulted by the Lead Agency during the preparation and public review for project-specific CEQA documents. As a Trustee Agency, the Department reviews CEQA documents on proposed projects, comments on the project impacts, and determines whether the mitigation measures or alternatives proposed are adequate and appropriate. Pursuant to Section 1802 of the Fish and Game Code, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species. Under the California Endangered Species Act (CESA), it is the policy of the State to conserve, protect, restore, and enhance any

endangered species or any threatened species and its habitat (Section 2052 of the Fish and Game Code). A CESA Permit (Section 2081 of the Fish and Game Code) or, if applicable, a Consistency Determination (Section 2080.1 of the Fish and Game Code), must be obtained if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit.¹ The Department also administers the NCCP program under Section 2800 *et seq* of the Fish and Game Code.

The primary concern and mandate of the Service is the protection of fish, wildlife, and plant resources and their habitats. The Service comments on any public notices for Federal permits or licenses affecting the Nation's waters (e.g., Clean Water Act, Section 404 and River and Harbor Act of 1899, Section 10) pursuant to the Fish and Wildlife Coordination Act. The Service is also responsible for administering the Federal Endangered Species Act of 1973 as amended (Act). Section 9 of the Act prohibits the "take" of any listed species by any person subject to the jurisdiction of the United States. Take incidental to an otherwise lawful activity may be permitted only pursuant to the pertinent language and provisions in Section 7 and Section 10 (a) or through a special rule under Section 4 (d) of the Act.

Coordinated Planning Efforts

The County's Southern Subregion NCCP is being developed concurrently with a Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) by the U.S. Army Corps of Engineers (USACOE) and Department, respectively. The SAMP/MSAA will analyze wetland/riparian resources within the San Mateo and San Juan Creek watersheds and will ultimately lead to the creation of an aquatic resource management plan for these areas.

General Comments

To enable Wildlife Agencies staffs to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, we recommend the following information be included in the DEIR:

1. A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
2. A complete list and assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying State or federally listed rare, threatened, endangered, or proposed candidate species, California Species-of-Special Concern and/or

¹ Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a 2081 permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a 2081 permit. For these reasons, the:

- a. biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit, and
- b. a Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

State Protected or Fully Protected species, and any locally unique species and sensitive habitats. Specifically, the DEIR should include:

- a. A thorough assessment of Rare Natural Communities on site and within the area of impact, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1; revised May 8, 2000).
 - b. A current inventory of the biological resources associated with each habitat type on site and within the area of impact. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - c. An inventory of rare, threatened, and endangered species on site and within the area of impact. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380).
 - d. Discussions regarding seasonal variations in use by sensitive species of the project site as well as the area of impact on those species, using acceptable species-specific survey procedures as determined through consultation with the Wildlife Agencies. Focused species-specific surveys, conducted in conformance with established protocols at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required.
3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources. All facets of the project should be included in this assessment. Specifically, the DEIR should provide:
- a. Specific acreage and descriptions of the types of wetlands, coastal sage scrub, and other sensitive habitats that will or may be affected by the proposed project or project alternatives. Maps and tables should be used to summarize such information.
 - b. Discussions regarding the regional setting, pursuant to the CEQA Guidelines, Section 15125(a), with special emphasis on resources that are rare or unique to the region that would be affected by the project. A complete discussion of how this project affects the Southern Orange County NCCP planning effort must be provided. This discussion is critical to an assessment of environmental impacts.
 - c. Detailed discussions, including both qualitative and quantitative analyses, of the potentially affected listed and sensitive species (fish, wildlife, plants), and their habitats on the proposed project site, area of impact, and alternative sites, including information pertaining to their local status and distribution. The anticipated or real impacts of the project on these species and habitats should be fully addressed.
 - d. Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed NCCP reserve lands. Impacts on, and

maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated and provided. A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site.

The Wildlife Agencies are concerned about the effects of artificial night lighting (ANL) on the fish and wildlife species that use natural habitats adjacent to development areas. Species' behaviors are tied to light and darkness in daily and seasonal life cycles. The ecological effects of ANL are profound and increasing. The direct illumination and the sky glow (i.e., light pollution) created by ANL disrupt important behaviors and physiological processes with significant ecological consequences (ANL Conference 2002, Moore 2000). Species using the natural areas adjacent to development will be subjected to increased levels of light and may be adversely impacted. For example, ANL can affect bird behavior, migration, and physiology (Tefler et al. 1987, Marsden et al. 1980, Bakken and Lee 1992), ANL can affect neotropical migratory birds on their northern spring migrations (Ogden 1996), billions of moths and other nocturnal insects are killed each year at lights (ANL Conference 2002), and lights upset the behavior of snakes and other nocturnal animals (Lieberman 2002). Both temporary and permanent changes to the illumination of an area may affect amphibian reproduction, foraging, predator avoidance, and social interactions (Buchanan 2002). Millions of birds die or suffer injuries from collisions with buildings lit at night as they journey north and south (FLAP 2002).

Based on these potential effects on biological resources from ANL, and given that much of the project area is currently undeveloped and/or without artificial lighting, the DEIR should provide environmental baseline information for the project area and address the potential project-related direct, indirect and cumulative effects of lighting on flora and fauna in the project vicinity. Lighting of golf courses, commercial areas and other non-residential facilities adjacent to native habitats should be avoided. Use of back- and side-shielded lighting fixtures should be required as a standard project feature throughout public use areas to minimize indirect effects and to reduce cumulative effects of lighting for the project. Areas that require lighting for safety considerations should be clustered to reduce the need for added lights and to further minimize amount of edge effects. Development areas should be focused in or near currently lighted areas to avoid the introduction or expansion of light pollution and to minimize adverse effects on wildlife and the function of preserved habitats.

- e. Discussions regarding possible conflicts resulting from wildlife-human interactions at the interface between the development project and natural habitats. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions.

- f. An analysis of cumulative effects, as described under CEQA Guidelines, Section 15130. General and specific plans, and past, present, and anticipated future projects, should be analyzed concerning their impacts on similar plant communities and wildlife habitats.
 - g. If applicable, an analysis of the effect that the project may have on completion and implementation of regional and/or subregional conservation programs. Under Section 2800 through Section 2840 of the Fish and Game Code, the Department, through the NCCP program, is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity. Coastal sage scrub is the first natural community to be planned for under the NCCP program. The Department recommends that the Lead Agency ensure that the development of this and other proposed projects do not preclude long-term preserve planning options and that projects conform with other requirements of the NCCP program. Jurisdictions participating in the NCCP program should assess specific projects for consistency with the NCCP Conservation Guidelines. Additionally, the jurisdictions should quantify and qualify: 1) the amount of coastal sage scrub within their boundaries; 2) the acreage of coastal sage scrub habitat removed by individual projects; and 3) any acreage set aside for mitigation. This information should be kept in an updated ledger system.
4. Mitigation measures for adverse project-related impacts on sensitive plants, animals, and habitats. Measures to fully avoid and otherwise protect Rare Natural Communities (Attachment 2) from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.

Mitigation measures should emphasize avoidance, and where avoidance is infeasible, reduction of project impacts. For unavoidable impacts, on-site preservation in perpetuity of the affected habitats should be achieved. The Wildlife Agencies generally do not support the use of relocation, salvage, and/or transplantation as mitigation for impacts on rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.

This discussion should include measures to perpetually protect the targeted habitat values where preservation and/or restoration is proposed. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used; (c) a schematic depicting the mitigation area; (d) time of year that planting will occur; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the entity(ies) that will guarantee achieving the success criteria and provide for conservation of the mitigation site in perpetuity.

Mitigation measures to alleviate indirect project impacts on biological resources must be identified in the DEIR, including measures to minimize changes in the hydrologic regimes on site, and means to convey runoff without damaging biological resources, including the morphology of on-site and downstream habitats.

5. Descriptions and analyses of a range of alternatives to ensure that alternatives to the proposed project are fully considered and evaluated. The analyses must include alternatives that avoid or otherwise reduce impacts to sensitive biological resources. Specific alternative locations should be evaluated in areas of lower resource sensitivity where appropriate.

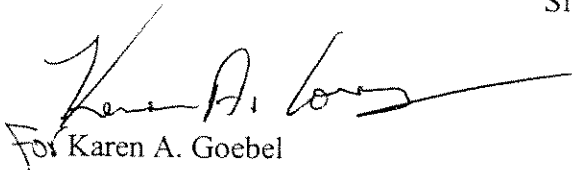
The Wildlife Agencies have responsibility for the conservation of wetland and riparian habitats. It is the policy of the Wildlife Agencies to discourage development in or conversion of wetlands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

If appropriate, a jurisdictional delineation of lakes, streams, and associated riparian habitats should be included in the EIR, including a wetland delineation pursuant to the U.S. Fish and Wildlife Service definition (Cowardin et al. 1979) adopted by the Department. Please note that wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

The proposed project may require a Lake or Streambed Alteration Agreement (SAA). The Department has direct authority under Fish and Game Code Section 1600 *et. seq.* regarding any proposed activity that would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake. The Department's issuance of a SAA for a project that is subject to CEQA requires CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency under CEQA, the Department may consider the County's (Lead Agency's) CEQA documentation. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the documentation should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. A SAA notification form may be obtained by writing to the Department of Fish and Game, 4949 Viewridge Avenue, San Diego, California 92123-1662, or by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600. The Department's SAA Program holds regularly scheduled pre-project planning/early consultation meetings. To make an appointment, please call our office at (858) 636-3160.

The Wildlife Agencies appreciate the opportunity to comment on the NOP. We are available to work with the County and their consultants to obtain any necessary permits for the proposed project. Please contact Ms. Jill Terp of the Service at (760) 431-9440 or Mr. Warren Wong of the Department at (858) 467-4249, if you have any questions or comments concerning this letter.

Sincerely,



For Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



William E. Tippets
Environmental Program Manager
California Department of Fish and Game

Attachments (2)

cc: Department of Fish and Game
R. Rempel
M. Valentine
State Clearinghouse

Literature Cited

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- Tefler, Thomas, John Sincock, Vernon Byrd, and Johnathan Reed. 1987. Attraction of Hawaiian seabirds to lights: conservation efforts and effects of moon phase. *Wildlife Society Bulletin* 15, pp 406-413.

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine **when** a botanical survey is needed, **who** should be considered qualified to conduct such surveys, **how** field surveys should be conducted, and **what** information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:
 - a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
 - b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.
3. Botanical consultants should possess the following qualifications:
 - a. Experience conducting floristic field surveys;
 - b. Knowledge of plant taxonomy and plant community ecology;
 - c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
 - d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
 - e. Experience with analyzing impacts of development on native plant species and communities.
4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:
 - a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

- b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.
 - c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.
 - d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.
 - e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.
5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:
- a. Project description, including a detailed map of the project location and study area.
 - b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
 - c. Detailed description of survey methodology.
 - d. Dates of field surveys and total person-hours spent on field surveys.
 - e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
 - f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
 - g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
 - h. Recommended measures to avoid impacts.
 - i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
 - j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
 - k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
 - l. Name of field investigator(s).
 - j. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

ATTACHMENT 2

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Less than 6 known locations and/or on less than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh

- S1.2
 - Southern Foredunes
 - Mono Pumice Flat
 - Southern Interior Basalt Flow Vernal Pool

- S2.1
 - Venturan Coastal Sage Scrub
 - Diegan Coastal Sage Scrub
 - Riversidean Upland Coastal Sage Scrub
 - Riversidean Desert Sage Scrub
 - Sagebrush Steppe
 - Desert Sink Scrub
 - Mafic Southern Mixed Chaparral
 - San Diego Mesa Hardpan Vernal Pool
 - San Diego Mesa Claypan Vernal Pool
 - Alkali Meadow
 - Southern Coastal Salt Marsh
 - Coastal Brackish Marsh
 - Transmontane Alkali Marsh
 - Coastal and Valley Freshwater Marsh
 - Southern Arroyo Willow Riparian Forest
 - Southern Willow Scrub
 - Modoc-Great Basin Cottonwood Willow Riparian
 - Modoc-Great Basin Riparian Scrub
 - Mojave Desert Wash Scrub
 - Engelmann Oak Woodland
 - Open Engelmann Oak Woodland
 - Closed Engelmann Oak Woodland
 - Island Oak Woodland
 - California Walnut Woodland
 - Island Ironwood Forest
 - Island Cherry Forest
 - Southern Interior Cypress Forest
 - Bigcone Spruce-Canyon Oak Forest

- S2.2
 - Active Coastal Dunes
 - Active Desert Dunes
 - Stabilized and Partially Stabilized Desert Dunes
 - Stabilized and Partially Stabilized Desert Sandfield
 - Mojave Mixed Steppe
 - Transmontane Freshwater Marsh
 - Coulter Pine Forest
 - Southern California Fellfield
 - White Mountains Fellfield

- S2.3
 - Bristlecone Pine Forest
 - Limber Pine Forest



FAX COVER SHEET



From

MARINE CORPS BASE CAMP PENDLETON
COMMUNITY PLANS & LIAISON OFFICE

COMMERCIAL: (760) 725-6513
DSN: 365-6513
FAX: (760) 725-5555

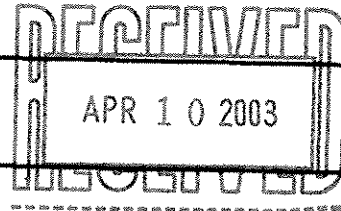
TO: Mr. Chuck Shoemaker @ the County Planning & Services Dept

FROM: Larry Ravnals @ Camp Pendleton

SUBJ: Camp Pendleton Comments on NOI to Prepare a
Draft EIR # 589 (The Ranch Plan)

COMMENTS: These Camp Pendleton comments are forwarded
to your attention via FAX to ensure they
are received prior to the March 26, 2003 deadline.

An original copy of this attached letter will be forwarded
tomorrow to the Planning & Development Services Dept.
via regular mail.



DATE: 3-24-03

TOTAL PAGES: 4

(Includes Cover Sheet)

(714) 824-6132



UNITED STATES MARINE CORPS
MARINE CORPS BASE
BOX 555018
CAMP PENDLETON, CALIFORNIA 92055-5018

IN REPLY REFER TO:
5700
CPLO
24 MAR 03

Planning & Development Services Department
Environmental Planning Services Division
(Attn: Mr. Chuck Shoemaker)
P.O. Box 4048
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker:

Thank you for the opportunity to review and comment on the County's Notice of Intent to Prepare a Draft Environmental Impact Report (EIR) in response to the Rancho Mission Viejo (RMV) Company's application seeking a General Plan Amendment and Zoning Change in support of their proposed Ranch Development Plan. The staff at Marine Corps Base, Camp Pendleton has reviewed the Project Summary for the Ranch Plan and the County's Environmental Analysis Checklist for this project, as contained in your February 24, 2003 Notice of Preparation.

As you may know, this Base was a participating member in Supervisor Wilson's SCORE Phase I review process for the RMV Company development plan; thus we are somewhat familiar with the various project alternatives to be analyzed in the County's EIR process. With respect to the Environmental Analysis Checklist, however, as well as the County Responses to the Checklist, we believe these documents fail to adequately address a few key issues of importance. It's our view that some minor modifications are warranted for both the Checklist and the County's planned EIR process for this project. The specific areas of our concern are outlined below.

Comments regarding the PROJECT SUMMARY section of the NOP:

a. **Section 3, Description of Project.** Under Circulation Improvements on page 10, the Arterial Roads identified in Exhibits 5A and 5B, which are proposed to be added to the County's Master Plan of Arterial Highways (MPAH), do not appear to be sufficient for supporting the Ranch's proposed level of development for all alternatives.

b. **Section 4, Existing Setting and Surrounding Land Uses.** This section of the Project Summary contains only a passing mention of Camp Pendleton. As one of the Ranch's adjacent land owners, Marine Corps Base, Camp Pendleton represents a unique and non-typical surrounding land use. This military training Base is located literally right next door to the Ranch; and our land use activities are of such a nature, that they may directly impact quality of life for future residents of the Ranch, especially those located in the Planning Area 8 section of the Ranch's plan. We believe it's imperative that the EIR disclose, and address in some detail, both Camp Pendleton's presence and the type of land use activities that typically occur on this neighboring property. This Base is clearly non-typical of the Ranch's many other neighboring communities like San Clemente, San Juan Capistrano, Mission Viejo, etc.

c. **Section 5, Project Objectives.** With respect to item 4) on page 22 of the Land Use subsection, we suggest that item 4) be expounded upon by adding stronger emphasis on the County's goal to authorize land uses which are compatible with current surrounding land uses. In the case of Camp Pendleton, this would mean zoning for approved uses which are compatible with military training operations on the Base to include both ground and aviation training activities. Aviation activities consist of both rotary wing (helicopter) and fixed wing (jet) aircraft operations; ground activities include many forms of live-fire training. Many of these military training activities are noise generators. This subsection should additionally be expanded by more clearly emphasizing a County goal to implement land uses which are compatible with the management of open space areas on surrounding land uses. In the case of Camp Pendleton, we would expect a County commitment that only allows for land uses which support the long-term sustainment of natural habitats and species on adjacent open space lands, including the prevention of edge effects on those lands.

Comments regarding the ENVIRONMENTAL ANALYSIS CHECKLIST (and Responses to the Checklist):

a. **Section 1d. (LAND USE & PLANNING)** - As stated above for the Project Summary portion of this document, there's nothing contained in this section of the Responses to Checklist part of the document which addresses the potential impacts that adjacent Camp Pendleton land uses may have on this planned RMV project. These potential impacts (associated with military training operations) are likely to create major conflicts for some areas of the proposed Ranch Development Plan. We believe the Environmental Analysis Checklist and the EIR should address, not only the impacts that this project may have on the Ranch's surrounding land uses, but just as importantly, what impacts could those surrounding land uses impose upon the proposed project. This sort of analysis has not been clearly identified in the Checklist as being an objective of the County's EIR process. Recommend it be added.

b. **Section 7a/b. (TRANSPORTATION/CIRCULATION)** - Any circulation requirements beyond the Ranch's proposed circulation network should be evaluated, and if the current proposed circulation network is not deemed sufficient to support the Ranch's proposed development plan, additional alternatives and/or Arterial Roads should be added as necessary.

c. **Section 9c/d/e. (NOISE)** - The Environmental Checklist completely ignores the potential noise impact that could be imposed on this project (particularly with respect to Planning Area 8) by the adjacent land use and military training activities occurring at Camp Pendleton. The Project Summary section and the Environmental Analysis Checklist section should both be expanded to address this significant issue. While the County's Responses to Checklist comments do address increased noise levels resulting from increased amounts of traffic on local roadways with implementation of this project, it fails to adequately address potential noise impacts emanating from Camp Pendleton which could be imposed on the project. And while the County's Response comments correctly state that the project is not located within an airport Land Use Plan or within two miles of a public airport, they fail to mention that significant military aviation flight activities do routinely occur in close proximity (less than a quarter mile) to certain areas of the RMV Development Plan. We believe noise impacts will, in fact, be imposed on the project from aviation training flights routinely occurring within Camp

Pendleton's nearby restricted airspace. Noise impacts will also be imposed from live-fire ground training activities which routinely take place within the Base's northern training areas. These noise impacts will likely be severe for any future residents located in the Planning Area 8 section of the Ranch. It's important that this issue be disclosed and fully vetted in the Draft EIR.


d. **Section 10 (BIOLOGICAL RESOURCES)** - This topic in the EIR should address potential impacts to existing open space areas near or adjacent to the project area, including open space located on Camp Pendleton. The analysis should look at possible edge effects of the project's various proposed land uses, including the effects of landscaping and house pets associated with both commercial or residential uses.

e. **Section 13 (RECREATION)** - The EIR should address the potential impacts which might be imposed upon any non-park, open space lands adjacent to proposed Ranch development areas when unauthorized activities like hiking, walking, jogging, dirt bike riding, etc., take place within such open space areas. The EIR should also discuss the type of preventative measures or management procedures which are expected to be put into place for preventing such unauthorized recreation activities.

Lastly, but maybe most importantly, there's no mention anywhere within the Environmental Analysis Checklist or among the topics to be discussed/addressed in the Draft EIR of California Senate Bill (SB) 1468 and its requirements regarding General Plan updates. As you may know, this Bill, signed into law last year by the Governor, requires that both Counties and incorporated Cities address the effect that any General Plan Update (or updates to specific Elements within the General Plan) may have on nearby federal military installations. It appears that this SB-1468 requirement has not been incorporated into the County's proposed EIR process for this project. We recommend that some discussion of this matter be incorporated into the EIR in greater detail.

On behalf of the Commanding General of Camp Pendleton, I'd like to again thank the County for the opportunity to review and comment on this NOP. Should you have any questions regarding our submitted comments, the Base point of contact for this matter is the undersigned at (760) 725-6513.

Sincerely,



L. D. RANNALS
Community Plans & Liaison Officer
By direction of the Commanding General

Copy to:
Chief of Staff
AC/S ES
Supervisor Tom Wilson



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

March 26, 2003

DIVISION OF
LAND RESOURCE
PROTECTION

■ ■ ■

801 K STREET
SACRAMENTO
CALIFORNIA
95814

PHONE
916/324-0850

FAX
916/327-3430

TDD
916/324-2555

INTERNET
consrv.ca.gov

■ ■ ■

GRAY DAVIS
GOVERNOR

Mr. Chuck Shoemaker
Orange County
Planning and Development Services Department
300 N. Flower Street
Santa Ana, CA 92702-4048

Subject: General Plan Amendment/Zone Change (PA 01-114) (The Ranch Plan) Notice of Preparation (NOP) - SCH# 2003021141, Orange County

Dear Mr. Shoemaker:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the NOP for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The proposed project is the development, over 30 years, of 22,850 acres for up to 14,000 residential units, activity center uses, business park, retail, golf courses, regional park and open space, which would retain some ranching activities. The project includes associated infrastructure and schools. It involves a zone change from A-1 (General Agriculture) to PC (Planned Community) and several amendments to elements of the County General Plan. The project will be processed concurrently with Environmental Impact Reports (EIR) for the Southern Subregion Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) by the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) and the Special area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) by CDFG and the Army Corps of Engineers (ACOE). The project site is located in South Orange County and constitutes the remaining undeveloped portions of the Rancho Mission Viejo.

Mr. Chuck Shoemaker

March 26, 2003

Page 2 of 6

The project potentially impacts agricultural land, including Prime Farmland, Unique Farmland and Farmland of Statewide Importance. It also involves Williamson Act contract cancellation for 12,355 acres. A Program EIR is planned for the project. The Department recommends the Draft EIR (DEIR) for the Program EIR include the following.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Important Farmland Map, which is available for Orange County, should be utilized to identify project land and surrounding land that may be impacted. In addition, we recommend including the following items of information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils of the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

The County should be aware that a recent appeals court ruling in Communities for Better Environment, et al. v. California Resources Agency, et al. (2002) has invalidated CEQA Guideline §15152(f)(3)(c). In the case of "tiered" environmental analyses, a prior statement of overriding considerations can no longer be relied upon. The Department recommends that the following be included in the DEIR.

- Type, amount, and location of farmland lost to project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a significant adverse impact.
- Impacts resulting indirectly from project implementation, including growth-inducement. The DEIR should also clarify whether leapfrog development is involved and any related impacts, including premature agricultural land conversion over the 30-year period of development.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.

Mr. Chuck Shoemaker

March 26, 2003

Page 3 of 6

- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (CEQA Guidelines §15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available from the Division at the contact listed below.

Williamson Act Lands

The NOP states that involved Williamson Act contracts will expire through nonrenewal between December 31, 2003 and December 31, 2008. Given the long-term nature of the project, it appears that development could occur without the need for contract cancellation. However, the DEIR should clarify this distinction. In addition, the Department recommends that the DEIR include the following.

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DEIR should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to accommodate the project. The DEIR should discuss the impacts that termination of contracts would have on nearby properties also under contract; i.e., growth-inducing impacts from the perspective that the removal of contract protection not only lifts a barrier to development, but results in higher property taxes and an incentive to shift to a more intensive land use, such as urban development. The termination of a Williamson Act contract is considered a significant adverse impact.

The NOP states that project approval involves cancellation of all contracts within the project area. As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (Sierra Club v. City of Hayward).

- If cancellation is proposed, notification must be submitted to the Department prior to a board or council's consideration of a proposal for tentative cancellation (Government Code §51284.1). The board or council must consider the Department's comments prior to making a decision on the proposal. Required findings must be made by the board or council in order to approve tentative

cancellation. We recommend that the DEIR include discussion of how cancellations involved in this project would meet required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to Darryl Young, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 13-71, Sacramento, CA 95814-3528.)

- Termination of a Williamson Act contract by acquisition can only be accomplished by a public agency, having the power of eminent domain, for a public improvement. The Department must be notified in advance of any proposed public acquisition (Government Code §51290 - 51292), and specific findings must be made. The property must be acquired by eminent domain or in lieu of eminent domain in order to void the contract. The public agency must consider the Department's comments prior to taking action on the acquisition. We recommend discussion in the DEIR of whether such action is envisioned by this project and how the acquisition will meet the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation to the address noted above.
- If any part of the site is to continue under contract or remain within an agricultural preserve after project completion, the DEIR should discuss the proposed uses for those lands. Uses of contracted and preserve land must meet compatibility standards identified in Government Code §51238 - 51238.3 and §51296.7. Otherwise, contract termination (see above) must occur prior to the initiation of the land use, or the preserve must be disestablished.
- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under contract. Preserves are also intended to create a setting for contract-protected lands that is conducive to continued agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code §51230). The DEIR should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Mitigation Measures

While the direct conversion of agricultural land and other agricultural impacts are often deemed to be unavoidable by an agency's CEQA analysis, mitigation measures must nevertheless be considered. The adoption of a Statement of Overriding Consideration does not absolve the agency of the requirement to implement feasible mitigation that lessens a project's impacts.

A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. Reduction to a level below significance should not be a criterion that eliminates feasible

measures. Pursuant to CEQA Guideline 15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes "*Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))*" or "*Compensating for the impact by replacing or providing substitute resources or environments (Government Code §15370(e))*."

All measures ostensibly feasible should be included in the DEIR. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible on its face (Los Angeles Unified School District v. City of Los Angeles (1997) 58 Cal. App. 4th 1019). The Division has compiled an annotated listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below.

When presenting mitigation measures in the DEIR, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA (Sundstrom v. County of Mendocino (1998) 202 Cal. App. 3d 296). The Program EIR should be as specific as is feasible to achieve consistent CEQA compliance among project-specific mitigations.

The Department encourages the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If high quality land is converted or a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, we recommend that this ratio be increased. We highlight this measure because of its acceptance and use by lead agencies as mitigation under CEQA. It follows a rationale similar to that of wildlife habitat mitigation. The loss of agricultural land represents a permanent reduction in the state's agricultural land resources. Agricultural conservation easements will protect a portion of those remaining resources and lessen project impacts in accordance with CEQA Guideline §15370. At least one California court has ruled that conservation easements should be considered as a reasonable mitigation measure for the loss of agricultural land (El Toro Land Use Planning Authority, et al v. County of Orange, et al, San Diego Superior Court #710123, January 6, 1998).

Mitigation using agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional

Mr. Chuck Shoemaker
March 26, 2003
Page 6 of 6

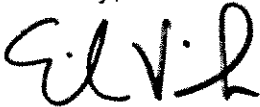
significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Information about agricultural conservation easements, the Williamson Act and provisions noted above is available on the Department's website, or by contacting the Division at the address and phone number listed below. The Department's website address is:

<http://www.conservation.ca.gov/dlrp/index.htm>

Thank you for the opportunity to comment on this NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact Bob Blanford at 801 K Street, MS 13-71, Sacramento, California 95814; or, phone (916) 327-2145.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Vink', written in a cursive style.

Erik Vink
Assistant Director

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

32951 Camino Capistrano
San Juan Capistrano, CA 92675
(949) 487-4000
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



March 17, 2003

File No.: 690.10141.RMV

Chuck Shoemaker
Orange County Planning and Development Services Department
P.O. Box 4048
Santa Ana, CA 92702-4048

Reference: SCH #2003021141

Dear Mr. Shoemaker:

We have reviewed the "Notice of Preparation" for the Orange County general plan amendment concerning the proposed development of Rancho Mission Viejo. There are three concerns we would like to see addressed in the Environmental Impact Plan (EIP).

The California Highway Patrol is concerned that the proposed development will result in an increased demand for our services that cannot be met with existing staffing levels. We believe the demand for services will occur during construction as well as after construction.

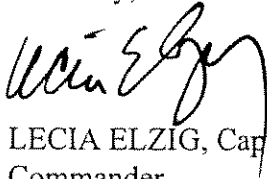
In addition, we are concerned with the impact that moving the intersection of Antonio Parkway and State Route 74 (SR-74) from its current location will have on traffic flow at the old and new intersections. There is significant traffic on SR-74 during commute hours which generally continues east or west, i.e., straight through without turning, at the existing intersection. If the intersection is moved north on Antonio Parkway, eastbound traffic from Interstate 5 will have to turn left/north on Antonio Parkway at the old intersection to continue east on SR-74. Similarly, westbound commute traffic in the morning will need to turn left/south at the new intersection to reach the final segment of SR-74. This may create congestion at both intersections.

Finally, we are concerned with the construction of SR-74 as a four lane highway changing to a two lane highway near Caspers Wilderness Park. This may create congestion for eastbound traffic during the afternoon commute hours at the point where the roadway changes from two eastbound lanes to one.

Chuck Shoemaker
Page 2
March 17, 2003

Please place our name and address on the mailing for the Draft Environmental Impact Report.

Sincerely,

A handwritten signature in black ink, appearing to read "Lecia Elzig". The signature is fluid and cursive, with a large, sweeping flourish at the end.

LECIA ELZIG, Captain
Commander
San Juan Capistrano Area

cc: CHP Special Projects Section



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
5796 Corporate Avenue
Cypress, California 90630

Gray Davis
Governor

March 14, 2003

Mr. Chuck Shoemaker
Planning & Development Services Department
Environmental Planning Services Division
County of Orange
300 North Flower Street
Santa Ana, California 92702-4048

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE GENERAL PLAN AMENDMENT/ZONE CHANGE (PA 01-114 (AKA: THE RANCH
PLAN) PROJECT (SCH #200302141)

Dear Mr. Shoemaker:

The Department of Toxic Substances Control (DTSC) has received your Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the above-mentioned Project.

Based on the review of the document, DTSC's comments are as follows:

- 1) Section 15, Hazards of the Environmental Analysis Checklist, all items from a through h except b is checked for "Potential Significant Impact." Instead, the Environmental Analysis Checklist Responses state that all items except d and h are "Less Than Significant Impact." Make sure that the checked items should be matched with the responses. Unless it is marked properly, it will be difficult for reviewing the document.
- 2) The NOP states that hazardous materials have been used at the project area. The draft EIR needs to identify and determine whether current or historic uses at the Project site have resulted in any release of hazardous wastes/substances at the Project area.
- 3) The draft EIR needs to identify any known or potentially contaminated site within the proposed Project area. For all identified sites, the draft EIR needs to evaluate whether conditions at the site pose a threat to human health or the environment.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

- 4) The draft EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and the government agency to provide appropriate regulatory oversight.
- 5) Any hazardous wastes/materials encountered during construction should be remediated in accordance with local, state, and federal regulations. Prior to initiating any construction activities, an environmental assessment should be conducted to determine if a release of hazardous wastes/substances exists at the site. If so, further studies should be carried out to delineate the nature and extent of contamination. Also, it is necessary to estimate the potential threat to public health and/or the environment posed by the site. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threats exist at the site, the final remedy should be implemented in compliance with state regulations and policies rather than excavation of soil prior to any assessments.
- 6) All environmental investigation and/or remediation should be conducted under a Workplan which is approved by a regulatory agency that has jurisdiction to oversee hazardous waste cleanups. Complete characterization of the soil is needed prior to any excavation or removal action.
- 7) The proposed project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project is planning to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 8) The NOP states that existing agriculture uses may also be expanded as a result of implementation of the project. If the subject property was previously used for vegetation or agriculture, onsite soils could contain pesticide residues. The site may have contributed to soil, and groundwater contamination. Proper investigation and remedial actions should be conducted at the site prior to its new development.
- 9) If any of the adjacent properties of the project site are contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall under the "Border

Zone of a Contaminated Property.” Appropriate precautions should be taken prior to construction if the proposed project is on a “Border Zone Property.”

- 10) Investigate the presence of lead-based paints and ACMs in the currently existing building structures that plans to be demolished/renovated. If the presence of lead-based paints or ACMs are suspected, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with the California environmental regulations.
- 11) The NOP shows that additional schools would be needed to support the project. During the proposed school property acquisition and/or construction utilizing state funding, it should be in compliance with the Assembly Bill 387 (Wildman) and Senate Bill 162 (Escutia) which requires a comprehensive environmental review process and that DTSC's approval is required. DTSC's role in the assessment , investigation, and cleanup of proposed school sites is to ensure that the selected properties are free of contamination, and if the property is contaminated, that it is cleaned up to a level that is protective of the students and faculty who will occupy the new school. A study of the site is to be conducted to provide basic information for determining if there has been a release, or if there is a threatened release of a hazardous material including agricultural chemicals or if there maybe a naturally occurring hazardous material present at the site, that may pose a risk to human health or the environment. Therefore, proper environmental studies should be conducted to ensure that a threat to the school/day care children's health and the environment does not exist at the site. Also, a California Environmental Quality Act document should be prepared specifically for each school projects.
- 12) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate Health and Safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the draft EIR should identify how any required investigation and/or remediation will be conducted, and the government agency to provide appropriate regulatory oversight.

DTSC provides guidance for the Preliminary Endangerment Assessment (PEA) preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP, please visit DTSC's web site at www.dtsc.ca.gov.

Mr. Chuck Shoemaker
March 14, 2003
Page 4 of 4

If you have any questions regarding this letter, please contact Mr. Johnson P. Abraham,
Project Manager at (714) 484-5476.

Sincerely,



Haissam Y. Salloum, P.E.
Unit Chief
Southern California Cleanup Operations Branch
Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806



Orange Coast District
3030 Avenida Del Presidente
San Clemente CA 92672
(949) 492-0802

March 27, 2003

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana CA 92702-4048

Subject: Notice of Intent to Prepare Draft Environmental Impact Report #589

Dear Mr. Shoemaker:

California State Parks operates San Onofre State Beach which contains over 3000 acres in San Diego County. A significant portion of this park contains San Mateo Creek or is part of its watershed. Biologic surveys within the park show it contains 10 threatened or endangered species. Seven of ten of these species depend on unimpaired waters to successfully reproduce. A world famous surfing beach is at the mouth of the creek that receives over 800,000 visitors per year. Our State Parks Mission is to maintain a natural ecosystem and provide a safe outdoor recreation experience for our visitors. Under the context of our mission, we are concerned with upstream developments that will have downstream impacts.

In a large planning perspective, we are encouraged by the coordinated effort of this project with the Army Corps' Special Area Management Plan and the development of the Southern Subsection of Natural Communities Conservation Plan. However, we are most concerned with the timing and utilization of scientific information gathered from the SAMP and developed into reasonable conservation planning in the NCCP process. These efforts should be completed before a development EIR/DEIS for the Ranch Project is produced. Since an extension of the Foothill Transportation Corridor-South is a desired component of the Ranch Plan, a full cumulative environmental impacts analysis of the Ranch with corridor should be made.

An increase of impervious surfaces and intensified development on lands now in a natural state will have affects to downstream systems. Project development impacts to flora and fauna, listed and non-listed species, should be fully analyzed. An analysis of hazardous materials introduced by the project including pesticides, petroleum products, household debris, cleaning products, nutrients, trash, pet and human bacterial

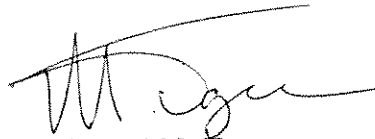
Mr. Shoemaker
March 24, 2003
Page 2

waste, and sediment loads should be made. The introduction of invasive exotic plants and animals by the project should be analyzed. The affects of pet cats and dogs on surrounding open space should be analyzed. The impacts of reduced water quality from the project on recreational water contact sports should be analyzed. The impacts of increased illegal mountain bike trails, seen throughout the county, should be analyzed.

Clearly, we are trying to maintain or improve open space lands within our control. By providing for healthy ecosystems, we feel we can maintain the continued success of species that inhabit the associated habitats. Consequently, we can ensure healthy water quality for all species including human use in the ocean.

Thank you for this opportunity to help guide the scope of the proposed Ranch Plan. If you have resource questions regarding your future analysis, contact our Resource Ecologist David Pryor at (949) 497-1421.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Tope", with a long horizontal flourish extending to the right.

Michael M. Tope
District Superintendent

Apr 10 03 03:14p

STATE OF CALIFORNIA - BUSINESS AND TRANSPORTATION AGENCY

DEPARTMENT OF TRANSPORTATION

GRAY 02

DISTRICT 12
3337 MICHELSON DRIVE, SUITE 380
IRVINE, CA 92612
PHONE: (949) 724-2898
FAX (949) 756-4950
TTY (949) 796-7813

APR 10 2003

He enery

April 10, 2003

MAIL AND FAX

Chuck Shoemaker
County of Orange
Planning and Development Services
Environmental Services Division
300 North Flower Street
Santa Ana, CA 92702

File: IGR/CEQA
SCH #: 2003021141
LOG: 1210
SR: SR-74, SR-241, 1-5

Subject: NOP for the General Plan Amendment/Zone Change (PA 01-114) aka: The Ranch Plan

Dear Mr. Shoemaker,

Thank you for the opportunity to review and comment on the NOP received March 4, 2003, for the General Plan Amendment/Zone Change (PA 01-114). The project site is located off Orange Highway, northeast of Interstate 5 and comprises the remaining approximately 23,000 acres owned by the Ranch Mission Viejo Company. The project consists of General Plan Amendment/Zone Change from existing A-1 Agricultural and Sand and Gravel Zoning to PC-Planned Community zoning district. The PC zoning would overlay a 1B-Suburban Residential and 5- Open Space zone General Plan Land Use designation as amended from its existing Land Use designation of Open Space.

There are a total of 13 Planning Area designations that will include:

- Up to 14,000 DU's;
- 130 acres of urban activity center uses;
- 258 acres of business park uses;
- 39 acres of neighborhood retail uses;
- up to four golf courses;
- a proposed 1,079 acre regional park;
- an approximately 13,161 acre open space area (a 420 acre portion of which would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units and equestrian facilities);
- Ranching activities would also be retained within a portion of the proposed open space area;
- And infrastructure supporting all of these uses including road improvements, utility improvements and schools.
- Existing agricultural uses may also be expanded with implementation of the Project.

Caltrans District 12 status is a responsible agency on this project and has the following comments.

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Chuck Shoemaker
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1. Land Use and Transportation Elements of the General Plan

- a) Deleting arterials from the Master Plan of Arterial Highways (MPAH) creates inconsistency between the County's Housing and Land Use Elements which states an "...intent... to establish both a phasing allocation of development commensurate with roadway and public facility capacities and an overall build-out development plan which can be supported by the implementation of the planned infrastructure system." (p. 21, Land Use, I). Also, the implementation of the planned infrastructure system requires that local agency General Plan Circulation Elements to be consistent with the MPAH. The amendment process for the MPAH includes a cooperative Traffic Study in which all affected or impacted jurisdictions and agencies participate to determine the extent of the inter-jurisdictional issues. OCTA has initiated this process, March 27, 2003, by conducting it's first meeting with the Technical Advisory Committee (TAC) consisting of the impacted agencies and jurisdictions. The results of this effort should be included in the EIR.
- b) Caltrans supports the use of sustainable/livable communities land use concepts, such as Transit Oriented Development (TOD), for development and multi-modal transportation options that would accommodate the growth that will occur, while reducing the possible transportation related impacts of this project.

2. Traffic

- a) Due to the potential regional and areawide significance of the impacts of the Transportation/Circulation, the scope of the analysis for the Study Area needs to be expanded to cover the I-5 Freeway between the San Diego/Orange County Line and the I-5/I-15 Interchange.
- b) Currently, interchanges along the I-5 within the study area are experiencing severe congestion and long delays with an F Level of Service. Caltrans along with OCTA are working with the cities of Mission Viejo, San Juan Capistrano, Laguna Niguel in order to improve existing conditions. Proposed improvements under discussion with the cities are expected to provide some congestion relief to the existing conditions but do not address future demand.
- c) Currently, no additional capacity enhancement is expected along the I-5 Corridor since it is within the Non-Competition Zone of the Toll Roads. The SOCTIIP Process is currently evaluating several alternatives to provide capacity that would meet future traffic needs.
- d) Any deletion to the existing Orange County Master Plan of Arterial Highways such as Crown Valley Parkway and Ortega Highway Interchanges at SR-241 may result in severe impacts on local and regional highway and arterial traffic circulation.
- e) Furthermore, the proposed realignment of State Route 74 (Ortega Highway) to terminate at Antonio Parkway may result in severe operational deficiencies. This is due to discontinuity of the route and diversion of a portion of the traffic to Crown Valley Parkway which is forecasted to carry as much as 100,000 vehicles per day in the year 2025.

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April 10, 2003
Page 3

- f) Prior to issuing the DEIR, the County and/or their consultants will provide a draft Traffic Analysis for Caltrans review. Proposed mitigation to address transportation/circulation impacts will be a cooperative effort between the County, OCTA and Caltrans District 12 office.
3. Design - Should SR-74 Ortega Highway be realigned, and continue to be designated as a State Highway, it shall conform to the Highway Design Manual Guidelines and Standards.
- a) Any bridgework across San Juan Creek would have to be evaluated and approved by Caltrans Headquarters Structures Unit.
- b) Please state what the actual designation and potential use for the relinquished portion of the SR-74 Ortega Highway would be, should the New Ortega Highway portion be completed.
- c) Informational note: District 12 Design A Unit is currently working on the draft Project Report for two projects on Ortega Highway as described below. The proposed project is not in conflict with these, however, coordination with Design Unit A and Environmental Planning Unit should occur for any plans in the proximity of the SR-74, for the proposed realignment of SR-74, or any work done on, over, under or adjacent to State Right of Way (ROW).
- The Lower 74 widening project. The project limits are PM 1.0/2.9, from Calle Entradero La Pata (Antonio Parkway). The project is proposed to widen the highway from existing two lanes to four lanes with a 3.6m wide stripped median.
 - The Upper 74 project. The project limits are PM 13.3/16/6, from San Juan Creek Bridge to Orange County/Riverside County line. The project is proposed to widen the existing 10'/11' lane to 12' lane (3.6m) with 1.2m shoulders.
4. Environmental Considerations:
- a) The RMV plan is to be coordinated with the NCCP/HCP and the SAMP/MSA processes, and these coordinated plans/projects, whose boundaries are adjacent/include state right-of-way shall demonstrate consistency in their mitigation for any significant impacts to State ROW. Caltrans will certify that the cooperative mitigation efforts of these lead agencies and the property owner, are consistent and to the extent practicable, do not impact each other.
- b) Additional runoff is likely from the dwelling units proposed as part of the RMV plan. It is essential that Best Management Practices (BMPs) be considered along with additional Caltrans and resource agency coordination in order to maintain the water quality of the area. BMPs should be included with eventual project work to ensure that construction debris/fallout does not enter any culverts/ditches along the state right-of-way potentially impacting the water quality of the area. Further coordination should occur with Caltrans Maintenance for issues relating to the maintenance of these v-ditch areas.
- c) All work within the State ROW must conform to Caltrans Standard Plans and Standard Specifications for Water Pollution Control, including production of a Storm Water Pollution Prevention Plan (SWPPP) as required. No additional net increase in runoff design is allowed.

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Caltrans ROW, either from construction operations, or from the resulting project (in all phase) will be allowed.

d) There are numerous sensitive areas along SR-74 and proposed within the SR-241 south extension (primarily in the form of coastal sage scrub). These areas are considered highly sensitive, especially in the months of March through July when the nesting season of coastal sage scrub species typically occurs. Disturbance can occur to coastal sage scrub species in form of noise impacts. Typically any project equipment used adjacent to State ROW or easement paths in these areas shall not exceed a threshold of 62-65dBA. Please include a discussion relating construction type, phases and locations to their subsequent level of impacts to sensitive resource areas along the State ROW and how they may be avoided.

5. **Permits** – Any impacts onto, over or under Caltrans Right of Way (at Ortega Highway) will require an Encroachment Permit prior to work. This project may require an encroachment permit for hauling dirt during grading. In addition, improvements within Caltrans Right of Way will require an encroachment permit for work such as surveys, soil sampling and geotechnical borings, potholing, utilities, sidewalk, curb and gutter, intersection and signal improvement. For specific details on encroachment permit procedure, please refer to Caltrans Encroachment Permits Manual, Seventh Edition. This manual is available on the web at www.dot.ca.gov/hq/traffops/developserv/permits.

6. Mitigation

a) Caltrans suggests, at the earliest opportunity, that the County and the Landowner/Developer take the following actions in cooperation with OCTA, TCA and Caltrans:

- Agree on methodologies to perform in a traffic analysis study that identifies the project's proportionate transportation impacts on the regional (Freeway/State Highway) system. Please see attached *Guide for the Preparation of Traffic Impact Studies*.
- Establish a method and timing of payment for this identified fair share responsibility.
- The County, in cooperation with Caltrans, shall estimate the fair share percentage of responsibility.
- Agree on appropriate mitigation measures associated with identified impacts.
- Regional and State related mitigation measures shall focus on freeway mainline (in particular the I-5 Freeway and the SR-74), ramps and interchanges.

b) Mitigation measures, responsible parties and funding mechanisms for the regional transportation impacts need to be clearly specified (separate from the local transportation impacts) in the DEIR.

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- c) If it is found that any project equipment used adjacent to the state ROW or access paths exceed a noise threshold of 62 - 65 dBA, that impact should be addressed in the mitigation measures and reduced to a level of insignificance.
- d) There has been recent legislation regarding how lead agencies provide reports on mitigation monitoring to Caltrans. Please see the attached guidelines and checklist. We are including for your review at this time, though the actual report will not have to be submitted to Caltrans until the Notice of Determination (NOD).
- e) It is likely that impacts to the state right-of-way (and any proposed associated access roads) will occur through the usage by heavy trucks and equipment in order to complete proposed work and move loads. A Transportation Management Plan (TMP) detailing measures to reduce/eliminate impacts to LOS and circulation during peak periods in the project area should be included. This TMP should also include measures to contain all vehicle loads and avoid tracking of materials that may fall or blow onto Caltrans ROW or facilities. These impacts and TMP should also be addressed along with mitigation measures to reduce the impact to a level of insignificance.

We recommend that the County contact our District 12 office to schedule a meeting to discuss the scope and details of the Traffic Study, and Traffic Analysis and time frames as soon as possible. Please continue to keep us informed of this project and other future developments, which could potentially impact transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Robert Joseph at (949) 724-2255.

Sincerely,

Gail Farber

GAIL FARBER
Deputy District Director
Planning
District 12

Attachments:

- i. Guide for the Preparation of Traffic Impact Studies.
- ii. Guidelines for Submitting Transportation Information from a Reporting or Monitoring Program to the California Department of Transportation (Department).

c) Kia Mortazavi, Orange County Transportation Agency
Rich Macias, Southern California Area Governments
Robert Joseph, IGR/Community Planning
Ron Helgeson, HQ IGR/CEQA
Terry Roberts, OPR

Apr 10 03 03:16p

California Department of Transportation (Department)

GUIDELINES FOR SUBMITTING TRANSPORTATION INFORMATION FROM A REPORTING OR MONITORING PROGRAM TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (DEPARTMENT)

INTRODUCTION The California Environmental Quality Act (CEQA) as amended on January 1, 2001, by Assembly Bill (AB) 1807, added a new provision to Section 21080.4 of the Public Resources Code (PRC).

The provision requires lead agencies to submit Notices of Preparation (NOPs) to the Governor's Office of Planning and Research when they determine that an environmental impact report will be required to approve a project.

The new law also amended PRC Section 21081.7, which now requires that "transportation information resulting from a reporting or monitoring program adopted by a public agency" be submitted to the Department when a project has impacts that are of statewide, regional, or area-wide significance.

Mitigation reporting or monitoring programs are required under PRC Section 21081.6 when public agencies include environmental impact mitigation as a condition of project approval. Reporting or monitoring takes place after approval to ensure implementation of the project in accordance with mitigation imposed during the CEQA review process.

In addition to the requirements listed above, AB 1807 obligates the Department to provide guidance for public agencies to submit their reporting or monitoring programs. Subject to these requirements, the following guidelines have been adopted by the Department.

PURPOSE OF THE GUIDELINES

The purpose of these guidelines is to establish clear and consistent statewide procedures for public agencies to submit transportation mitigation reporting or monitoring information to the Department. They are to be used by District Intergovernmental Review (IGR) Program Coordinators for identifying the scope and timing of transportation information needed, and to identify the "single point of contact" for transmittal of reporting or monitoring information from the lead agency to the Department.

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February 10, 2003
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PROCEDURES

The following procedures are intended for use by District IGR Program Managers and Coordinators in directing local lead agencies to comply with PRC Section 21081.7.

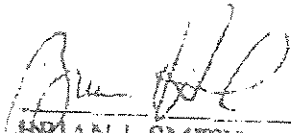
- A. The District IGR Coordinator will notify the CEQA lead agency in writing about transportation reporting or monitoring submittal requirements in PRC Section 21081.7 during either "early consultation", the Notice of Preparation (NOP) stage, or the Initial Study (IS) phase of the CEQA review process.
- B. Detailed procedures for the CEQA lead agency to submit transportation reporting or monitoring information to the district should be attached to the district's notification letter. The submittal shall contain the following information:
 1. The name, address, and telephone number of the CEQA lead agency contact who is responsible for the mitigation reporting or monitoring program (see PRC Section 21081.6[a][1]).
 2. The location and custodian of the documents or other material, which constitute the record of proceedings upon which the lead agency's decision is based (see PRC Section 21081.6[a][2]).
 3. Assurances from the CEQA lead agency that the Department can obtain copies of the aforementioned documents and materials, if needed, to clarify details or resolve issues related to the mitigation adopted (see PRC Section 21081.7).
 4. Detailed information on impact assessment methodologies, the type of mitigation, specific location, and implementation schedule for each transportation impact mitigation measure included in the reporting or monitoring program (see PRC Section 21081.6[b]). The CEQA lead agency, at its discretion, may submit the complete reporting or monitoring program with the required transportation information highlighted.
 5. A certification section which will be signed and dated by the CEQA lead agency and the Department certifying that the mitigation measures agreed upon and identified in the above checklist have been implemented, and all other reporting requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7.

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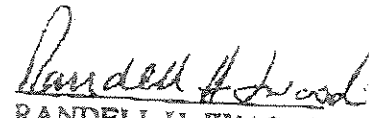
Mitigation Monitoring Guidelines
February 10, 2003
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- C. When the project involves encroachment onto a state highway, the certification section will be signed by the District Permit Engineer. The District Permit Engineer will retain one copy of the mitigation reporting or monitoring information for the district permit files, and forward the original document to the District IGR Coordinator. The District IGR Coordinator will forward a copy to the Department's IGR Program Manager.
- D. When the project does not involve encroachment onto a state highway, the certification section will be signed by the District IGR Coordinator. The District IGR Coordinator will retain the original document and forward a copy to the Department's IGR Program Manager.

APPROVED:


BRIAN J. SMITH
Deputy Director
Planning and Modal Programs

Feb. 07/03
Date


RANDELL H. IWASAKI
Deputy Director
Maintenance and Operations

2/19/03
Date

Sent by: CURRENT PLANNING DIVISION
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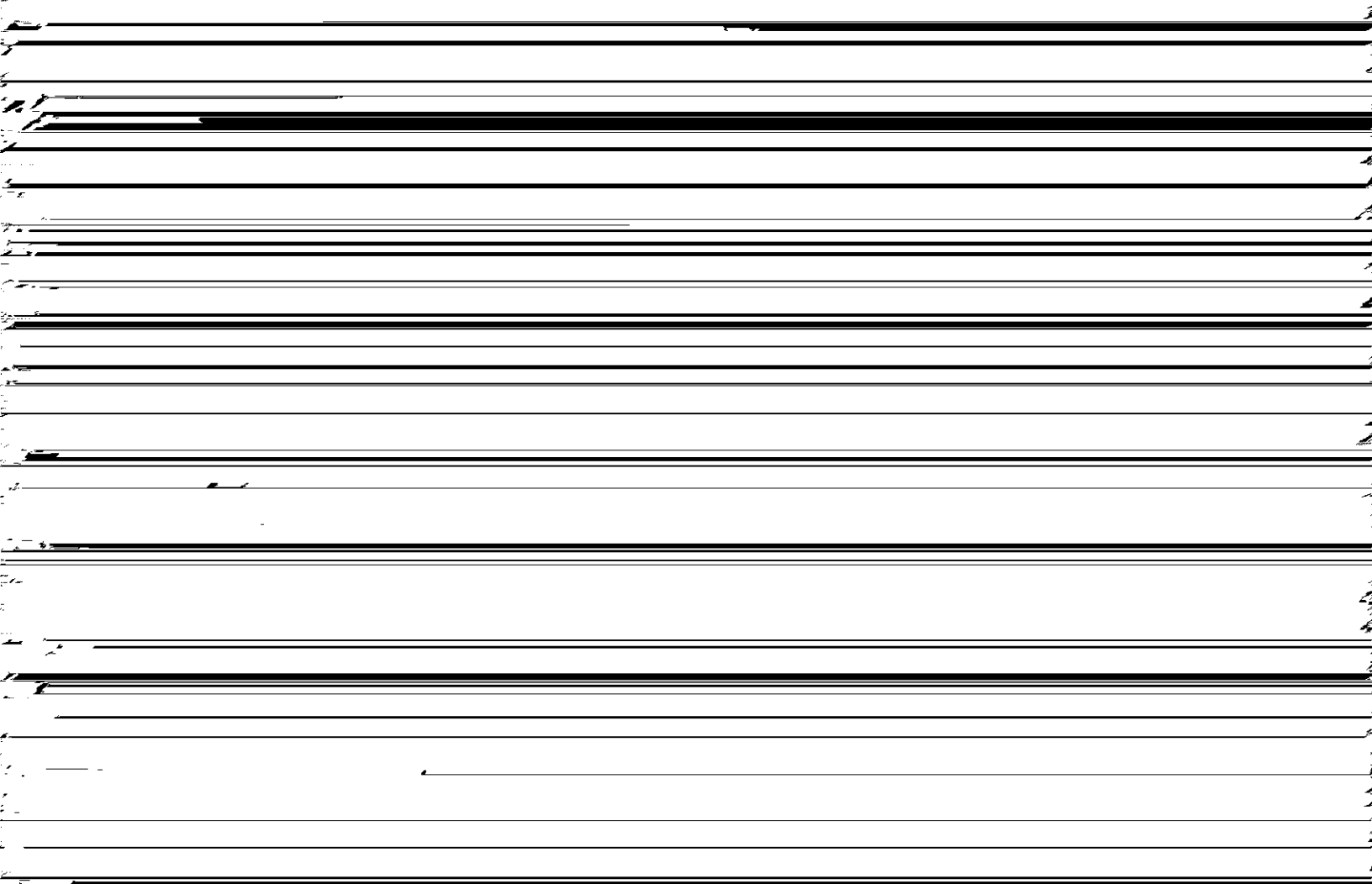
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Apr 10 03 03:17p

PREFACE

The California Department of Transportation (Caltrans) has developed this "Guide for the Preparation of Traffic Impact Studies" in response to a survey of cities and counties in California. The purpose of that survey was to improve the Caltrans local development review process (also known as the Intergovernmental Review/California Environmental Quality Act or IGR/CEQA process). The survey indicated that approximately 30 percent of the respondents were not aware of what Caltrans required in a traffic impact study (TIS).

In the early 1990s, the Caltrans District 6 office located in Fresno identified a need to provide better quality and consistency in the analysis of traffic impacts generated by local development and land use change proposals that effect State highway facilities. At that time District 6 brought together both public and private sector expertise to develop a traffic impact study guide. The District 6 guide has proven to be successful at promoting consistency and uniformity in the identification and analysis of traffic impacts generated by local development and land use changes.

The guide developed in Fresno was adapted for statewide use by a team of Headquarters and district staff. The guide will provide consistent guidance for Caltrans staff who review local development and land use change proposals as well as inform local agencies of the information needed for Caltrans to analyze the traffic impacts to State highway facilities. The guide will also benefit local agencies and the development community by providing more expeditious review of local development proposals.

Even though sound planning and engineering practices were used to adapt the Fresno TIS guide, it is anticipated that changes will occur over time as new technologies and more efficient practices become available. To facilitate these changes, Caltrans encourages all those who use this guide to contact their nearest district office (i.e., IGR/CEQA Coordinators) to coordinate any changes with the development team.

ACKNOWLEDGEMENTS

The District 6 traffic impact study guide provided the impetus and a starting point for developing the statewide guide. Special thanks is given to Marc Birnbaum for recognizing the need for a TIS guide and for his valued experience and vast knowledge of land use planning to significantly enhance the effort to adapt the District 6 guide for statewide use. Randy Treece from District 6 provided many hours of coordination, research and development of the original guide and should be commended for his diligent efforts. Sharri Bender Ehlert of District 6 provided much of the technical expertise in the adaptation of the District 6 guide and her efforts are greatly appreciated.

A special thanks is also given to all those Cities, Counties, Regional Agencies, Congestion Management Agencies, Consultants, and Caltrans Employees who reviewed the guide and provided input during the development of this Guide for the Preparation of Traffic Impact Studies.

Apr 10 03 03:18p

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I. INTRODUCTION

Caltrans desires to provide a safe and efficient State transportation system for the citizens of California pursuant to various Sections of the California Streets and Highway Code. This is done in partnership with local and regional agencies through procedures established by the California Environmental Quality Act (CEQA) and other land use planning processes. The intent of this guide is to provide a starting point and a consistent basis in which Caltrans evaluates traffic impacts to State highway facilities. The applicability of this guide for local streets and roads (non-State highways) is at the discretion of the effected jurisdiction.

Caltrans reviews federal, state, and local agency development projects¹, and land use change proposals for their potential impact to State highway facilities. The primary objectives of this guide is to provide:

- guidance in determining if and when a traffic impact study (TIS) is needed,
- consistency and uniformity in the identification of traffic impacts generated by local land use proposals,
- consistency and equity in the identification of measures to mitigate the traffic impacts generated by land use proposals,
- lead agency² officials with the information necessary to make informed decisions regarding the existing and proposed transportation infrastructure (see Appendix A, Minimum Contents of a TIS)
- TIS requirements early in the planning phase of a project (i.e., initial study, notice of preparation, or earlier) to eliminate potential delays later,
- a quality TIS by agreeing to the assumptions, data requirements, study scenarios, and analysis methodologies in advance of beginning the study, and
- early coordination during the planning phases of a project to reduce the time and cost of preparing a TIS.

II. WHEN A TRAFFIC IMPACT STUDY IS NEEDED

The level of service³ (LOS) for operating State highway facilities is based upon measures of effectiveness (MOEs). These MOEs (see Appendix "C-2") describe the measures best suited for analyzing State highway facilities (i.e., freeway sections, signalized intersections, on- or off-ramps, etc.). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" (see Appendix "C-3") on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than the appropriate target LOS, the existing MOE should be maintained.

¹ "Project" refers to activities directly undertaken by government, financed by government, or requiring a permit or other approval from government as defined in Section 21065 of the Public Resources Code and Section 15378 of the California Code of Regulations.

² "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Defined in Section 21165 of the Public Resources Code, the "California Environmental Quality Act, and Section 15367 of the California Code of Regulations.

³ "Level of service" as defined in the latest edition of the Highway Capacity Manual, Special Report 402, Transportation Research Board, National Research Council.

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A. Trip Generation Thresholds

The following criterion is a starting point in determining when a TIS is needed. When a project:

1. Generates over 100 peak hour trips assigned to a State highway facility
2. Generates 50 to 100 peak hour trips assigned to a State highway facility - and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS "C" or "D").
3. Generates 1 to 49 peak hour trips assigned to a State highway facility - the following are examples that may require a full TIS or some lesser analysis⁴:
 - a. Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS "E" or "F").
 - b. The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
 - c. Change in local circulation networks that impact a State highway facility (i.e., direct access to State highway facility, a non-standard highway geometric design, etc.).

Note: A traffic study may be as simple as providing a traffic count to as complex as a microscopic simulation. The appropriate level of study is determined by the particulars of a project, the prevailing highway conditions, and the forecasted traffic.

B. Exceptions

Exceptions require consultation between the lead agency, Caltrans, and those preparing the TIS. When a project's traffic impact to a State highway facility can clearly be anticipated without a study and all the parties involved (lead agency, developer, and the Caltrans district office) are able to negotiate appropriate mitigation, a TIS may not be necessary.

C. Updating An Existing Traffic Impact Study

A TIS requires updating when the amount or character of traffic is significantly different from an earlier study. Generally a TIS requires updating every two years. A TIS may require updating sooner in rapidly developing areas and not as often in slower developing areas. In these cases, consultation with Caltrans is strongly recommended.

III. SCOPE OF TRAFFIC IMPACT STUDY

Consultation between the lead agency, Caltrans, and those preparing the TIS is recommended before commencing work on the study to establish the appropriate scope. At a minimum, the TIS should include the following:

A. Boundaries of the Traffic Impact Study

All State highway facilities impacted in accordance with the criteria in Section II should be studied. Traffic impacts to local streets and roads can impact intersections with State highway facilities. In these cases, the TIS should include an analysis of adjacent local facilities, upstream and downstream, of the intersection (i.e., driveways, intersections, and interchanges) with the State highway.

⁴ A "lesser analysis" may include obtaining traffic counts, preparing signal warrants, or a focused TIS, etc.

Apr 10 03 03:19p

B. Traffic Analysis Scenarios

Caltrans is interested in the effects of general plan updates and amendments as well as the effects of specific project entitlements (i.e., site plans, conditional use permits, sub-divisions, rezoning, etc.) that have the potential to impact a State highway facility. The complexity or magnitude of the impacts of a project will normally dictate the scenarios necessary to analyze the project. Consultation between the lead agency, Caltrans, and those preparing the TIS is recommended to determine the appropriate scenarios for the analysis. The following scenarios should be addressed in the TIS when appropriate:

1. When only a general plan amendment or update is being sought, the following scenarios are required:
 - a) Existing Conditions - Current year traffic volumes and peak hour LOS analysis of effected State highway facilities.
 - b) Proposed Project Only with Select Link⁵ Analysis - Trip generation and assignment for build-out of general plan.
 - c) General Plan Build-out Only - Trip assignment and peak hour LOS analysis. Include current land uses and other pending general plan amendments.
 - d) General Plan Build-out Plus Proposed Project - Trip assignment and peak hour LOS analysis. Include proposed project and other pending general plan amendments.
2. When a general plan amendment is not proposed and a proposed project is seeking specific entitlements (i.e., site plans, conditional use permits, sub-division, rezoning, etc.), the following scenarios must be analyzed in the TIS:
 - a) Existing Conditions - Current year traffic volumes and peak hour LOS analysis of effected State highway facilities.
 - b) Proposed Project Only - Trip generation, distribution, and assignment in the year the project is anticipated to complete construction.
 - c) Cumulative Conditions (Existing Conditions Plus Other Approved and Pending Projects Without Proposed Project) - Trip assignment and peak hour LOS analysis in the year the project is anticipated to complete construction.
 - d) Cumulative Conditions Plus Proposed Project (Existing Conditions Plus Other Approved and Pending Projects Plus Proposed Project) - Trip assignment and peak hour LOS analysis in the year the project is anticipated to complete construction.
 - e) Cumulative Conditions Plus Proposed Phases (Interim Years) - Trip assignment and peak hour LOS analysis in the years the project phases are anticipated to complete construction.
3. In cases where the circulation element of the general plan is not consistent with the land use element or the general plan is outdated and not representative of current or future forecasted conditions, all scenarios from Sections III. B. 1. and 2. should be utilized with the exception of duplicating of item 2.a.

⁵ "Select link" analysis represents a project only traffic model run, where the project's trips are distributed and assigned along the highway network. This procedure isolates the specific impact on the State highway network.

Apr 10 03 03:20p

IV. TRAFFIC DATA

Prior to any fieldwork, consultation between the lead agency, Caltrans, and those preparing the TIS is recommended to reach consensus on the data and assumptions necessary for the study. The following elements are a starting point in that consideration.

A. Trip Generation

The latest edition of the Institute of Transportation Engineers' (ITE) TRIP GENERATION report should be used for trip generation forecasts. Local trip generation rates are also acceptable if appropriate validation is provided to support them.

1. Trip Generation Rates – When the land use has a limited number of studies to support the trip generation rates or when the Coefficient of Determination (R^2) is below 0.75, consultation between the lead agency, Caltrans and those preparing the TIS is recommended.
2. Pass-by Trips⁶ – Pass-by trips are only considered for retail oriented development. Reductions greater than 15% requires consultation and acceptance by Caltrans. The justification for exceeding a 15% reduction should be discussed in the TIS.
3. Captured Trips⁷ – Captured trip reductions greater than 5% requires consultation and acceptance by Caltrans. The justification for exceeding a 5% reduction should be discussed in the TIS.
4. Transportation Demand Management (TDM) – Consultation between the lead agency and Caltrans is essential before applying trip reduction for TDM strategies.

NOTE: Reasonable reductions to trip generation rates are considered when adjacent State highway volumes are sufficient (at least 5000 ADT) to support reductions for the land use.

B. Traffic Counts

Prior to field traffic counts, consultation between the lead agency, Caltrans and those preparing the TIS is recommended to determine the level of detail (e.g., location, signal timing, travel speeds, turning movements, etc.) required at each traffic count site. All State highway facilities within the boundaries of the TIS should be considered. Common rules for counting vehicular traffic include but are not limited to:

1. Vehicle counts should be conducted on Tuesdays, Wednesdays, or Thursdays during weeks not containing a holiday and conducted in favorable weather conditions.
2. Vehicle counts should be conducted during the appropriate peak hours (see peak hour discussion below).
3. Seasonal and weekend variations in traffic should also be considered where appropriate (i.e., recreational routes, tourist attractions, harvest season, etc.).

C. Peak Hours

To eliminate unnecessary analysis, consultation between the lead agency, Caltrans and those preparing the TIS is recommended during the early planning stages of a project. In general, the TIS should include a morning (a.m.) and an evening (p.m.) peak hour analyses. Other peak hours (e.g., 11:30 a.m. to 1:30 p.m., weekend, holidays, etc.) may also be required to determine the significance of the traffic impacts generated by a project.

⁶ "Pass by" trips are made as intermediate stops between an origin and a primary trip destination (i.e., home to work, home to shopping, etc.).

⁷ "Captured Trips" are trips that do not enter or leave the driveways of a project's boundary within a mixed use development.

Apr 10 03 03:17p

CEQA LEAD AGENCY CERTIFICATION CHECKLIST FORM * FOR SUBMITTAL OF TRANSPORTATION MITIGATION MONITORING REPORTS

Project Name: _____

Lead Agency and State Clearinghouse (SCR) File #s: _____

Findings & Approval Dates & Document Types: _____

Lead Agency Contact (Name, Title, Agency, Address & Phone): _____

Project Proponent (Name, Title, Company, Address & Phone): _____

For each specific Transportation Related Mitigation Measure associated with this Project,
The following information items are included in the attached materials:

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Location/Custodian Of CEQA Documents, Proceedings, Records
<input type="checkbox"/>	<input type="checkbox"/>	Description Of How To Obtain Copies Of Above Documents
<input type="checkbox"/>	<input type="checkbox"/>	Mitigation Measure Name & Identifying Number
<input type="checkbox"/>	<input type="checkbox"/>	Caltrans Encroachment Permit Number (if one was needed)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Other Agency Permits required for this Measure (if needed)
<input type="checkbox"/>	<input type="checkbox"/>	Measure Location Description & Vicinity Map
<input type="checkbox"/>	<input type="checkbox"/>	Location of Impacted State Highway Component (County, Route, Postmile)
<input type="checkbox"/>	<input type="checkbox"/>	Detailed Description of Measure & its Purpose (attach blueprints if necessary)
<input type="checkbox"/>	<input type="checkbox"/>	Implementation Schedule & Progress Reports
<input type="checkbox"/>	<input type="checkbox"/>	Completion Criteria (including detailed performance objectives)
<input type="checkbox"/>	<input type="checkbox"/>	Completion Evaluation (including field inspection reports)
<input type="checkbox"/>	<input type="checkbox"/>	Estimated Monetary Value of Completed Measure & % Local Agency Funded
<input type="checkbox"/>	<input type="checkbox"/>	Photograph of Completed Measure Attached
<input type="checkbox"/>	<input type="checkbox"/>	Responsible Contractor (Name, Company, Address & Phone)

We certify that these agreed upon mitigation measures have been implemented, and all other requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7.

Signature _____
& Date: _____

Name: _____

Title: _____

CEQA Lead Agency _____

California Department of Transportation

*This Certification Checklist form is to be used by public agencies to submit their mitigation reporting or monitoring programs to the California Department of Transportation (Department) when a CEQA project has been found to have transportation or circulation impacts that are of statewide, regional, or area-wide significance. Copies of this form, and the Department Guidelines developed pursuant to PRC Section 21081.7, can be downloaded from the Caltrans website (http://www.dot.ca.gov/hq/tpa/publications_resource.htm). Completed forms with attached materials may be post-mailed, e-mailed, or faxed to the appropriate Deputy District Director for Planning, Attention: Intergovernmental Review (IGR) Coordinator. {Form Version 01082003}

Apr 10 03 03:21p

D. Travel Forecasting (Transportation Modeling)

The local or regional traffic model should reflect the most current land use and planned improvements (i.e., where programming or funding is secured). When a general plan build-out model is not available, the closest forecast model year to build-out should be used. If a traffic model is not available, historical growth rates and current trends can be used to project future traffic volumes. The TIS should clearly describe any changes made in the model to accommodate the analysis of a proposed project.

V. TRAFFIC IMPACT ANALYSIS METHODOLOGIES

Typically, the traffic analysis methodologies for the facility types indicated below are used by Caltrans and will be accepted without prior consultation. When a State highway has saturated flows, the use of a micro-simulation model is encouraged for the analysis. Other analysis methods may be accepted, however, consultation between the lead agency, Caltrans and those preparing the TIS is recommended to agree on the information necessary for the analysis.

- A. Freeway Sections - Highway Capacity Manual (HCM)* Chapter 3, operational analysis
- B. Weaving Areas - Caltrans Highway Design Manual (HDM) Chapter 500
- C. Ramps and Ramp Junctions - HCM* Chapter 5, operational analysis or Caltrans HDM Chapters 400 and 500, Caltrans Ramp Metering Guidelines (most recent edition)
- D. Multi-Lane Rural and Urban Highways - HCM* Chapter 7, operational analysis
- E. Two-lane Highways - HCM* Chapter 8, operational analysis
- F. Signalized Intersections⁸ - HCM* Chapter 9, Highway Capacity Software**, operational analysis, TRAFFIXTM**, Synchro**, see footnote 8
- G. Unsignalized Intersections - HCM* Chapter 10, operational analysis, Caltrans Traffic Manual for signal warrants if a signal is being considered
- H. Transit Capacity - HCM* Chapter 12, operational analysis
- I. Pedestrians - HCM* Chapter 13
- J. Bicycles - HCM* Chapters 14, use operational analysis when applying Chapter 9 and 10 HCM methods to bicycle analysis
- K. Caltrans Criteria/Warrants - Caltrans Traffic Manual (stop signs, traffic signals, freeway lighting, conventional highway lighting, school crossings)
- L. Channelization - Caltrans guidelines for Reconstruction of Intersections, August 1985, Ichiro Fukutome

*The most current edition of the Highway Capacity Manual, Special Report 209, Transportation Research Board, National Research Council, should be used.

**NOTE: Caltrans does not officially advocate the use of any special software. However, consistency with the HCM is advocated in most but not all cases. The Caltrans local development review units utilize the software mentioned above. If different software or analytical techniques are used for the TIS then consultation between the lead agency, Caltrans and those preparing the TIS is recommended. Results that are significantly different than those produced with the analytical techniques above should be challenged.

⁸ The procedures in the Highway Capacity Manual "do not explicitly address operations of closely spaced signalized intersections. Under such conditions, several unique characteristics must be considered, including spill-back potential from the downstream intersection to the upstream intersection, effects of downstream queues on upstream saturation flow rate, and unusual platoon dispersion or compression between intersections. An example of such closely spaced operations is signalized ramp terminals at urban interchanges. Queue interactions between closely spaced intersections may seriously distort the procedures in" the HCM. Scope of Manual, page 1.2, Highway Capacity Manual, Special Report 209, updated December 1997.

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VI. MITIGATION MEASURES

The TIS should provide the nexus [Nollan v. California Coastal Commission, 1987, 483 U.S. 825 (108 S.Ct. 314)] between a project and the traffic impacts to State highway facilities. The TIS should also establish the rough proportionality [Dolan v. City of Tigard, 1994, 512 U.S. 374 (114 S. Ct. 2309)] between the mitigation measures and the traffic impacts. One method for establishing the rough proportionality or a project proponent's equitable responsibility for a project's impacts is provided in Appendix "B." Consultation between the lead agency, Caltrans and those preparing the TIS is recommended to reach consensus on the mitigation measures and who will be responsible.

Mitigation measures must be included in the traffic impact analysis. This determines if a project's impacts can be eliminated or reduced to a level of insignificance. Eliminating or reducing impacts to a level of insignificance is the standard pursuant to CEQA and the National Environmental Policy Act (NEPA). The lead agency is responsible for administering the CEQA review process and has the principal authority for approving a local development proposal or land use change. Caltrans, as a responsible agency, is responsible for reviewing the TIS for errors and omissions that pertain to State highway facilities. The authority vested in the lead agency to administer the CEQA process does not take precedence over other authorities in law.

If the mitigation measures require work in the State highway right-of-way an encroachment permit from Caltrans will be required. This work will also be subject to Caltrans standards and specifications. Consultation between the lead agency, Caltrans and those preparing the TIS early in the planning process is strongly recommended to expedite the review of local development proposals and to reduce conflicts and misunderstandings in both the local agency CEQA review process as well as the Caltrans encroachment permit process.

Apr 10 03 09:22p

APPENDIX "A"

MINIMUM CONTENTS

OF A

TRAFFIC IMPACT STUDY

Apr 10 03 03:22p

MINIMUM CONTENTS OF TRAFFIC IMPACT STUDY REPORT

- I. EXECUTIVE SUMMARY
- II. TABLE OF CONTENTS
 - A. List of Figures (Maps)
 - B. List of Tables
- III. INTRODUCTION
 - A. Description of the proposed project
 - B. Location of project
 - C. Site plan including all access to State highways (site plan, map)
 - D. Circulation network including all access to State highways (vicinity map)
 - E. Land use and zoning
 - F. Phasing plan including proposed dates of project (phase) completion
 - G. Project sponsor and contact person(s)
 - H. References to other traffic impact studies
- IV. TRAFFIC ANALYSIS
 - A. Clearly stated assumptions
 - B. Existing and projected traffic volumes (including turning movements), facility geometry (including storage lengths), and traffic controls (including signal phasing and multi-signal progression where appropriate) (figure)
 - C. Project trip generation including references (table)
 - D. Project generated trip distribution and assignment (figure)
 - E. LOS and warrant analyses - existing conditions, cumulative conditions, and full build of general plan conditions with and without project
- V. CONCLUSIONS AND RECOMMENDATIONS
 - A. LOS and appropriate MOE quantities of impacted facilities with and without mitigation measures
 - B. Mitigation phasing plan including dates of proposed mitigation measures
 - C. Define responsibilities for implementing mitigation measures
 - D. Cost estimates for mitigation measures and financing plan
- VI. APPENDICES
 - A. Description of how traffic data was collected
 - B. Description of methodologies and assumptions used in analyses
 - C. Worksheets used in analyses (i.e., signal warrant, LOS, traffic count information, etc.)

Sent by: CURRENT PLANNING DIVISION
Received: 4/10/03 4:51PM;

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04/11/03 6:42PM; JetFax #533; Page 22/27
-> CURRENT PLANNING DIVISION ;

Apr 10 03 03:22p

APPENDIX "B"

METHODOLOGY FOR CALCULATING EQUITABLE MITIGATION MEASURES

Apr 10 03 03:22p

METHOD FOR CALCULATING EQUITABLE MITIGATION MEASURES

The methodology below is neither intended as, nor does it establish, a legal standard for determining equitable responsibility and cost of a project's traffic impact, the intent is to provide:

1. A starting point for early discussions to address traffic mitigation equitably.
2. A means for calculating the equitable share for mitigating traffic impacts.
3. A means for establishing rough proportionality [Dolan v. City of Tigard, 1994, 512 U.S. 374 (114 S. Ct. 2309)].

The formulas should be used when:

- A project has impacts that do not immediately warrant mitigation, but their cumulative effects are significant and will require mitigating in the future.
- A project has an immediate impact and the lead agency has assumed responsibility for addressing operational improvements

NOTE: This formula is not intended for circumstances where a project proponent will be receiving a substantial benefit from the identified mitigation measures. In these cases, (e.g., mid-block access and signalization to a shopping center) the project should take full responsibility to toward providing the necessary infrastructure.

EQUITABLE SHARE RESPONSIBILITY: Equation C-1

NOTE: $T_E < T_B$, see explanation for T_B below.

$$P = \frac{T}{T_B - T_E}$$

Where:

- P = The equitable share for the proposed project's traffic impact.
- T = The vehicle trips generated by the project during the peak hour of adjacent State highway facility vehicles per hour, vph.
- T_B = The forecasted traffic volume on an impacted State highway facility at the time of general plan build-out (e.g., 20 year model or the furthest future model date feasible), vph.
- T_E = The traffic volume existing on the impacted State highway facility plus other approved projects that will generate traffic that has yet to be constructed/opened, vph.

EQUITABLE COST: Equation C-2

$$C = P (C_T)$$

Where:

- C = The equitable cost of traffic mitigation for the proposed project, (\$). (Rounded to nearest one thousand dollars)
- P = The equitable share for the project being considered.
- C_T = The total cost estimate for improvements necessary to mitigate the forecasted traffic demand on impacted State highway facility in question at general plan build-out, (\$).

NOTES

1. Once the equitable share responsibility and equitable cost has been established on a per trip basis, these values can be utilized for all projects on that State highway facility until the forecasted general plan build-out model is revised.
2. Truck traffic should be converted to passenger car equivalents before utilizing these equations (see the Highway Capacity Manual for converting to passenger car equivalents).

Apr 10 03 03:23p

APPENDIX "C"

MEASURES OF EFFECTIVENESS

BY

FACILITY TYPE

Apr 10 03 03:23p

MEASURES OF EFFECTIVENESS BY FACILITY TYPE

TYPE OF FACILITY	MEASURE OF EFFECTIVENESS
Freeways	
Basic Freeway Segments	Density (pc/mi/ln)
Weaving Areas	Density (pc/mi/ln)
Ramp Junctions	Flow Rates (pcph)
Multi-Lane Highways	Density (pc/mi/ln)
Two-Lane Highways	Free-Flow Speed (mph)
Signalized Intersections	Time Delay (percent)
Unsignalized Intersections	Average Control Delay (sec/veh)
Arterials	Average Control Delay (sec/veh)
Transit	Average Travel Speed (mph)
Pedestrians	Load Factor (pers/sect, veh/hr, people/hr)
	Space (sq. ft./ped)

Measures of effectiveness for level of service definitions located in table 1-2, Chapter 1, of the 1997 Highway Capacity Manual, Special Report 209, Transportation Research Board, National Research Council.

Apr 10 03 03:23p

Transition between LOS "C" and LOS "D" Criteria
 (Reference 1997 Highway Capacity Manual)

Basic Freeway Sections

LOS	Maximum Density (pc/mi/ln)	Minimum Speed (mph)	Maximum Service Flow Rate (pcphpl)	Maximum Volume/Capacity Ratio
Free-Flow Speed = 70 mph				
A	10.0	70.0	700	0.29
B	16.0	70.0	1120	0.47
C	24.0	68.0	1632	0.68
D	32.0	64.0	2048	0.85
E	45.0	53.0	2400	1.00
F	var	var	var	var

Weaving Areas

LOS	MAXIMUM DENSITY (pc/mi/ln)	
	Freeway Weaving Area	Multi-lane and C - D Weaving Areas
A	10	12
B	20	24
C	28	32
D	35	36
E	<= 43	<= 40
F	> 43	>40

Ramp-Freeway Junction Areas of Influence

LOS	Maximum Density (Primary Measure) (pc/mi/ln)	Minimum Speed (Secondary Measure) (MPH)
A	10	58
B	20	56
C	28	52
D	35	46
E	> 35	42
F	*	*

* Demand flows exceed limits of table 5-1.

Signalized Intersections

LOS	Control Delay Per Vehicle (sec)
A	10
B	20
C	35
D	55
E	80
F	> 80

..... Dotted line represents the transition between LOS "C" and LOS "D"

Apr 10 03 03:24p

Gray Davis
Governor

Maria Contreras-Sweet
Secretary, Business, Transportation and Housing Agency

Jeff Morales
Director, California Department of Transportation

Kim Nystrom
Program Manager, Traffic Operations

For additional copies of these guidelines, please contact Tom Persons at, Tom_Persons@dot.ca.gov.



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

MICHAEL S. CARONA
SHERIFF-CORONER

11 JOURNEY
ALISO VIEJO, CA 92656
(949) 425-1800

March 25, 2003

ASSISTANT SHERIFFS
JOHN FULLER
DON HAIDL
JOHN HEWITT
GEORGE H. JARAMILLO
TIM SIMON
DOUG STORM

Mr. Chuck Shoemaker
Planning and Development Services Department
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker:

The Orange County Sheriff's Department is officially responding to the Notice of Preparation for the draft Environmental Impact Report #589, also known as the "Ranch Plan". Beyond the additional police services, which will be needed in this area, as discussed in Section 16 entitled "Public Services". The Sheriff believes there could be a need for an additional Sheriff's Station. The estimated cost of constructing, furnishing and maintaining a new station is between 10 and 13 million dollars.

The second area of concern for the Orange County Sheriff's Department is the formulation of the developer agreements for this area. The Sheriff or his designee should be included in these important discussions as they prepare this area for future development and discuss potential impacts on vital law enforcement services. The developer agreements will have a significant impact on the Orange County Sheriff Department's ability to fund, locate and construct an additional station.

Thank you for allowing me to comment on a matter of such importance. I look forward to working with you in the future on this exciting project.

Sincerely,

Captain Tom Davis, South Operations Division
Orange County Sheriff's Department

cc: Assistant Sheriff George Jaramillo

PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:

ALISO VIEJO • DANA POINT • LAGUNA HILLS • LAGUNA NIGUEL • LAGUNA WOODS • LAKE FOREST • MISSION VIEJO
RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK
HARBORS, BEACHES & PARKS • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT

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IS
LIFE ABUSE**



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

MICHAEL S. CARONA
SHERIFF-CORONER

OFFICE OF SHERIFF-CORONER

550 N. FLOWER STREET
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March 18, 2003

ASSISTANT SHERIFFS
JOHN FULLER
DON HAIDL
JOHN HEWITT
GEORGE H. JARAMILLO
TIM SIMON
DOUG STORM

Chuck Shoemaker
Planning and Development Services Dept.
Environmental Planning Services Division
300 N. Flower Street, 3rd Floor
Santa Ana, CA 92702-4048

**SUBJECT: NOP for Draft EIR 589 "The Ranch Plan" General Plan
Amendment/Zone Change (PA01-0114) SCH#2003021141**


Dear Mr. Shoemaker,

Thank you for the opportunity to comment on the Notice of Preparation for Draft Environmental Impact Report 589 "The Ranch Plan" General Plan Amendment/Zone Change (PA01-0114).

The aforementioned project consisting of approximately 22,850 acres of the remaining undeveloped portions of the Rancho Mission Viejo is of a significant size and scope and will have a major impact on public safety and police services in the area. The increased residential population and commercial development will necessitate an increase in Sheriff's Department services including the need for a possible Sheriff station to service the area. The drafters of the EIR will need to work with Sheriff's Department staff to develop projections on the increase in the number and type of police services and facilities that will be needed.

Thank you again for the opportunity to comment on the Notice of Preparation for Draft Environmental Impact Report 589 "The Ranch Plan" General Plan Amendment/Zone Change (PA01-0114). Please keep us informed of developments relative to the proposed Environmental Impact Report so that we can provide the needed information in a timely manner.

Sincerely,


Michael S. Carona
SHERIFF-CORONER

cc: Captain Tom Davis, South Operations
Lieutenant Stephen Bernardi, Mission Viejo Police Services

PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:

DANA POINT • LAGUNA HILLS • LAGUNA NIGUEL • LAGUNA WOODS • LAKE FOREST • MISSION VIEJO
RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK
HARBORS, BEACHES & PARKS • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT





City of Mission Viejo

Community Development Department

John Paul "J.P." Ledesma
Mayor

Gail Reavis
Vice Mayor

William S. Craycraft
Council Member

Trish Kelley
Council Member

Lance R. MacLean
Council Member

Sent Via Facsimile
(Original to Follow by Mail)

March 25, 2003

Chuck Shoemaker
Chief, Private Projects
County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048
(714) 834-2166
(714) 834-4652 (fax)

Dear Mr. Shoemaker:

SUBJECT: Review Comments on Notice of Preparation of Draft Environmental Impact Report (EIR No. 589) for Rancho Mission Viejo's Proposed General Plan Amendment and Zone Change (PA 01-114) Relating to the Proposed "Ranch Plan" Development Project

Thank you for the opportunity to review and comment on the Notice of Preparation dated February 24, 2003 for the item referenced above. The City of Mission Viejo received the notice on February 26, 2003. The City's Planning and Transportation Commission reviewed the Notice of Preparation at their March 10, 2003 and March 24, 2003 meeting. The Commission's comments have been incorporated into the comments discussed below in this letter. The City of Mission Viejo has concluded its review and has identified the following issues on the Notice of Preparation:

Comment:

1. The "Ranch Plan" submitted in the Notice of Preparation proposes the deletion of Crown Valley Parkway east of Antonio Parkway from the Master Plan of Arterial Highways (MPAH). Such a deletion would eliminate the possibility of a future connection to the



Foothill Transportation Corridor at Crown Valley Parkway. The proposed deletion of Crown Valley Parkway is contrary to an existing City of Mission Viejo policy position opposing such an action. In addition, before such a deletion action could occur, a separate cooperative study administered by the Orange County Transportation Authority (OCTA) with participation of all affected agencies is required. It is our understanding that such a cooperative study is just now being initiated. We intend to participate actively in such a study. We would expect given the potential impacts to the future volumes on Crown Valley Parkway in Mission Viejo, that a connection of Crown Valley Parkway to the Foothill South *would* provide relief or an option to motorist, therefore making sense from a regional circulation standpoint.

Requested Action: *The County should structure its EIR to have an alternative that does not assume that the deletion of Crown Valley Parkway will be approved in the OCTA cooperative process. We believe that there could be opposition to such a deletion proposal, and we ask that the County pursue its EIR 589 in a manner that can adapt to the findings of the OCTA cooperative process concerning Crown Valley.*

This EIR's traffic analysis should include an analysis with their future 2025 "build-out" assumptions using the existing MPAH network to establish a "base condition" so that any proposed and/or approved changes to the MPAH can be evaluated for the regional impacts and the identification of needed mitigations. This EIR needs to include mitigation measures that may be required per the final outcome of this or other MPAH amendments associated with this project. Again, all of the changes will need to be approved through the above referenced cooperative process before they can be assumed.

Comment:

2. The proposed "Ranch Plan", in addition to eliminating an interchange at Crown Valley Parkway, also appears to fail to provide for a future interchange to the Foothill Transportation Corridor at either the existing or realigned Ortega Highway per the proposed in the Notice of Preparation. Exhibit 5A, "MPAH Modifications (with Extension of SR-241)", shows *only* a proposed interchange with Foothill Transportation Corridor at Cristianitos Road. It is our understanding that the "Ranch Plan" was supposed to *include* a direct interchange with "New Ortega Highway". Is Exhibit 5A in error? If the exhibit is correct, then we would request a detailed traffic analysis of the Foothill Transportation Corridor why such an interchange is not beneficial.

We question the statement made in the NOP that the interchange at Cristianitos Road would be a replacement for the interchange at Crown Valley Parkway, and we would request a detailed traffic analysis of the interchange usage to show how the Cristianitos Road interchange would successfully attract regional traffic that would otherwise have used an interchange at Crown Valley Parkway. The lack of arterial connections to Foothill Transportation Corridor in the area shown are very likely to be inadequate to intercept and attract regional traffic to the corridor.

Requested Action: *The County needs to provide early clarification as to the "Ranch Plans" integration with the Foothill Transportation Corridor. As previously indicated the EIR's traffic analysis needs to address the lack of an Ortega Highway interchange and the benefits of the Cristianitos Road interchange especially in its referenced exchange for the elimination of the Crown Valley Parkway interchange. Again we would note the requirement to amend the MPAH to consider these as viable alternatives. There should also be some discussion of the possible impacts including financial assumptions to the feasibility of the Foothill Transportation Corridors extension to the south with the proposed modifications.*

In addition, the EIR for the "Ranch Plan" needs a detailed construction phasing plan with related traffic analysis to identify possible "interim" mitigation measures within the limits of adjacent agencies if the project proceeds without the construction of the Foothill Transportation Corridor and/or these limited interchanges.

Comment:

3. The proposed "Ranch Plan" takes an established State Highway, Ortega Highway (State Highway 74) and disconnects it, via a re-alignment to the north that requires a continuous east-west travel connecting to the Interstate 5 (I-5) to occur on a "jog" along Antonio Parkway and then to any existing east-west connections such as Crown Valley Parkway and Oso Parkway. This is a significant deviation from the MPAH whose impacts need to be fully explored both from the standpoint of this project's traffic and from the standpoint of existing and projected future regional circulation and its impacts on the surrounding communities. We would expect to see comments from Caltrans in review of this proposal and we would request to be provided a copy of their comments on this matter. It seems to us that Highway 74 is the only direct regional access route that feeds into South Orange County from the Lake Elsinore area, and we would request a detailed analysis to determine how the proposed jog in Ortega Highway would affect and potentially alter current access patterns to I-5. This issue is further compounded by the previously noted omission of a connection to the Foothill Transportation Corridor.

Requested Action: *We request to be provided copies of any comments from Caltrans on this matter and those from public safety agencies such as, but not limited to, the Orange County Fire Authority, in case they have any comments about response times in emergencies. If this proposal is carried forward into the EIR, we request that the EIR include a focused and detailed traffic analysis, which develops traffic estimates of traffic loadings on Ortega Highway (new and/or existing alignment) and the diversions to Antonio Parkway, Crown Valley Parkway, and other facilities as appropriate, including intersection analyses, and travel delays to motorists, with and without a "jog" in Ortega Highway, so that we may clearly assess the change in traffic patterns, I-5 freeway access patterns, and route utilization resulting from such a circulation change.*

Comment:

4. The traffic forecasts produced by EIR #589 need to produce realistic and credible forecast traffic volumes and project impact volumes on arterials, intersections, and freeway and toll road sections of interest to their logical limits identifying impacts that are not consistent with the general plans of the surrounding cities. The traffic analysis for EIR #589 needs to clearly demonstrate how the "Ranch Plan" project traffic is routed to and from the project area to access the surrounding regional system including the freeway/toll road system (including project traffic volumes and impacts). We urge the County to establish an ongoing consultation process, during the preparation of this EIR, on traffic and circulation, to work with the adjacent agencies for their early review and comments before finalizing the document. The cooperative study process for the proposed MPAH could serve the same function.

The traffic projections will need to properly incorporate and reflect any other active proposed developments such as the Mission Hospital expansion project in the City. We call to the County's attention that traffic and revenue forecasts for Transportation Corridors Agency's consolidation proposal for the Foothill/Eastern and San Joaquin toll road systems will be coming available shortly, while this EIR is under preparation, and that the traffic forecasts for the EIR will need to be compatible with the TCA forecasts. We also mention that traffic forecasts are forthcoming from TCA's South Orange County Transportation Infrastructure Improvement Project ("SOCTIIP") Foothill Transportation Corridor - South environmental process, and projected traffic loadings from this EIR must be compatible with those forecasts. The City itself also will be performing an update of its General Plan Circulation Element and will be preparing updated traffic forecasts as part of that effort.

Requested Action: *We request the County acknowledge "up front" our substantial concerns about realistic future traffic forecasting, impacts, and realistic mitigation in all areas of impact. We request the County establish a formal ongoing process of consultation during the preparation of this EIR on the subject of traffic and circulation, and that the County permit the City of Mission Viejo and other adjacent communities to participate in such a process. As previously indicated this same cooperative process will be required if the "Ranch Plan" carries forward any alternatives that require modifications to the MPAH.*

The EIR's traffic analysis needs to clearly document concurrent traffic forecasting efforts identified above and the assumptions made that may be different from existing conditions and/or assumptions established in the OCTAM-3 model including network, housing, and socio-economic. The goal is to establish a credible set of freeway and arterial traffic forecasts from current assumptions, which sensible impact and mitigation decisions can be made.

Comment:

5. The proposed arterial circulation system in the project area needs to be carefully reviewed, especially for the balance of regional circulation. We are concerned that the proposed roadway system for the "Ranch Plan" may be oriented and laid out in a manner that actually discourages use of the Foothill Transportation Corridor. We understand that the County's planning process during the preparation of this EIR may consider and work to develop practical alternatives to the plan as it is proposed. We request that we be allowed to have input to that process.

Requested Action: *That the County, during the preparation of this EIR, examine and develop other alternatives to the proposed circulation system as presented in the Notice of Preparation. These alternatives need to address previous identified regional traffic changes. One specific issue that should be evaluated in the traffic study is the "Ranch Plan" and its utilization of the Foothill Transportation Corridor. We request to have input to the County's planning process during the time that those alternatives are explored by the County.*

Comment:

6. We are concerned that the Notice of Preparation does not make stronger mention of the need for coordination between this County EIR for the Rancho Mission Viejo proposal and the separate EIS/SEIR which is currently being prepared for the South Orange County Transportation Infrastructure Improvement Project ("SOCTIIP"), exploring circulation alternatives including several alternative alignments for the TCA's Foothill South project, which would pass through the project area. We find noticeably absent in the 3rd paragraph of the Notice of Preparation itself any mention of the SOCTIIP EIS/SEIR, even though that paragraph seems to properly list the other ongoing EIR/EIS efforts in the area with which this EIR will be coordinated. The City of Mission Viejo has a keen interest in the Foothill Transportation Corridor - South project, and we seek assurance that the range of land use and circulation alternatives examined in the County's EIR will not inadvertently preclude or compromise *any one* of the Foothill South alignment alternatives that might ultimately emerge for implementation from the SOCTIIP process. We understand the County's need in its EIR to consider Ranch Plans both with and without a Foothill South, but if Foothill South does go forward we need to be sure that the Ranch Plan *with* Foothill South is compatible with, complements, accommodates, and facilitates the Foothill South alignment chosen.

Requested Action: *The County, as it prepares its EIR, needs to provide more explicit mention of the SOCTIIP EIS/SEIR in its documents, and provide for more explicit coordination between the Ranch Plan alternatives and Foothill South alternatives in the SOCTIIP process. We also ask the County to maintain sufficient coordination in that regard to assure that the Ranch planning and Ranch EIR does not proceed in a manner that could result in incompatible recommendations from the SOCTIIP and Ranch planning processes.*

Comment:

7. An ongoing concern for us in Mission Viejo is that the traffic forecasts provided to us in recent studies by OCTA show increases in the neighborhood of 75,000 to 100,000 vehicles per day on sections of I-5 in and near Mission Viejo that are already at capacity, and we do not believe that's realistic. Essentially all the I-5 interchanges in Mission Viejo are at or near capacity now. However, should results in the traffic study for this EIR be put forth tending to validate that such huge traffic increases *will* occur on I-5, we will need the EIR to have a serious discussion of how the entire deficient I-5 freeway system is going to be mitigated, including mitigations to all the interchanges to I-5 that will be deficient.

Requested Action: *The County needs to scope the traffic studies in this EIR in a manner that acknowledges up front and deals with the practical real-world congestion problems on I-5 today, and on the routes leading to the I-5 interchanges. Should the high additional traffic volumes alluded to above materialize, the County's EIR should include detailed traffic analyses of how the entire I-5 freeway system is going to be mitigated, including mitigations to all the I-5 interchanges that will be deficient.*

Comment:

8. On Page 11 of the Notice of Preparation, Chiquita Canyon Road is described as a roadway to be added to the Master Plan of Arterial Highways serving north-south traffic demand, but the description goes on to say that the road would be constructed as a two-lane collector "with provisions that the roadway may be gated and accessible for local traffic only." We are concerned that gating the roadway for local traffic only is inconsistent with having the road on the MPAH. We request that this apparent inconsistency be explained or rectified early in the EIR process.

Requested Action: *The County needs to provide early clarification to us in writing, in response to this set of comments, as to how this facility can be both (1) proposed for addition to the MPAH, and (2) allowed to be gated. The City would likely have further comment or concern on this subject depending on the County's response, given the role that this roadway appears to play in the circulation system in the project area.*

Comment:

9. On Page 11 of the Notice of Preparation, we note the mention of a deletion (from the MPAH) of a proposed extension of Trabuco Creek Road to a proposed extension of Avery Parkway. As previously noted such MPAH proposed deletions would need to be processed through the cooperative process overseen by OCTA.

Requested Action: *The subject deletion should be included in any cooperative planning process for amendments to the MPAH as previously noted. Any associated mitigation measures need to be identified.*

Comment:

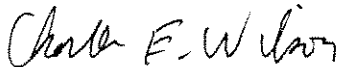
10. On Page 23 of the Notice of Preparation regarding project objectives for Public Service/Public Safety/Governance, and on Page 9 of the Environmental Analysis Checklist Responses there is some discussion regarding public services. It is noted that the project will increase demand for government facilities and service, especially facilities/services for fire protection, police protection, schools, and roads. The project proposes to provide for new schools and additional roadways, as well as, the need for an additional fire station and police service. The southeast area of South Orange County lacks a regional justice center, which might include a new Sheriff's substation and/or court facility in the project area. We request that the County address the future planning and phasing of all public services, including the possible location of a Southeast Orange County Regional Justice Center in the project area.

Requested Action: *That the County address the future planning and phasing of all public facilities and services, including the possible location of a Southeast Orange County Regional Justice Center in the project area.*

Thank you for the opportunity to comment on the meeting notice. We look forward to receiving future public meeting and hearing notices and reviewing the environmental documentation associated with the project when available.

Sincerely,

CITY OF MISSION VIEJO



Charles E. Wilson, AICP
Director of Community Development

cc: City Council
Planning and Transportation Commission
Dan Joseph, City Manager
Dennis Wilberg, Assistant City Manager/ Director of Public Works
Shirley Land, Transportation Manager
Elaine Lister, Planning Manager
Dan Kelly, Rancho Mission Viejo

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CITY MANAGER
GEORGE SCARBOROUGH

March 26, 2003

Planning and Development Services Department
Environmental Planning Services Division
Attention: Chuck Shoemaker
300 North Flower Street
Santa Ana, California 92702-4048

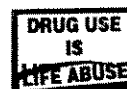
Subject: Response to the Notice of Preparation of Draft Environmental Impact Report 589 for "The Ranch Plan" (PA 01-0114) SCH#2003021141 (our file: Inter-jurisdictional Project Review 2001-03, Rancho Mission Viejo)

Dear Mr. Shoemaker:

We appreciate the opportunity to comment on the Notice of Preparation (NOP) for the proposed Environmental Impact Report (EIR). The significant magnitude of this proposed project coupled with its close proximity to our City could result in potentially significant impacts which we believe need to be thoughtfully considered.

We understand that the County of Orange is preparing an Environmental Impact Report for Rancho Mission Viejo's "The Ranch Plan" which would result in the development of up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, up to four golf courses, a proposed 1,079 acre regional park, and about 13,161 acres of open space area. A 420-acre portion of the proposed open space would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units and equestrian facilities. Development is planned to occur over approximately 30 years. We understand those ranching activities would also be retained within a portion of the proposed open space area. The infrastructure would be constructed to support all of these uses, including road improvements, utility improvements and schools. The number and locations of the schools will be further refined during the entitlement review processes. Existing agricultural uses may also be expanded as a result of project implementation.

We understand development would occur over a period of 30 years. However, a phasing plan has evidently not been developed for the property. In order to conduct the environmental impact report analysis, a phasing plan will be necessary and the applicant should be requested to submit the same. The phasing plan could depict relative as opposed to actual time frames of development.



While this project will require preparation of a full environmental impact report covering all topical areas under California Environmental Quality Act, areas of particular concern to the City include the following:

Aesthetics. Given the intensity and location of proposed development directly adjacent to the City to the east, especially Planning Areas 1 and 11, aesthetic impacts on the City of San Juan Capistrano may be potentially significant. The environmental impact report needs to study and address potentially significant aesthetic impacts considering the following:

- Views of the project from arterial streets within the City including Ortega Highway and San Juan Creek Road.
- Views from Ortega Highway approaching the City, as well as views of the City edge from La Pata Avenue northbound and Antonio Parkway southbound.
- Views of major ridgeline and slope grading within Planning Areas 1 and 11.
- Views of the project with respect to removal of the existing agricultural citrus groves located in Planning Area 1, on the hillside north of Ortega Highway.
- Views along Ortega Highway and alterations to the roads scenic corridor value which reflects the City's rural, agricultural heritage.
- Views of project areas in Planning Area 1 resulting in the removal of existing groves adjacent to Ortega Highway.

Aesthetic impacts should be assessed using digitized photographic simulation and indicate "before" and "after" views. Such analysis needs to consider the fact that Ortega Highway is a designated "scenic drive" under the City's General Plan Conservation and Open Space Element. Also, the impact analysis needs to consider the provisions of the City's General Plan Community Design Element with respect to hillside development and ridgeline preservation. Finally, the City's major trail system provides public vistas which would be significantly impacted by the proposed development. The environmental impact report consulting contract needs to include adequate provision for extensive view impact analysis.

The environmental impact report consulting contract should include provisions for the preparation and analysis of up to fifteen (15) view locations, using "digitized photographic simulations" in order to determine potentially significant aesthetic impacts on the City of San Juan Capistrano. The view locations should be selected in consultation with City staff. The environmental impact report aesthetic impact analysis should evaluate view impacts in the context of the City's General Plan Conservation and Open Space Element and Community Design Element

In addition, mass grading of Planning Area 1 could be more extensive than now envisioned in order to provide slope stabilization. Planned soils and geological testing of the project site may reveal existing conditions requiring remedial geological stabilization which could involve more extensive grading and landform alteration than that assessed solely as part of the aesthetic analysis.

Consequently, the soils and geology testing needs to be concluded prior to completing the aesthetic impact analysis, in particular for those views of the ridgelines and hillsides forming Planning Area 1 so as to assess the limits of grading based on any potential geological remedial grading.

Air Quality. Short-term air quality impacts in the form of respirable particulate matter (PM10) associated with the substantial project grading, could result in potentially significant impacts to residents in the area. The environmental impact report needs to address potentially significant short-term air quality impacts related to site grading and construction. The City is particularly interested in the grading and development of Planning Area 1, where such development has the potential to directly affect existing residents in the City. Diurnal winds and air movement will transport airborne particulate matter into the City affecting residents and their property.

The environmental impact report air quality analysis needs to use a methodology which assesses construction-related air quality impacts by considering the extent and duration of grading, the micro climatic conditions, especially prevailing winds, and the proximity of grading to existing residential neighborhoods in the City of San Juan Capistrano. Also, the City has established a written policy for mitigating grading impacts through City Council Policy 422, Standards for Grading Projects to Minimize Impacts which the County should impose on grading activity in Planning Area 1.

Biological Resources. The project site includes extensive arroyos, stream corridors, rangelands, and canyons which provide habitat for State and Federally-protected plant and animal species. San Juan Creek, in particular, is of interest to the City and has the potential to provide enhanced habitat for multiple species, especially those listed as "endangered" or "threatened." On December 16, 1994, the United States Fish and Wildlife Service (USFWS) designated the Arroyo toad (*Bufo californicus*) as an "endangered" species. We also understand that previous field work conducted in the context of the Natural Communities Conservation Program (NCCP) San Juan Creek provides important habitat information.

The environmental impact report needs to include provisions for extensive field testing to determine the habitat range and presence of the Arroyo toad (*Bufo californicus*) and other listed riparian flora and fauna, consistent with all current United States Fish and Wildlife Service (USFWS) protocols. Field testing should be supplemented with Spring 2003 stream corridor surveys to provide updated and relevant information to determine potentially significant biological impacts and to identify alternative land planning concepts which would mitigate impacts to these species.

The Natural Communities Conservation Program (NCCP) establishes the concept of connectivity to maintain biological diversity between open space reserve areas. While Planning Area 11 provides the opportunity for an important habitat linkage between the City's extensive open space (almost 1000 acres of natural open space located between

San Juan Creek Road and San Clemente) and the San Juan Creek corridor, Planning Area 1 establishes a barrier between San Juan Creek and the Ladera Open Space conservancy lands which extend along the westerly edge of Ladera south of Trabuco Creek. A substantial buffer of between two-thousand and two-thousand five-hundred feet in width along the easterly City limit would create an important and beneficial habitat linkage connecting the City's open space, the San Juan Creek corridor, the Ladera Conservancy, and Trabuco Creek.

The environmental impact report needs to assess an alternative which would provide a habitat linkage in the form of a substantial buffer area, between two-thousand and two-thousand five-hundred in width along the easterly City limit connecting the City's open space, the San Juan Creek corridor, the Ladera Conservancy lands, and the Trabuco Creek corridor.

Cultural Resources. The San Juan Creek corridor and adjoining lands represent areas with relatively high potential for pre-historic (pre-European occupation) Native American habitation. Along Trabuco Creek within the City of San Juan Capistrano, evidence of pre-historic villages and encampments has been discovered. The ancient village of Putuidem, a relatively large Juaneño village, was likely located along Trabuco Creek near the present day intersection of Camino Capistrano and Junipero Serra Road. It's likely that similar Native American habitation occurred along portions of San Juan Creek.

The environmental impact report needs to include provisions for extensive field testing to determine the location, extent, and nature of pre-historic Native American habitation, in particular, villages and encampments. The City asks that cultural resource reports be prepared consistent with City Council Policy 601, Historic, Archaeological and Paleontological Resource Management.

In addition, pre-historic human burials have been uncovered during grading activity and may exist on the project site. Archeologic and paleologic monitoring should be performed on all grading operations on the project site.

Geology And Soils. The Capistrano Formation, the dominant geological formation of the coastal hillsides of South Orange County, likely extends into the coastal hills east of and adjacent to the City. This geological formation is most notable for its lack of geological stability and the presence of both surficial landslides as well as deep, ancient landslides. There have been several instances where properties in both San Clemente and San Juan Capistrano have experienced mass land movement and subsidence where development on the Capistrano Formation occurred prior to the current state of knowledge. We are particularly interested in the proposed development of Planning Area 1 which directly adjoins the City to the east, where grading and landform alteration have the potential to directly and indirectly affect existing residential neighborhoods in our City. Grading and development in Planning Area 1, if not conducted in recognition of existing geologic

conditions, could potentially precipitate land movement and subsidence along the easterly City boundary.

The environmental impact report consulting contract should include provisions for extensive soils and geological testing beginning with the preparation of a research design which evaluates existing geological maps of the area, recent and historic aerial photographs of the area, and topographic maps to determine likely areas of geological instability. The purpose of the research design effort would be to establish a program for field testing that identifies the location of test trenches, auger-bucket borings and hollow-stem borings. The research design and proposed field testing program, for those development areas situated directly east of the City (Planning Area 1), should be subject to review and comment by the City of San Juan Capistrano.

Hydrology And Water Quality. The environmental impact report will need to address the potential stormwater drainage and water quality impacts of the proposed development. The U.S. Army Corps of Engineers are presently completing preparation of a flood management report on the San Juan Creek Watershed. Presently, the City of San Juan Capistrano and other local agencies are evaluating local design options that would preclude significant modifications to present flood control improvements. While the project will need to incorporate extensive use of water retention and detention basins to minimize drainage impacts and improve water quality, the project site also presents a unique opportunity to incorporate design features that will create significant benefits, in terms of both water quality management and flood control, to the project and adjacent jurisdictions.

The environmental impact report should evaluate design features which mitigate not only the project's drainage and water quality impacts, but addresses 100 year flood conditions on downstream improvements and any existing deficiencies in existing flood control. Storm drainage and water quality improvements in excess of those necessary to address the project's impacts would likely require funding by public agencies including the Orange County Flood Control District and/or the U.S. Army Corps of Engineers.

Mass grading and the location of development along stream corridors has the potential to exacerbate drainage and flooding problems on downstream properties in the City of San Juan Capistrano. The project needs to prepare and submit a conceptual storm drainage plan and a conceptual water quality management plan.

The environmental impact report consulting contract should include provisions for the analysis of the proposed project's conceptual storm drainage plan and conceptual water quality management plan. The conceptual stormwater drainage plan and accompanying hydrology analysis should assume worst-case scenario baseline conditions for the 100 year flood within the San Juan Creek watershed and identify appropriate improvements at a conceptual level to mitigate the potential drainage and flood impacts of the proposed project. The conceptual water quality management plan should be analyzed with respect to the standards and conditions established by the San Diego Regional Water Quality

Control Board's applicable National Pollution Discharge Elimination System Requirements (NPDES) regional permit.

Land Use And Planning. The City's historical growth pattern has resulted in a defined community core bordered by employment and moderate density housing which is bordered by low-density residential development.

The environmental impact report needs to include an assessment of land use compatibility of Planning Area 1 based on the City's current development pattern and the pre-dominant low density residential development along the easterly City limit in the context of the City's historical development pattern.

As part of the alternatives analysis, the environmental impact report should analyze an alternative development plan which designates Planning Area 1 for transitional open space and low density residential use, consistent with development within the City so as to establish distinct community identities between The Ranch and the City of San Juan Capistrano. The alternative plan should create a defined "core" in Planning Area 3 which reinforces the identity of the ultimate incorporated City that will evolve from The Ranch Plan.

Public Services. The proposed project must ultimately meet the Local Agency Formation Commission objective of providing a full compliment of urban services and possess the long-term fiscal viability to support incorporation. Planning Areas 1 and 11 directly adjoin the City of San Juan Capistrano and may be more effectively serviced by San Juan Capistrano.

The environmental impact report needs to evaluate the potential fiscal viability of The Ranch Plan to support incorporation. In addition, the environmental impact report needs to assess an alternative which would involve annexation of Planning Areas 1 and 11 into the City of San Juan Capistrano.

As the Ranch is aware, the City is presently constructing a groundwater recovery plant within the City to increase our independence and rely more on locally produced water. The environmental impact report needs to assess the development plan with respect to potential impact on groundwater recharge in the basin. To the extent the project incorporates detention basins and holding ponds for landscape irrigation and related purposes, the project would provide opportunities to recharge the San Juan groundwater basin.

Noise. Ortega Highway has long been a source of noise impacts to existing residential neighborhoods which border Ortega. Those neighborhoods existed long before a policy of suburban development governed County land use planning. The proposed project will increase traffic volumes substantially along Ortega with associated noise impacts.

The environmental impact report needs to include a comprehensive noise impact analysis of mobile noise sources along the Ortega Highway between the easterly City limit and Interstate 5. To the extent the project may result in significant noise impacts, the project needs to provide appropriate mitigation. Providing alternative road connections to the project outside the City so as to minimize traffic volume increases on Ortega Highway should be an alternative that is discussed in assessing noise impacts.

In addition, the environmental impact report needs to assess the potential impact of construction-related noise on residential neighborhoods in San Juan Capistrano, in particular, from grading and construction activity in Planning Area 1. Staging areas for grading equipment and construction should be located as far as possible from existing neighborhoods.

Transportation. The project will result in potentially significant traffic impacts on arterial street intersections and links within the City of San Juan Capistrano which will need to be analyzed in the project traffic impact analysis. Given the magnitude of the proposed project and its potential impact on the City's arterial street, the traffic impact study needs to include the City's "Master Plan of Streets and Highways" street system within the project's traffic impact analysis study area.

The traffic impact analysis, for those arterial links and intersections within our City, should comply with City Administrative Policy #310.

The environmental impact report's traffic impact study should include the City's "Master Plan of Streets and Highways" street system within the project study area in compliance with City Administrative Policy #310, Preparation & Use of Traffic Studies. Prior to inclusion in the draft environmental impact report, the County will solicit review and comment on the draft traffic impact analysis from the City of San Juan Capistrano for that portion of the project study area situated within the City's corporate limits.

Where the project would significantly impact existing arterial streets, the project will have to construct necessary street improvements or pay circulation program fees to mitigate those impacts. We endorse a collaborative process working with Orange County Transportation Authority (OCTA) in formulating a mitigation plan which will maximize the effectiveness of mitigating improvements and circulation fee funding.

We strongly support the concept of a realigned Ortega Highway through the proposed project which will preserve the scenic corridor value of that road east of the City while potentially minimizing traffic impacts.

As a circulation alternative, we recommend that the environmental impact report evaluate the potential extension of Avery Parkway from its current terminus to existing Ortega Highway/realigned Ortega Highway. Avery Parkway has the potential to provide needed

capacity now being accommodated by Crown Valley Parkway in Mission Viejo, and Ortega Highway.

Again, we appreciate the opportunity to comment on the Notice of Preparation for this project. When available, coordinate your technical report preparation with Thomas Tomlinson, Planning Director and Bill Ramsey, Principal Planner in the Planning Department. Please add the following staff to your public notice mailing list for this project:

George Scarborough, City Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

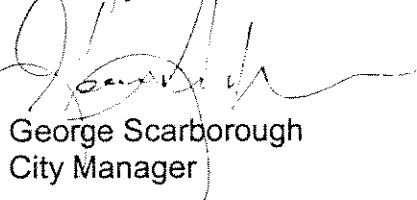
Thomas Tomlinson, Planning Director
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

William Ramsey, AICP, Principal Planner
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

We've also established a public notice mailing list to supplement the County's list and will forward that list to you in MS Word format. We ask that supplement your project public notice mailing list so that property owners within the City potentially affected by this project have the opportunity to participate in the public decision-making process.

We look forward to working with you and your staff on this significant project.

Sincerely,



George Scarborough
City Manager

Enclosures: City Council Policy 422, Standards for Grading Projects to Minimize Impacts.
Administrative Policy 310, Preparation and Use of Traffic Studies.

ij0103rmv-le4rev.wpd

cc: Tom Tomlinson, Planning Director
William Ramsey, AICP, Principal Planner
Douglas Dumhart, Principal Management Analyst
William Huber, Engineering & Building Director
Sam Shoucair, Senior Engineer
Alan Oswald, Senior Engineer-Traffic

ADMINISTRATIVE POLICY

DATE ADOPTED 06/27/89

POLICY NO. 310

REVISED 04/07/98

PAGE 1 OF 8

CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

In order to effectively evaluate the traffic impacts associated with proposed development applications, the City establishes the following guidelines for the preparation of traffic reports. The intent of this policy is to assure that City staff and decision-makers have accurate and necessary information to understand the potential traffic impacts of proposed development projects.

- I. PROJECT ORIENTATION MEETING. The City Traffic Engineer shall conduct an orientation meeting with the traffic consultant to discuss the project, scope of work, trip generation, trip distribution, cumulative traffic, existing road conditions/geometrics, background traffic growth and other matters deemed appropriate.

- II. CONGESTION MANAGEMENT PLAN (CMP) CONSISTENCY. All traffic reports will use a land use data base for trip generation purposes which is consistent with Congestion Management Plan (CMP) requirements established by the Orange County Transportation Authority (OCTA). Traffic consultants should refer to the most current edition of the "Orange County Congestion Management Program, Implementation of Land Use/Socio-Economic Data Consistency Requirement for Modeling in CMP-Required Traffic Impact Analyses".

- III. REPORT FORMAT. Consultants shall write traffic reports in a clear, concise terminology understandable by most laypersons. All pages shall be numbered consecutively. The traffic report shall be organized as follows:
 - A. Executive Summary.
 - B. Table of contents.
 - C. Project Description.
 - D. Project Trip Generation, Distribution and Assignment.
 - E. Existing Conditions.
 - F. Existing plus Project Conditions.
 - G. Existing plus Project plus Cumulative Conditions.
 - H. Traffic Analyses of Study Area Intersections and Links.
 1. Intersection Capacity Analyses (ICU).
 2. Intersection Capacity Analyses (HCM)

ADMINISTRATIVE POLICY

DATE ADOPTED 06/27/89

POLICY NO. 310

REVISED 04/07/98

PAGE 2 OF 8

CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

- 3. Link Capacity Analyses (ICU).
- 4. Traffic Signal Impacts.
- I. Fair-share Analysis.
- J. Traffic Accident History.
- K. Site Access & On-site Circulation.
- L. Principal Findings.
- M. Appendices.

IV. REPORT CONTENTS

- A. EXECUTIVE SUMMARY: Summary of findings, conclusions, and proposed mitigation improvements (not more than two pages).
- B. TABLE OF CONTENTS: The report will include a table of contents, and table of figures/exhibits, with dot leader and page numbers. All pages within the report shall be numbered consecutively.
- C. INTRODUCTION/PROJECT DESCRIPTION
 - 1. Site and study area boundaries, including complete project description, vicinity map, and site plan.
 - 2. Existing and proposed site uses.
 - 3. Existing and proposed uses in vicinity of site.
 - 4. Existing and proposed roadways and intersections, illustrations to show existing striping and driveways (on both side of the street) along project frontage and minimum of five hundred (500) feet beyond.
- D. PROJECT TRIP GENERATION, DISTRIBUTION AND ASSIGNMENT:
 - 1. TRIP GENERATION: Standard Institute of Transportation Engineers (ITE) rates shall be used except site specific rates may be utilized with the approval of the City Traffic Engineer. Orange County Transportation Authority (OCTA) and/or San Diego Association of Governments (SANDAG)

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CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

trip rates may be utilized where appropriate when ITE rates are not applicable or available.

2. TRIP DISTRIBUTION: Regional trip distribution may be based on the Orange County Traffic Analysis Model (OCTAM) or the City's Traffic Model data. The actual trip distribution shall be subject to approval by the City Traffic Engineer prior to completing subsequent phases of the report. A map illustrating study area trip distribution shall be included in the report.
 3. TRIP ASSIGNMENT: All project trips shall be assigned to the circulation system and carried to the limits of the study area except for internal trips which shall be specifically identified as to origin/destination. A map illustrating the project trip assignments shall be included in the report.
- E. EXISTING CONDITIONS: The report shall include "existing" peak hour (AM and PM) and 24-hour (ADT) traffic counts (average of three consecutive days) for the arterial street network in the project study area. Such counts shall be taken when schools are in session. During period when schools are not in session, traffic counts will include an adjustment factor approved by the Traffic Engineer to account for school-related traffic. Traffic counts during weekends may be required. A diagram shall be included in the report to graphically illustrate traffic counts in the project study area.
- F. EXISTING PLUS PROJECT CONDITIONS: The report shall include projected "existing plus project" peak hour (AM and PM) and 24-hour (ADT) traffic volumes for the project study area. A diagram shall be included in the report to graphically illustrate traffic volumes in the project study area.
- G. EXISTING PLUS PROJECT PLUS CUMULATIVE CONDITIONS:
1. The report shall include a summary of all "cumulative" projects (approved but not constructed) with peak hour (AM and PM) and 24-hour (ADT) traffic volumes which would result in significantly traffic within the project study

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CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

area. A diagram shall be included in the report to graphically illustrate traffic volumes.

2. The report shall include projected "existing plus project plus cumulative" traffic volumes for peak hour (AM and PM) and 24-hour (ADT) in the project study area including estimated background (through) traffic, and approved cumulative projects. A diagram shall be included in the report to graphically illustrate traffic volumes.

H. TRAFFIC ANALYSES:

1. INTERSECTION CAPACITY ANALYSIS:

- a. Intersection Capacity Utilization (ICU) analysis at all signalized study area intersections during AM and PM peak hours for "existing" conditions.
- b. Intersection Capacity Utilization (ICU) analysis at all signalized study area intersections during AM and PM peak hours for "existing plus project" conditions.
- c. Intersection Capacity Utilization (ICU) analysis at all signalized study area intersections during AM and PM peak hours for "existing plus project plus cumulative" traffic conditions.

2. HIGHWAY CAPACITY MANUAL (HCM) ANALYSIS:

- a. The most current edition of the Highway Capacity Manual (HCM) at all unsignalized study area intersections, and at all signalized study area intersections with an ICU of "C", "D", "E" or "F" during AM and PM peak hours for "existing" conditions.
- b. The most current edition of the Highway Capacity Manual (HCM) at all unsignalized study area intersections, and at all signalized study

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PURPOSE: To provide a useful guideline in preparing traffic studies.

area intersection with an ICU of "C", "D", "E" or "F" during AM and PM peak hours for "existing plus project" conditions.

- c. The most current edition of the Highway Capacity Manual (HCM) at all unsignalized study area intersections, and at all signalized study area intersections with an ICU of "C", "D", "E" or "F" during AM and PM peak hours for "existing plus project plus cumulative" conditions.

3. LINK CAPACITY ANALYSIS:

- a. Intersection Capacity Utilization (ICU) link capacity analysis (V/C ratio) at study area arterial links based on ADT for "existing" conditions. ^{1,2}
- b. Intersection Capacity Utilization (ICU) link capacity analysis (V/C ratio) at study area arterial links based on ADT for "existing plus project" conditions. ^{1,2}
- c. Intersection Capacity Utilization (ICU) link capacity analysis (V/C ratio) at study area arterial links based on ADT for "existing plus project plus cumulative" traffic conditions. ^{1,2}

¹ The most current edition of the "Orange County Highway Design Manual", Highway Capacity Values (1991) shall be the source for determining link capacity.

² The City Traffic Engineer may require Highway Capacity Manual (HCM) Link Capacity Analysis for critical links during peak periods.

(Project impacts shall be considered significant if ICU analysis results in an increase of 0.01 ICU or greater or HCM analysis results in an increase of one second or more per vehicle (1.0 sec/vehicle) of average delay. Lane capacity shall be considered 1600 vehicles per hour (VPH) for the purpose of intersection capacity unless otherwise approved by the Traffic Engineer.)

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CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

The report will include the following table format to display the preceding analysis:

Intersection Capacity Utilization (ICU) Methodology						
Scenario		(1) Existing	(2) Existing plus Project	(3) Existing plus Project plus Cumulative	(4) Project Impact ²	(5) Cumulative Impact ³
Intersection #	ICU	0.00	0.00	0.00	0.00	0.00
	LOS	A	A	A		
² Column (2) minus (1) is 0.01 or greater; and "LOS" (2) is "E" or "F" ³ Column (2) minus (1) is 0.01 or greater; and "LOS" (2) is "A", "B", "C", and "LOS" (3) is "E" or "F" (Note: The Growth Management Element establishes a minimum intersection level-of-service of "D")						

Highway Capacity Manual (HCM) Methodology						
Scenario		(1) Existing	(2) Existing plus Project	(3) Existing plus Project plus Cumulative	(4) Project Impact ²	(5) Cumulative Impact ³
Intersection #	HCM	0.00	0.00	0.00	0.00	0.00
	LOS	A	A	A		
² Column (2) minus (1) is 1.0 or greater; and "LOS" (2) is "E" or "F" ³ Column (2) minus (1) is 1.0 or greater; and "LOS" (2) is "A", "B", "C" or "D", and "LOS (3) is "E" or "F" (Note: The Growth Management Element establishes a minimum intersection level-of-service of "D")						

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CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

Link Capacity Analysis (V/C) Methodology						
Scenario		(1) Existing	(2) Existing plus Project	(3) Existing plus Project plus Cumulative	(4) Project Impact ²	(5) Cumulative Impact ³
Link#	V/C LOS	0.00	0.00	0.00	0.00	0.00
		A	A	A		

² Column (2) minus (1) is 0.01 or greater; and "LOS" (2) is "D", "E" or "F"
³ Column (2) minus (1) is 0.01 or greater, and "LOS" (2) is "A", "B", or "C", and "LOS" (3) is "D", "E" or "F".
(Note: The Growth Management Element establishes a minimum link level-of-service of "C")

4. TRAFFIC SIGNAL IMPACTS:

- a. Warrant analysis of unsignalized intersections within the study area to determine the need for new traffic signals.
- b. Impact on existing signal progression (signal phasing).

I. PROJECT FAIR SHARE ANALYSIS: This section will include a calculation of the project's fair-share analysis percentages (pro-rated share per city Council Policy 111, Fair-Share Methodology) to determine the project's responsibility for constructing and/or financing all necessary mitigation improvements which are part of the General Plan Circulation Element's "Master Plan of Streets and Highways".

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CITY MANAGER _____

SUBJECT: PREPARATION AND USE OF TRAFFIC STUDIES

PURPOSE: To provide a useful guideline in preparing traffic studies.

J. TRAFFIC ACCIDENT HISTORY: The report will include data on traffic accidents at all links and intersections within the study area and identify the accident rate (no. of accidents per million vehicles). Where the accident rate exceeds professionally accepted standards (e.g. 1 per 1,000,000 vehicles) and road conditions are a contributing factor, the report will include recommended mitigation.

K. SITE ACCESS & ON-SITE CIRCULATION: The report will include a review of proposed site access and on-site traffic circulation to determine compliance with City standards & policies. Other conditions specific to a project may also be required to be addressed in the report as directed by the City Engineer.

L. PRINCIPAL FINDINGS

1. Primary findings and conclusions of the study including a summary of the direct and indirect project impacts.
2. Proposed traffic mitigation (improvements) and analyses of mitigation:
 - a. Recommended traffic mitigation improvements.
 - b. ICU analysis and levels of service (LOS) at "deficient" study area intersections, based on recommended mitigation improvements.
 - c. Link capacity analysis and levels of services (LOS) along "deficient" study area links, based on recommended mitigation improvements.
3. Proposed mitigation to address site access and on-site traffic circulation issues.

M. APPENDIX (Field Traffic counts; detailed ICU and HCM calculations; Accident Diagrams, etc.)

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CITY OF SAN JUAN CAPISTRANO

COUNCIL POLICY

Subject:	Page	Effective Date	Policy Number
STANDARDS FOR GRADING PROJECTS TO MINIMIZE IMPACTS	1 of 3	9/19/00	422

Grading within the City of San Juan Capistrano has the potential to impact adjacent properties with dust, dirt and mud from erosion, construction noise, and other adverse conditions.

The topography and soil types that exist within the City present special conditions that, if not addressed through the technical review and permit process, could impact the conditions of properties adjacent to a project site. Long-term grading operations can create exposed slopes and land areas that present a negative visual appearance if not immediately planted with erosion ground cover.

To ensure that these issues described above are fully understood and addressed as early as possible in the development review process, it is the policy of the City Council that the following standards be enforced through conditions of approval, grading permit plan check, inspection processing, establishment of minimum level of grading bonds, and the conduct of grading operations once initiated:

1. Grading plans for all development projects such as subdivisions, parcel maps, or individual commercial or residential developments shall be reviewed to identify any potential adverse impacts to adjacent or neighboring properties or the community. A grading impact assessment shall be prepared by City staff for each grading project that shall include assessment of proximity of adjacent residences, construction access, prevailing wind patterns, noise exposure, dust migration, and possible mud and debris patterns. Residential subdivisions or non-residential development projects shall include a grading impact assessment as part of the staff agenda item to be transmitted to City commission and/or City Council. Small or individual grading projects that do not require a discretionary action shall also be analyzed by City staff for potential impacts and, if found necessary, conditions of approval placed upon any permit issuance.
2. All discretionary land use approvals shall include conditions that specifically address any adverse impacts identified by the grading impact assessment prepared by the City. Conditions of approval that include the following shall be considered by the applicable decision-making body of the City:

Subject:	Page	Effective Date	Policy Number
STANDARDS FOR GRADING PROJECTS TO MINIMIZE IMPACTS	2 of 3	9/19/00	422

-
- Length of the grading operation
 - Provisions for a Dust Control Program that addresses situations during grading and at the completion of grading operation.
 - Designated stockpile areas including the visual impacts of such operations, both in the short-term and long-term.
 - Noise impacts to adjacent properties related to construction activities.
 - Phasing or methods of grading operations that minimize off-site impacts.
 - Construction access to the site and a program for daily removal mud and dirt from streets and roads.
3. Grading projects shall post cash or other liquid security, if approved by the City Attorney, equal to the estimated cost to install erosion control devices per an Erosion Control Plan approved by the Building Official. If the required erosion control devices or systems are not installed as required by the Building Official, the bond shall be forfeited and the funds used by the City to complete or maintain the erosion control devices or systems. If the funds that are forfeited are not sufficient to cover the cost, additional funds shall be posted before the grading project will be allowed to continue.
 4. All grading permits shall provide a restoration and completion bond as provided by City Ordinance in an amount as determined by the Building Official. In the event of non-compliance with conditions of approval or adopted standards for conducting grading operations, including final landscaping, the Building Official shall declare the grading project to be in default and the Bonding Company is to be placed on notice in a form approved by the City Attorney of the City's intention to foreclose on the bonds, if the corrective remedies are not immediately forthcoming.
 5. All grading permits shall contain a time schedule for the completion of the grading and/or phases and the installation of erosion control planting including interim and final landscaping. Failure to complete the grading in the time specified shall be grounds for declaring the project in default, and a foreclosure of the completion or restoration bond shall be processed by the Building Official.

Subject:	Page	Effective Date	Policy Number
STANDARDS FOR GRADING PROJECTS TO MINIMIZE IMPACTS	3 of 3	9/19/00	422

6. All grading plans shall designate the location of any stockpile areas and the plan shall identify areas where stockpile operations are to be excluded. Stockpile areas shall be located such that adjacent properties are not impacted from dust migration or long-term visual intrusions (greater than five working days). If the location of stockpile areas are to be moved or relocated, a revised plan shall be approved by the Building Official prior to commencing the stockpile. If the stockpile is part of a dynamic grading operation, the specifics of such an operation are to be clearly delineated on the grading permit plans.

7. Grading contractors shall be advised by City inspection staff that grading is to be accomplished in such a manner that impacts to surrounding properties are minimized and will be subject to vigorous inspection controls to insure that the job produces minimal adverse impacts on the residents and property owners of the City.

8. Grading that consists of less than fifty cubic yards may be subject to the requirements of this policy if the cumulative amount of grading presents similar impacts, or when taken as a whole, the grading has the potential for adverse impacts. The Building Official is authorized to impose appropriate permit requirements and controls on minor, unregulated grading when the sensitivity of the project warrants such action.



CITY OF RANCHO SANTA MARGARITA

March 22, 2003

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Gary Thompson

Mayor Pro Tempore

Neil C. Blais

Council Members

Carol Gamble

Jerry Holloway

James M. Thor

City Manager

D. James Hart, Ph.D.

Mr. Chuck Shoemaker

Planning and Development Services Department

Environmental Planning Services Division

300 North Flower Street

Santa Ana, California 92702-4048

Subject: Notice of Intent to Prepare Draft Environmental Impact Report #589

Dear Mr. Shoemaker:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) to prepare Draft Environmental Impact Report (DEIR) #589 for the development of the Rancho Mission Viejo property located adjacent to the City of Rancho Santa Margarita's southern boundary. The City is very interested in the proposed project and the development review process for the property. The City of Rancho Santa Margarita has reviewed the NOP and offers the following comments/questions for consideration in the preparation of DEIR #589:

1. Pg. 1 Description of the Project: A complete evaluation of necessary school sites should be included and considered with this project. The EIR should identify the specific need for the facilities and the project should include potential locations. When developments such as the one proposed does not include this full evaluation at the master plan level, difficulties in locating additional schools may arise as the community develops and ages.
2. Pg. 5 Description of the Project: What is the timing of the release of other documents related to this project area (i.e., NCCP/HCP and SAMP/MSSA joint EIS/EIR)? How does this timing relate to the proposed project?
3. Pg. 9 Planning Areas: How does this project propose to be fiscally viable and sustainable with the proposed uses?



4. Pg. 10 Schools: Please explain the detailed analysis of school needs. The figures provided in this section seem to underestimate the need for schools given a proposal for up to 14,000 new dwelling units.
5. Pg. 11 Trabuco Creek Road: How does the deletion of this extension from the MPAH relate to the proposed project?
6. Pg. 17 Land Use Element: This section states that the Open Space designation within the County's General Plan Land Use Element is considered a 'holding zone' for property. How is permanent Open Space depicted in the General Plan? How will the designated Open Space for the proposed project be depicted in the General Plan and why?
7. Pg. 18 Wildlife Habitat Areas: How will the Resource Element be amended to reflect permanent habitat reserve in conjunction with the NCCP/HCP and SAMP/MSAA if these processes are not complete prior to consideration of this DEIR?
8. Pg. 19 Master Plan of Regional Recreational Facilities: How will the remainder of the development's proposed Open Space be treated in this Master Plan? Will it become part of other Regional parklands? Why or why not?
9. Pg. 20 Existing Setting and Surrounding Land Uses: How does the proposed plan preservation of resources compare to the specified priorities of NCCP/HCP and SAMP/MSAA processes?
10. Pg. 21 Growth Management: How will the proposed Planned Community meet the Growth Management Goal of self-sustenance?
11. Pg. 22 Land Use (3): How will the proposed Planned Community meet the Growth Management Element policy on Balance Community Development?
12. Pg. 22 Housing (3): How will the proposed Planned Community meet the goal to reduce overall regional VMT?
13. Pg. 23 Public Services/Public Safety/Governance (1): How will the proposed Planned Community meet this goal?



14. Pg. 23 Recreation (4): How will the proposed Planned Community meet this goal? What standards for parks have been developed?

15. Pg. 24 Natural/Biological Resources: Will these processes be completed in unison (proposed project approval, NCCP/HCP approval, SAMP/MSAA approval)?

Environmental Analysis Checklist Responses

1. Pg. 4 Transportation/Circulation: The traffic analysis should evaluate all impacts on neighboring city roadways under all scenarios.
2. Pg. 9 Hazards: Please indicate any proposed evacuation routes for the proposed project.

Please forward a copy of the DEIR and appendices when they become available. Thank you once again for the opportunity to comment on the NOP. If you have any questions, please contact me at (949) 635-1800.

Sincerely,

Kathleen Haton
Planning Director



ORANGE COUNTY FIRE AUTHORITY

P. O. Box 86, Orange, CA 92856-9086 • 180 South Water St., Orange, CA
92866-2123

Chip Prather, Fire Chief

(714) 289-3712

www.ocfa.org

March 18, 2003

County of Orange
Planning and Development Services Department
Environmental Planning Services Division: Chuck Shoemaker
300 N. Flower St.
P. O. Box 4048
Santa Ana, CA 92702-4048

Subject: CEQA, EIR, NOP Responsibilities at Orange County Fire Authority

Dear Mr. Shoemaker,

In May, 2002, the Orange County Fire Authority consolidated the Advance Planning and Strategic Planning sections to Strategic Services. The Strategic Services section is responsible for CEQA, EIR's and Notice of Preparations. Recently, we have not been receiving documentation in a manner that allows us to respond within the timeframes established due to addressing the above referenced documents to individuals or other sections.

Please address all environmental documents to the OCFA/Strategic Services section in lieu of a name. Please include the OCFA Planning and Development Service Request Form, with fees paid noted, on all submittals. I am not sure if the delays are in the Pony mail system, but I am assured that the best way to forward documents to us is through the outgoing mail located in PDS/Subdivisions. Our Planning and Development messenger stops by the counter daily.

Hopefully this will expedite the process. If you have any additional questions, please contact me at (714) 744-0484.

Sincerely,

A handwritten signature in cursive script that reads "Gene Begnell".

Gene Begnell
Battalion Chief, Strategic Services

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RESIDENTIAL SPRINKLERS AND SMOKE DETECTORS SAVE LIVES



ORANGE COUNTY FIRE AUTHORITY

P.O. Box 86, Orange, CA 92856-0086 • 145 South Water St., Orange, CA 92866

Chip Prather, Fire Chief

(714) 744-0400

March 18, 2003

County of Orange
Planning and Development Services Department
Environmental Planning Services Division: Chuck Shoemaker
300 N. Flower St.
P. O. Box 4048
Santa Ana, CA 92702-4048

Re: Rancho Mission Viejo "The Ranch Plan"

Dear Mr. Shoemaker,

Thank you for the opportunity to comment on the Ranch Plan. The Orange County Fire Authority (OCFA) has considered the potential impacts associated with this proposal and would like to offer some preliminary comment.

The OCFA has identified that the project will present significant impacts to existing fire and rescue services. Currently, the OCFA is responsible for provision of these services to the project area. The redevelopment into the proposed use would pose significant new service needs not only within the project area, but regionally as well. Much of the proposed development is outside of the maximum response times for existing fire facilities. New fire station(s) are needed to serve the proposed development. As such, the developer will be required to enter into a Secured Fire Protection Agreement with the OCFA for provision of necessary facilities, apparatus, and fire and rescue supplies and equipment. A final determination of fire station needs and locations will be made at a future date when more information is known about phasing, circulation and access, and build-out in adjacent planning areas. Appropriate capital improvements and resources will be required to meet the anticipated fire service delivery requirements.

Agricultural related hazardous material and waste are known to exist within the planning region. There may be methane issues near the landfill. Specific sites may require remediation and other treatments prior to development. All of the area is within hazardous native vegetation and the Very High Fire Hazard Severity Zone/Special Fire Protection Area. Development within the area may require significant efforts to reduce wildfire hazards including setbacks and fuel modification.

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RESIDENTIAL SPRINKLERS AND SMOKE DETECTORS SAVE LIVES

Another key area of concern to the OCFA is emergency access. We have a need to have rapid access to Ortega Hwy and the areas beyond the Ranch Plan, which the proposed re-alignment may severely impact. The deletion of the Crown Valley Parkway segment may also have significant regional impacts and may cause additional fire facility needs. Chiquita Canyon Road should connect with both Crown Valley Parkway and Coto de Caza Drive for effective emergency response and evacuation in the region. Fire station placement in the area was developed with the understanding that these segments would be provided. In order to serve this area without the construction of excessive fire stations, it must be possible to have access between areas in a manner that allow the most effective use of the required resources.

The OCFA has significant concerns in the development of the project within historical wildfire areas. Adherence to special development conditions as well as all other standard condition of the OCFA would be required during project submittal and development. A full list of these requirements is available through the OCFA Planning and Development Section.

The following are areas of interest to our Planning and Development Section:

- Fuel Modification and interagency cooperation with both USFW and CDFG. Since development will require significant fuel modification surrounding development areas that abutting the urban/wildland interface, OCFA will work closely with both agencies to provide both the necessary fire protection and protect the endangered plant and wildlife species as identified in the NCCP. The NOP did not take advantage of this opportunity to encourage interagency cooperation for this subject. Further, new Fuel Modification Guidelines will be in affect prior to the draft EIR document's circulation for public comment.
- Street design will be a significant issue for the development of this planned community. OCFA will need to meet with traffic engineers in order to comment on street design, especially regarding arterial highways with long median islands and local streets. Considering the demand for on-street parking and the fact that significant residential development will occur in the SFPA areas, the design for local street width will be important for OCFA to provide adequate space for vehicular circulation. Further, the street design portion is necessary to create opportunities for a circulation system criteria to limit the lengths of cul-de-sac streets, communities needing more than two streets for access when exceeding 150 residences, guidelines for turn-around for fire apparatus, etc.
- The NOP document stressed a need to provide adequate water supplies to serve this planned community. This includes the construction of backbone infrastructure, such as reservoir tanks, new water lines, pumping stations, etc. OCFA is concerned that water availability is adequate to meet the demands of fire hydrants and automatic fire sprinkler systems throughout this planned community. OCFA will work with the water agency responsible for designing the water infrastructure in order to create a comprehensive plan to meet potential demands.
- The NOP document refers the future development of public facilities. OCFA should work with the appropriate districts or agencies to incorporate design elements that meet requirements for public facilities, including emergency access, water availability, fire access to within 150-feet of all buildings, fire lane markings, turn-around, fire hydrants, etc.

One final issue is the phasing of the proposed project. Emergency services will need to be provided to new areas that are outside of the OCFA response guidelines. Since the configuration of the project and the subunits are such that little of the project is served by current or proposed fire stations, the developer needs to develop a comprehensive plan that addresses the Fire/EMS delivery in this area and that sets the timeframes and trigger points for initiation of services within the project by geographic area. The issue we would like addressed is to have the development phased in a manner that allows the maximum use of existing resources before new resources are required to be established. This is important, as the new resources are not always capable of being provided by the revenues produced during the early phases of development.

If you have any additional questions, please contact me at (714) 744-0484.

Sincerely,



Gene Begnell
Battalion Chief, Strategic Services



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Arthur T. Leahy
Chief Executive Officer

March 19, 2003

Chuck Shoemaker
Planning and Development Services
County of Orange
300 North Flower Street
Santa Ana, CA 92702-4048

Subject: Rancho Mission Viejo Ranch Plan Notice of Preparation

Dear Mr. Shoemaker:

The Orange County Transportation Authority (OCTA) has reviewed the above referenced document and has the following comments:

The proposed circulation system additions and changes to the Master Plan of Arterial Highways (MPAH) will require a cooperative interagency traffic impact study. The initiation of this study has been requested by the County and will commence in early March. It is the intent of the Orange County Transportation Authority (OCTA) that the cooperative MPAH study also serve as the traffic analysis for the Draft Environmental Impact Report (DEIR).

The proposed circulation plan shown in Exhibit 5A of the Notice of Preparation (NOP) differs substantially from the existing and proposed transportation plans of several agencies, including OCTA, Caltrans and the Transportation Corridor Agencies (TCA). In particular, the only proposed interchange with the SR-241 Foothill Corridor South does not agree with any of the planned interchange locations being planned by the TCA. It is unlikely that OCTA, Caltrans or the TCA would agree to not having an interchange at a location where SR-241 crosses another state highway (SR-74 – Ortega Highway). This and other changes in the MPAH, including the proposed deletions, will need to be resolved through the cooperative study process. The recommended amendments to the MPAH will also need the concurrence of the agencies participating in the study.

The NOP states that the deletion of the extension of Trabuco Creek Road will be a part of the proposed changes to the MPAH evaluated in the DEIR. However, this section of roadway is in the City of Mission Viejo, and is already the subject of a separate study effort between Mission Viejo and OCTA. As a result, we respectfully request that this action be removed from consideration in the DEIR.



Chuck Shoemaker
March 19, 2003
Page 2

OCTA recommends that public transit be considered as a feasible mitigation measure. Therefore, it is recommended that transit amenities such as concrete bus pads and/or bus turnouts be incorporated into the proposed project. The specific location of these amenities can be determined in the future as the project moves forward.

The OCTA appreciates the opportunity to provide input on this project. Please contact me at 714-560-5749 or cwright@octa.net if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Wright", with a long horizontal flourish extending to the right.

Christopher Wright
Associate Transportation Analyst

c: Glen Campbell, Senior Transportation Analyst

San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

March 24, 2003

Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Attention: Chuck Shoemaker

Subject: Notice of Intent to Prepare Draft Environmental Impact Report #589

Dear Mr. Shoemaker:

The Transportation Corridor Agencies (TCA) would like to thank you for the opportunity to review and comment on the above referenced subject. At this time, the TCA would like to provide the following comment:

- The Notice of Intent illustrates only one of several possible alignments currently under environmental preparation review for the extension of SR 241. Please be cognizant of these potential other alignments as you proceed with the Draft EIR #589.

The TCA looks forward to reviewing the draft document when it becomes available and should you have any questions regarding the various alternatives currently under review, please feel free to contact me at (949) 754-3483.

Sincerely,

Macie Cleary-Milan

Macie Cleary-Milan
Deputy Director
Environmental and Planning

Cc: Valarie McFall, TCA
Document Control

Walter D. Kreutzen, Chief Executive Officer

125 PACIFICA, SUITE 100, IRVINE CA 92618-3304 • P.O. BOX 53770, IRVINE CA 92619-3770 • 949/754-3400 FAX 949/754-3467

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Members: Aliso Viejo • Anaheim • Costa Mesa • County of Orange • Dana Point • Irvine • Laguna Hills • Laguna Niguel • Laguna Woods • Lake Forest
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County of Orange

MEMO

DATE: March 26, 2003

TO: Chuck Shoemaker, Chief, Private Projects, Environmental Planning Services

FROM: *John Earnest*
Johnnie Earnest, Chief, Grading Plan Check, Subdivision & Grading Services

SUBJECT: Notice of Preparation – Intent to Prepare Draft Environmental Impact Report #589 - The Ranch Plan, Rancho Mission Viejo, Orange County, California

The subject package contained a minimum amount of geologic/geotechnical information and no information related to the proposed grading.

The next to last paragraph under item No. 4 on page 20 of the subject document states ...the geology of the area contains a wide variety of soils and rock materials. Two faults traverse the project site...one inactive the other potentially active...nearest known active fault is the Newport-Inglewood fault, located five miles away. Landslides are located throughout the project site.

Item No. 4 of the Environmental Analysis Checklist identifies geologic and/or geotechnical items that could have a significant impact upon the proposed development and will require appropriate mitigation. These items include Local fault rupture, Seismicity: ground shaking or liquefaction, Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater, Landslides or mudslides, Erosion, changes in topography or unstable soil conditions from excavations, grading or fills, Subsidence of the land, and Unique geologic or physical features.

The Seismic Hazard Zones maps issued by the California Department of Conservation, California Geologic Survey indicates that portions of the site are subject to earthquake induced landslides and liquefaction.

Please provide a preliminary geologic/geotechnical investigation report that identifies all hazardous conditions impacting the proposed development. The report must evaluate and provide guidelines for the proposed development activity as well as mitigations measures for hazardous conditions. The information required at this level of review need not be to the degree necessary to obtain a grading permit but must be sufficient to allow adequate assessment. Please include a grading plan that incorporates the recommendations of the geologic/geotechnical report in its design.

The analyses of seismically induced landslides and liquefaction must be performed in accordance with Special Publication 117, issued by the California Department of Conservation and adopted by the Division of Mines and Geology March 13, 1997.

All grading shall be performed in accordance with the County of Orange Grading and Excavation Code, County of Orange Grading Manual and the appropriate sections of the Uniform Building Code.




County of Orange

MEMO

DATE: May 24, 2003

TO: Chuck Shoemaker, Environmental Planning Services, PDSD

FROM: Doug Friedman, Acoustics, Building Permit Services, PDSD 

SUBJECT: Notice of Preparation for Draft EIR 589 "The Ranch Plan" General Plan Amendment/Zone Change (PA01-0114)

Comments:

I agree with items 9a. 9b. 9c. 9d.

I would consider changing 9e. to "Potential Significant Impact."

Due to the magnitude of the project and future planned uses, there may be significant generation of ground-borne vibration and noise. This may be referenced to a previous noise study: Ortega Highway Noise Studies, Gordon Bricken #97/021, #98/551, #00-336, #00/452. Although no impact was conclusively determined, the parameters of the study were limited in comparison to "The Ranch Plan."



County of Orange

MEMO

DATE: March 24, 2003
TO: Tim Neely, Manager, Environmental Planning Services
FROM: Acting Manager, Subdivision and Grading Services
SUBJECT: NOP for Draft EIR 589 "the Ranch" General Plan Amendment/Zone Change (PA01-0114)

Attention: Chuck Shoemaker.

This is an NOP for Draft EIR 589 for "The Ranch Plan" proposed by Rancho Mission Viejo.

DISCUSSION:

The Transportation/Circulation section (section #7) of the Environmental analysis checklist has 7(c) " Safety hazards from design features (e.g. sharp curves or dangerous intersections) or incompatible uses" listed under the No Impact column. Traffic Review requires this be placed under the Potential Significant Impact column to insure a complete review of the planned highway system.

TS/ts

A handwritten signature in cursive script, appearing to read "Grant Anderson", written over a horizontal line.

Grant Anderson



County of Orange

MEMO

March 28, 2003

TO: Tim Neely, Manager
P&DSD/Environmental Planning Services Division

FROM: John Arnau, Planner III
IWMD/Environmental Services

SUBJECT: **Comments to Notice of Preparation for Draft EIR 589 "The Ranch Plan" General Plan Amendment/Zone Change (PA01-0114)**

IWMD has the following comments to the lead agency on the subject project:

Prima Deshecha Landfill

Exhibits 2 and 3 in the NOP incorrectly identify the Prima Deshecha Landfill as the Prima Deshecha Regional Park. Exhibits to be included in the Draft EIR should correctly identify this area as the Prima Deshecha Landfill.

Solid Waste Disposal Capacity

In order to understand the solid waste capacity issue for Orange County, it is necessary to distinguish between refuse disposal capacity and flow rate or daily capacity. Refuse disposal capacity refers to the available air space capacity at one or more County landfills. Daily capacity refers to the maximum amount of daily permitted tonnage that may be disposed. These capacities are established by the landfill permit.

Refuse Disposal Capacity The County of Orange owns and operates three active landfills. These are the Olinda Alpha Landfill near Brea, the Frank R. Bowerman Landfill near Irvine, and the Prima Deshecha Landfill in San Juan Capistrano. The Prima Deshecha Landfill is the closest facility to the project, and will likely be the solid waste facility most often receiving the waste from the subject project.

The California Integrated Waste Management Board requires that all counties have an approved Countywide Integrated Waste Management Plan (CIWMP). To be approved, the CIWMP must demonstrate sufficient solid waste disposal capacity for at least fifteen (15) years, or identify additional available capacity outside of the county's jurisdiction. Orange County's CIWMP, approved in 1996, contains future solid waste disposal demand based on the County population projections previously adopted by the Board of Supervisors. The Orange County landfill system has capacity in excess of fifteen (15) years. Consequently, it may be assumed that adequate capacity for the subject project is available for the foreseeable future.

Daily Capacity In order to ensure that the maximum permitted daily tonnage at a particular site is not exceeded, refuse trucks may have to transport material to one of the other two facilities identified above. However, since this project is in south County, and since the daily capacity at the Prima Deshecha Landfill is

significantly greater than the current rate of disposal, your analysis may assume that refuse is transported only to the Prima Deshecha Landfill.

At this time, IWMD does not have information on solid waste generation rates in Orange County. Any questions about solid waste generation rates should be forwarded to the California Integrated Waste Management Board in Sacramento.

Waste Diversion

When structures such as buildings, surface parking and sidewalks are demolished as part of the initial site preparation phase for a project, demolition wastes are generated. The proposed project will result in the generation of demolition wastes. Demolition-generated wastes consist of heavy, inert materials such as concrete, asphalt, rock and soils, wood, drywall, metals and brick. These materials create significant problems when disposed of in landfills; since demolition wastes do not decompose, they take up valuable landfill capacity. Additionally, since demolition wastes are heavy when compared with paper and plastic, it is more difficult for jurisdictions to reduce the tonnage of disposed waste. For this reason, demolition waste debris has been specifically targeted by the State of California for diversion from the waste stream. Projects which will generate demolition waste should emphasize deconstruction and diversion planning, rather than demolition. Deconstruction is the planned, organized dismantling of existing buildings and structures on a project site, which allows maximum use of the deconstructed materials for recycling and limits disposal at solid waste landfills.

During the construction of new projects, construction wastes are generated. The proposed project will result in the generation of construction wastes. Construction-generated wastes consist primarily of inert materials that would otherwise take up valuable landfill space. Reducing construction wastes at construction sites conserves landfill space, reduces the environmental impact of producing new materials, and can reduce overall building project expenses through avoided purchase/disposal costs. Wood, drywall, cardboard, metals, brick, plastics and shingles can be reused in other construction projects or recycled.

We recommend that this project address a waste reduction plan for the demolition and construction wastes generated from this project.

Unacceptable Materials

Demolition-generated waste from the proposed project may contain contaminated soils, asbestos, lead-based paints, fluorescent lamps and ballasts, or other hazardous materials. Orange County solid waste landfills are not permitted to accept these waste materials. In addition, Orange County solid waste landfills are not permitted to accept waste contaminated with toxic or hazardous materials, or waste having a moisture content greater than 50%. During the demolition phase of the proposed project, if contaminated soils, asbestos, lead-based paints, fluorescent lamps and ballasts, hazardous materials or liquids are discovered, then these materials must be transported to facilities that are permitted to accept them. If additional clarification is needed, please contact an IWMD Materials Regulation Specialist at (714) 834-4000.

Thank you for the opportunity to incorporate our comments. Further information about the County of Orange landfills can be accessed at www.oclandfills.com. If you have any questions, please contact me at john.arnau@iwmd.ocgov.com and by phone at (714) 834-4107.



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT

Vicki L. Wilson, Director
300 N. Flower Street
Santa Ana, CA
P.O. Box 4048
Santa Ana, CA 92702-4048
Telephone: (714) 834-4741
Fax: (714) 834-2280

DATE: April 2 2003
TO: Chuck Shoemaker, Environmental Planning Division
FROM: Rob Selway, Chief, Historical and Cultural Programs
SUBJECT: NOP for the Ranch Plan

Thank you for the opportunity to comment on the subject project. Historical and Cultural Programs staff have reviewed the NOP for "The Ranch Plan" General Plan Amendment/Zone Change and have the following comments:

- A Cultural Resource Management Plan is appropriate for a project of the size and scope of "The Ranch Plan." Such a plan would be a valuable planning tool throughout the development phases. We recommend that Rancho Mission Viejo follow the example of the Bolsa Chica project planning efforts in relation to the management of cultural resources. A Cultural Resource Management Plan was developed early in the planning stages and involved consultation by professional peers of the certified cultural resources consultant. The consultant developed the appropriate mitigations, allowed for Native American observation and provided an overall program with progressive steps for resource management as warranted by individual sites and their integrity and as called for prior to various development phases.
- Ranching activities and habitat restoration projects could possibly cause impacts to cultural resources. To avoid such potential impacts, both a certified archaeologist and a paleontologist should conduct field surveys of proposed open space and ranching areas prior to any earth disturbing activities. A constraints map should be developed to outline resource sensitive areas to be avoided during earth disturbing activities.
- The EIR should include the current standard conditions for cultural resources, which have been in place for several years. The updated language protects the County at the time collections are donated so that our warehouse facility is not burdened with responsibility to accept unprepared artifacts and assume curation costs.

- The Board of Supervisors requires cultural resource artifacts, which may be discovered during the site development, be donated to a suitable repository that will maintain the collection for future scientific study and exhibition “within Orange County.” Prior to donation, the certified cultural resources consultant should prepare the paleo collection “to the point of identification.” The project proponent should be prepared to pay “potential curation fees” to the County repository for the long-term curation and maintenance of donated collections.

Questions regarding any of the above comments can be directed to Marlene Brajdic at (714) 834-3724.

Rob Selway



County of Orange MEMO

DATE: April 2, 2003
TO: Chuck Shoemaker, PDSD
FROM: William Mahoney, Assistant CEO, Strategic and Intergovernmental Affairs
SUBJECT: Comments on Rancho Mission Viejo Notice of Intent to Prepare Draft Environmental Impact Report #589

According to the Notice of Preparation for Draft Environmental Impact Report #589, the proposed project will result in the development, over approximately 30 years, of up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, up to four golf courses, a proposed 1,079 acre regional park, and approximately 13,161 acres of open space.

The County of Orange is the regional service provider throughout Orange County. As such, the County will require appropriate zoning, land use designations and land dedication for regional County facilities to serve the Rancho Mission Viejo development. Regional service needs include, but are not limited to the following:

Animal Shelter, Environmental Health facilities, Automotive equipment/repair facilities, Childcare facilities, Youth and Family Resource Center, Law Enforcement training facilities, Emergency Shelter facilities, Transitional Shelter Care facilities, Children & Family Services Center, Business offices, Warehouses, Storage facilities, Vehicle parking and storage facilities, Heavy equipment maintenance and storage, and Field operations and maintenance facilities.

The County Executive Office of Strategic and Intergovernmental Affairs welcomes the opportunity to work cooperatively with the affected parties to ensure that adequate regional County service facilities are provided in the Rancho Mission Viejo development plan.

cc: James D. Ruth



COUNTY OF ORANGE

PUBLIC FACILITIES & RESOURCES DEPARTMENT

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300 N. Flower Street
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P.O. Box 4048
Santa Ana, CA 92702-4048
Telephone: (714) 834-2300
Fax: (714) 834-5188

DATE: March 31, 2003

TO: Tim Neely, Manager
EPS/Environmental Planning Services

FROM: Ken R. Smith
Director Public Works/Chief Engineer

SUBJECT: Rancho Mission Viejo Notice of Intent to Prepare DEIR #589

Attached are three memos providing comments in response to your request regarding the Rancho Mission Viejo Notice of Intent to prepare a draft Environmental Impact Report. The attached memos are dated March 27, March 18 and March 25, 2003 and cover Flood Control, Road and Harbors Beaches and Parks comments.

If you have any questions please call the respective contact on each of the memos.

A handwritten signature in cursive script, appearing to read "Ken R. Smith", is written over a horizontal line.

Ken R. Smith

atts.



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES
DEPARTMENT

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Fax: (714) 834-5188

MAR 27 2003

DATE:

TO: Kenneth R. Smith, Director Public Works/Chief Engineer
Public Facilities & Resources Department

FROM: Herb Nakasone, Manager
PFRD/PW/Flood Control Division

SUBJECT: Rancho Mission Viejo - Notice of Intent to Prepare a DEIR #589 for the
General Plan Amendment/Zone Change (PA 01-114)

In response to your request, comments on the Rancho Mission Viejo Notice of Intent to Prepare a Draft Environmental Impact Report for the General Plan Amendment/Zone Change are being provided to you so that comments from the various divisions are consolidated into a single PFRD response.

1. The Rancho Mission Viejo Plan (Ranch Plan) constitutes planning efforts for approximately 22,850 acres of undeveloped Rancho Mission Viejo lands in unincorporated Orange County. As part of this planning effort, the project proponent should be required to clearly identify all unimproved watercourses and flood control facilities within the area covered by the Ranch Plan and identify ownership if not with the Rancho Mission Viejo. To assist in this effort we list below some of the watercourses that are likely to be impacted:

- San Juan Creek (L01)
- Trabuco Arroyo (L02),
- Horno Creek (L05),
- Canada Chiquita (L06),
- Canada Gobernadora (L07),
- Bell Canyon (L08),
- Verdugo Canyon Creek (L09)
- Lucas Canyon (L10)
- Christianitos Creek (M03)
- La Paz,
- Gabino Canyon,
- Blind Canyon and
- Talega Canyon.

Kenneth R. Smith

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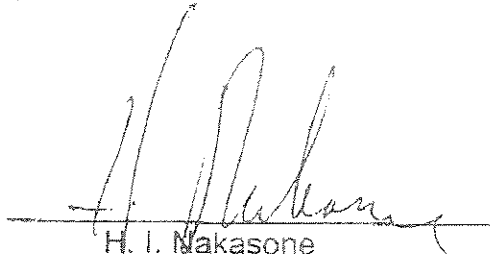
2. Implementation of the Ranch Plan proposal will increase runoff from development and has the potential to adversely impact watercourses within the Ranch Plan and several OCFCD and privately-owned water courses and flood control facilities downstream. These facilities are likely to be deficient in their ability to convey County approved 100-year discharges and could as a result of the Ranch Plan worsen existing conditions along areas that are adjacent to or within floodplains. Consequently, the project proponent should be required to prepare a Runoff Management Plan (RMP) to enable a comparison of pre-project versus post-project conditions. More specifically, the RMP should include the following studies and analysis:
 - a. Hydrologic and hydraulic analyses for pre- and post-project conditions based on current criteria of the Orange County Hydrology Manual (OCHM), Addendum No. 1 to OCHM and the Orange County Flood Control Design Manual.
 - b. Discuss pre- and post-project drainage conditions and propose, in consultation with Manager, PFRD, Flood Control Division, mitigation measures that will not make existing conditions within the watersheds any worse than they are in the pre-project condition while also where possible enabling existing downstream flooding problems within the water courses to be ameliorated.
 - c. Discuss impacts of the Ranch Plan on natural unimproved watercourses and any natural channel segments within and downstream of the Ranch Plan and propose, in consultation with Manager, PFRD, Flood Control Division, measures that will help mitigate erosion and scour that could result from the Ranch Plan.
 - d. Include an implementation plan listing each water course/flood control feature that will be impacted (or required for implementing the Ranch Plan) recognizing the constraints of phased construction on the Ranch Plan over a 30 year period, and provide appropriate interim mitigation measures to alleviate any adverse conditions that may result.
 - e. Discuss water quality impacts within the respective water courses, and propose mitigation measures to alleviate identified water quality impacts.
 - f. Discuss any special maintenance requirements and how ownership and maintenance of proposed flood control and drainage features and proposed water quality features are proposed to be handled as part of the Ranch Plan and name the parties that will be responsible for maintenance where known.
3. The project proponent should be required to design proposed drainage/flood control and water quality features only after regulatory permit issues are known so as to ensure that the design is based on proper assumptions of the impact of permit limitation on maintenance activities. If permit conditions disallow maintenance, the

Kenneth R. Smith
Page 3 of 3

facilities need to be designed on the assumption that little or no maintenance will occur.

4. The project proponent should receive prior approval from Manager, Flood Control Division of any proposed flood control facility that is proposed to be turned over to the Orange County Flood Control District (OCFCD) for operation and maintenance. All future OCFCD operated and maintained facilities should be designed and constructed to OCFCD's current design criteria and standards and rights-of-way for OCFCD facilities will need to be dedicated in fee title free and clear of covenants, easements or other encumbrances.
5. Floodplains affected by the Ranch Plan should be analyzed and Letters of Map Revision (LOMR) processed via Federal Emergency Management Agency (FEMA).
6. The project proponent should be required to consult with the US Army Corps of Engineers (USACE) to ensure compatibility of the Ranch Plan with the USACE's San Juan Creek Watershed Management Study.

If you have any questions regarding the above, please contact Editha Llanes at 834-2534 or Mehdi Sobhani at 834-5657.



H. I. Makasone



COUNTY OF ORANGE
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Telephone: (714) 834-2300
Fax: (714) 834-5188

DATE: March 18, 2003
TO: Ken R. Smith
Deputy Director, Chief Engineer
FROM: Manager, Road Division
SUBJECT: NOP, Draft EIR 589 "The Ranch Plan"

We have reviewed the NOP for the above identified project. At this point we are requesting to be provided with a copy of the complete Screen Check EIR when it is prepared, together with a copy of the Draft Development Agreement and a copy of the complete Traffic Study (as soon as it is submitted to the County) for review by the Road Division.

If you have any questions, please contact me at 8342316.



V. P. Rosales

cc: Ignacio Ochoa



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT

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Telephone: (714) 834-2600
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File: DR-NOP
ON-Admin
CA-Admin
RI-Admin

DATE: March 25, 2003
TO: Ken R. Smith, Deputy Director, PFRD
FROM: Kevin Thomas, Director, PFRD/Harbors, Beaches & Parks
SUBJECT: Notice of Preparation to Prepare DEIR 589 for Rancho Mission Viejo General Plan Amendment-Zone Change (PA 01-114)/AKA "The Ranch Plan"/Lead Agency-County of Orange

HBP Acquisition, Planning & Development staff, in consultation with HBP Trails Planning and Implementation Staff, has reviewed subject NOP and offers the following comments:

1. Regional Recreation Facilities:

DEIR should discuss any short and/or long term, impacts to regional recreation facilities, including but not limited to flora, fauna, infrastructure, safety, operations, aesthetics, wildlife corridors, offsite lighting, noise and water quality. Regional recreation facilities adjacent to the proposed project include O'Neill Regional Park, Caspers Wilderness Park, Riley Wilderness Park, and proposed Prima Deshecha Regional Park. Mitigation measures, as appropriate, should be provided.

2. Proposed Rancho Mission Viejo Regional Park:

HBP does not endorse proposed "Rancho Mission Viejo Regional Park" sited north and south of San Juan Creek within Planning Areas 1 and 13. The narrow linear nature of the proposed park bifurcated by roads and the creek itself adds operational safety, noise and traffic constraints as well as ingress-egress variables the County desires to avoid in new regional recreation facilities. The description of the proposed regional park should also identify proposed flood control improvements for this area as described in the Draft Feasibility Phase I-5 Report for the San Juan Creek Watershed, which would not be consistent with HBP's function.

The linear nature of the park would also make it difficult to manage edge effects and disturbance at the urban/natural area interface, i.e., drainage improvements, structural BMPs, roads, erosion problems, sewer and water lines, flood control detention basins, grade

NOP to Prepare DEIR 589

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stabilizers, invasive exotic plants and animals, illegal dumping, light and noise, fuel modification zones, trespassing, collecting, fires, encroachments, etc.

Such impacts at an urban/natural interface are not conducive to the management of the endangered and sensitive species within San Juan Creek and adjacent upland areas, i.e., arroyo toad, least Bell's vireo, arroyo chub and three spine stickleback native fish, southwestern pond turtle, orange-throated whiptail lizard, two-striped garter snake, nesting raptors, California gnatcatchers, and rare plants. In particular, the southern edge of Chiquita Canyon where it enters the proposed regional park is itself the furthestmost extension of the area's largest population of California gnatcatchers.

San Juan Creek is especially important as "live-in" and movement habitat for larger mammals moving between the northern and southern portions of the Ranch, as they move transversely up or down the creek from one north-south trending movement corridor to another.

In view of the significant habitat values and sensitive species and the provision of important wildlife habitat linkages, it is recommended the area instead be preserved in natural open space as NCCP/SAMP Reserve. There are serious questions as to whether any significant active recreation would be compatible with such a use.

While the County HBP has no operational recreation department component and thus would have no interest in a "sports park complex" within the proposed regional park at the southern end of Planning Area 3, the single factor which perhaps argues most strongly against use of the floodplain of San Juan Creek within the project area for active recreation is water quality.

There is no practical means of developing a sports park with extensive associated areas of turf without significantly adding to the pollutant loading of San Juan Creek in terms of fertilizer-derived nutrients, pesticide residues, and herbicide residues. Portions of San Juan Creek are already deemed officially impaired under the Clear Water Act, and it is likely that any significant new turf areas draining to the creek would further deteriorate the situation, potentially resulting in a TMDL mandate by the State, which could for all practical purposes effectively result in the removal of the fields just installed at great expense. The County cannot financially be in the position to treat a sports park as if it were precisely maintained golf course greens with high levels of permanent daily staff on site at all times for greens and pollutant maintenance.

It should also be noted the proposed "sports park complex" within the proposed regional park is more consistent with a local community park emphasizing active recreation needs managed by a recreation department as in many incorporated cities. It is recommended any sports park complex be dedicated to another public or private entity with potential for incorporation within a future city's local park system.

Proposed "Rancho Mission Viejo Regional Park" would also require an amendment to the Regional Recreation Facilities Component of the Recreation Element of the Orange County General Plan. Approval from the Harbors, Beaches and Parks Commission, the Planning Commission and the Board of Supervisors would be needed to amend the Recreation Element.

NOP to Prepare DEIR 589

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3. Public Open Space Alternative/Proposed Regional Recreation Facilities Additions:

The DEIR needs to include a public open space alternative that includes the "purple" areas delineated on the Public Open Space Alternative (Southern NCCP/SAMP Wildlife Movement Corridors/Habitat Linkages) Attachment #1. These areas PFRD/HBP desires to add to existing and future County Regional Recreation Facilities, Regional and Wilderness Park categories, in lieu of acceptance of proposed "Rancho Mission Viejo Regional Park" for the following reasons:

a. Verdugo Canyon:

- The U. S. Army Corps of Engineers (COE) Waterways Experiment Station (WES) Functional Assessment gave Verdugo Canyon the highest riparian ecosystem integrity score for sub-basins within the San Juan Creek and Western San Mateo Creek Watersheds. High ecosystem integrity is defined therein as riparian areas that exhibit the full range of physical, chemical, and biological attributes and processes that characterized riparian ecosystems in the region over short and long term cycles prior to cultural alteration, and in addition, support a balanced, integrated, and adaptive biological community resulting from natural evolutionary and biogeographic processes.
- Overall hydrologic integrity is also very high. Hydrologic integrity is defined in the COE document as exhibiting a range of frequency, magnitude, and temporal distribution of stream discharge along with a concomitant surface and subsurface interaction with the floodplain that historically characterized riparian ecosystems in the region.
- Overall water quality integrity is also very high. Water quality integrity is defined in the COE document as exhibiting a range of loading in the pollutant categories of nutrients, pesticides, hydrocarbons, and sediments that are similar to those that historically characterized riparian ecosystems in the region.
- Overall habitat integrity is also high. The COE document indicates that riparian ecosystems with high habitat integrity exhibit the quality and quantity of habitat necessary to support and maintain a balanced, integrated, adaptive biological system having the full range of characteristics, processes, and organisms at the site specific, landscape, and watershed scales that historically characterized riparian ecosystems in the region.
- The Rancho Mission Viejo Baseline Geomorphic and Hydrologic Conditions Report for San Juan and Western San Mateo Watersheds describes Verdugo Canyon as: 1) containing significant riparian habitat and resources within a relatively narrow (i.e., geologically confined) floodplain; 2) an important infiltration area within the larger watershed; and 3) providing an important source of sediments to downstream areas. The addition of Verdugo Canyon to Caspers Wilderness Park would protect the hydrology and sediment delivery of Verdugo

NOP to Prepare DEIR 589

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Canyon that is important for maintaining downstream arroyo toad breeding habitat.

- Verdugo Canyon supports a diversity of habitat types including coastal sage scrub, chaparral, native grassland (two substantial areas on the hillsides north of the stream, as depicted in Attachment #2 from Ted St. John's and Edith Read's 1989/90, Inventory of Native Grassland on Rancho Mission Viejo) and southern coast live oak riparian forest and sycamore riparian woodland.
- Verdugo Canyon supports species such as cactus wrens (federal and state species of concern), nesting raptors, such as Cooper's hawk, red-shouldered hawk, red-tailed hawk and barn owl, mule deer, coyote, bobcats, gray foxes, and mountain lions.
- Verdugo Canyon serves as a movement corridor for mule deer, coyote, bobcats, foxes, and mountain lions moving from Cleveland National Forest to Caspers Wilderness Park and generally via San Juan Creek to the entire subregion.

b. Upper and Middle Gabino Canyon:

- The COE WES Functional Assessment rated Gabino's overall hydrologic and water quality integrity as high and overall habitat integrity as moderate to high.
- The Baseline Conditions Report described Gabino Canyon as having the highest sediment yield of any sub-basin within San Mateo Watershed. Cobbles/gravel and sand comprise a substantial portion of the sediment produced. This sediment is important to downstream channel features and provides habitat for sensitive species (federally endangered arroyo toad) in middle and lower Gabino Creek. Middle Gabino Creek itself supports a population of the federally endangered arroyo toad. The addition of this area to Caspers Wilderness Park would protect the hydrologic and erosional processes needed to support arroyo toad breeding habitat.
- The oak and sycamore gallery forests of middle Gabino Creek represent some of the highest quality riparian habitat in the San Mateo Watershed. This habitat supports nest sites for raptors such as Cooper's hawk, great horned owl, red-tailed hawk, long-eared owl and barn owl.
- Gabino Canyon has contained some of the Ranch's largest stands of native grassland as depicted in attached exhibit, Attachment #2 from Ted St. John's and Edith Read's 1989/90 "Inventory of Native Grassland on Rancho Mission Viejo" and has been identified as containing key locations for native grassland restoration and enhancement. The grassland is high quality, raptor foraging habitat and also provides habitat for badger, burrowing owl, spadefoot toad and horned lark.

NOP to Prepare DEIR 589

Page 5

- Upper and Middle Gabino Canyon supports a diversity of habitat types including southern coast live oak and sycamore riparian woodland, important native grasslands, coastal sage scrub and chaparral and significant populations of cactus wrens and nesting raptors, including white-tailed kites and long-eared owls, as well as mule deer, coyote, bobcats, and mountain lions, foxes, and the federally endangered arroyo toad.
- Gabino Canyon serves as a movement corridor for mule deer, coyote, bobcats, foxes, and mountain lions moving between Cleveland National Forest/Camp Pendleton and the Donna O'Neill Land Conservancy at Rancho Mission Viejo. This habitat linkage is important in maintaining lion and deer within Cleveland National Forest/Camp Pendleton and the southeastern portion of the Ranch.
- Upper portions of Gabino Canyon have a number of erosion problems caused by cattle grazing that were identified in the Baseline Conditions Report. This area has a high restoration potential and is proposed to be acquired as wilderness park in order to address grazing caused problems. The removal of cattle grazing would improve the current channel instability and the associated increase in in-stream sediment production. Removal of grazing would facilitate restoration of existing degraded alkali marsh, riparian habitat, native grassland, and coastal sage scrub. Removal of grazing would also help maintain habitat for rare plants and nesting habitat for southwestern pond turtles in the vicinity of the man-made lake in Upper Gabino.

Reference is made to a Grazing Management Plan. However, based on a comparison of the Baseline Conditions Report with the 1989/90 Ted St. John and Edith Read Inventory of Native Grassland on Rancho Mission Viejo, there may be significant degradation of native grassland in a 10-year period due to grazing. Since the last 10 years of grazing have been under the management of the same parties proposed to continue grazing indefinitely, the question arises of why such a Grazing Management Plan was not self imposed years ago, before damages to native grassland and erosion problems became evident. In addition, a Grazing Management Plan will not likely address issues of protecting and enhancing water quality needed to assure the long-term viability of the arroyo toad populations downstream.

- Upper Gabino Canyon supports an important population of Coulter's salt bush and important populations of many-stemmed dudleya and western dichondra.
 - The man-made lake in Upper Gabino Canyon supports southwestern pond turtles and two-striped garter snakes.
- c. **Purple Area Between Caspers and Thomas Riley Wilderness Parks:**
- This important east-west habitat linkage, together with the area described in 3.d., is essential to maintaining the deer and mountain lion populations within Caspers, Riley and O'Neill Regional Parks and the mountain lion populations within the

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Santa Ana Mountains. See Attachment#s 3 through 6, Paul Beier & Reginald Barrett's "The Cougar in the Santa Ana Mountain Range, California" - Orange County Cooperative Mountain Lion Study, and Paul Beier's "Determining Minimum Habitat Areas and Habitat Corridors for Cougars", "A Checklist for Evaluating Impacts to Wildlife Movement Corridors", and "Metapopulation Models, Tenacious Tracking, and Cougar Conservation".

- In addition to accommodating the movement of large mammals (mountain lion, deer, coyote, bobcat, gray fox) this area, together with the area described in 3.d, provides important east-west biological connectivity for California gnatcatcher populations, linking the important population in east Caspers, major populations in western Gobernadora Canyon, Chiquita Canyon and its ridges, and Thomas Riley Wilderness Park, with an important population in lower Arroyo Trabuco.
- This proposed habitat linkage (taking up portions of PA3A, B & C) serves as an important buffer between remaining proposed development, and the proposed Far East Corridor alignment, and Caspers and Riley Wilderness Parks.
- The proposed habitat linkage/buffer (within PA3) also supports concentrations of intermediate mariposa lily.
- At present the documented mountain lion connections are between Bell Canyon in Caspers Wilderness Park and the Gobernadora Ecological Restoration Area by way of North and South Gunsite Canyons. Lions did not appear to use the unnamed drainage between North Gunsite Canyon and the southeasterly edge of Coto de Caza, which is in the northern half of PA-3A. Those canyons that are used lie in the northern portion of PA-3B; in the middle of proposed development.
- The plan's open space "reservation" of much of Sulphur Canyon, impacted by the Foothill Transportation Corridor and Cristianitos/Chiquita Canyon Roads, does not compensate for the areas requested herein. There is no evidence whatsoever that a corridor (say ½ mile wide) along the southern boundary of the existing Coto development between Caspers on the east and Sulphur Canyon on the west will be used (or would be able to be used given the road blockages) by the mountain lions which are documented to use Gunsite Canyons, within the development area of PA-3B.

d. Purple Area Between Thomas Riley Wilderness Park and O'Neill Regional Park:

This important east-west habitat linkage in the northern 1/6th of PA 2A has been called the Chiquita Narrows and Chiquita Woods Canyon in biologists' Dave Bontrager's and Paul Beier's letters to the TCA on DEIR FIC Oso Parkway to Interstate 5 in October 1990. Separating PA 2A from the high school to the north and interposing an extension of Thomas Riley Wilderness Park would protect Chiquita Narrows and Chiquita Woods Canyon and, through the open space within PA-10A, preserve wildlife

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movement all the way through to existing O'Neill Regional Park and the Ladera Land Conservancy. This area is an important part of the habitat linkage described in 3.c.

Additionally, this area supports rare plants such as Southern tarplant and Coulter's saltbush, and contains slope wetlands and tricolored blackbirds.

e. Proposed Addition to O'Neill Regional Park:

While this area is outside the boundaries of Rancho Mission Viejo, HBP is interested in adding this area to O'Neill Regional Park as either NCCP or SAMP reserve for the following reasons:

- The Arroyo Trabuco segment between the southerly terminus of O'Neill Regional Park and Crown Valley Parkway is essential to connecting the proposed regional park dedication associated with the Arroyo Trabuco Golf Course project to the existing regional park and Ladera Land Conservancy.
- The addition of this area will help to offset the aggregate population pressure of Los Flores, Ladera, City of Mission Viejo and the Ranch proposal on O'Neill Regional Park.
- This area supports a diversity of habitat types including oak and sycamore riparian woodland, coastal sage scrub, grassland and willow woodland as well as native fish (arroyo chub and three spine stickleback), concentrations of nesting raptors such as red-tailed hawk, great horned owl, red-shouldered hawk, and white-tailed kite, an important California gnatcatcher population, cactus wrens, yellow-breasted chat, yellow warbler, endangered least Bell's vireo, western spadefoot toad, mule deer, coyote, bobcats, foxes, and mountain lions.
- This Arroyo Trabuco area serves as an important north-south movement corridor for mountain lions, notably the dispersal of juvenile cougars, moving between Cleveland National Forest to the north and undisturbed areas within Rancho Mission Viejo to the south. See Paul Boier article entitled, "Dispersal and Juvenile Cougars in Fragmented Habitat", Attachment #7.
- This area is part of an important California gnatcatcher population within the Arroyo Trabuco, located between Oso Parkway and Avery Parkway. This gnatcatcher population is linked to the major Chiquita Canyon population through the south end of O'Neill Regional Park between the Las Flores and Ladera Ranch Planned Communities. The area could act as a refugium within Arroyo Trabuco should fire occur in Chiquita Canyon.

4. Grazing Management Plan (GMP):

By virtue of proposing a continuation of grazing as one element of the comprehensive development plan, the DEIR must address impacts of grazing and include the proposed Grazing Management Plan (GMP). The discussion of grazing impacts should particularly

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address any changes in the extent or quality of coastal sage scrub in the affected areas since they were mapped in 1993. The discussion of grazing impacts should address any changes in the extent or quality of the native grasslands mapped by Ted St. John and Edith Read in 1989/90 for Rancho Mission Viejo (see Attachment #3).

The GMP should also address how soon after a major brushfire cattle would be allowed to return to a given area (Verdugo and Upper Gabino burned in 10/93) and how exclusion from large areas for a number of years would affect the economic viability of a cattle ranching enterprise, water quality, erosion, oak tree regeneration, native grassland, coastal sage scrub and rare plant management and restoration, impacts on deer and mountain lions, vegetation type conversions, removal of cattle from creeks, control of non-native exotics (particularly non-native grass species), protection of those soils particularly supportive of native grassland, etc. GMP should include an annual monitoring program the results of which are annually evaluated by U.S. Fish and Wildlife Service, and California Department of Fish and Game and adjustments to management made.

5. Open Space Designation:

The intended purpose(s) of each proposed open space areas as NCCP/SAMP Reserve or other purposes should be compared with the Reserve Design Principles, SAMP/MSAA Tenets and Watershed Planning Principles, so that the logic of proposed uses of each separate element of the proposed project open space can be evaluated. This is especially the case for PA 9, although it is also difficult to see how the highly fragmented PAs 10 and 12 [fragmented in terms of current wildlife movement - see previous discussion in 3.c and d. above, and forthcoming discussion in 8.b. 1), 3) and 4) below] meet logical standards for a Reserve design.

6. Groundwater Withdrawals:

The DEIR should address impacts to riparian and aquatic habitat and species from groundwater withdrawals associated with providing an adequate water supply to support the proposed development. Examples of historical impacts due to excessive groundwater withdrawals in the watershed include (1) death of 100 to 200 white alders in Caspers Wilderness Park due to overdrafting of a well in Hot Springs Canyon and (2) death of arroyo willows and other riparian vegetation in O'Neill Regional Park due to overdrafting of a well used to irrigate Tijeras Creek Golf Course.

The ability to: (1) maintain habitat for state and/or federally listed threatened and endangered species and/or state Species of Special Concern, (2) maintain native riparian vegetation, (3) maintain aquatic and riparian corridors suitable for fish and wildlife passage, and (4) maintain water quality and water temperatures suitable for support of in-stream beneficial uses needs to be addressed.

A groundwater management and monitoring program should be required to monitor the health of biological resources and habitat based on an evaluation of baseline conditions prior to development. Aquatic habitat conditions, including flow velocity, water depth, water temperature and percent cover should be measured using standardized methods. Monitoring of sensitive vertebrate species and macro invertebrates should be required. The California

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Stream Bioassessment Procedures already adopted by the San Diego Regional Water Quality Control Board could be used to measure a stream's macro invertebrate community and its physical/habitat structure.

7. Land Use and Planning:

In addition to the NCCP/HCP and the SAMP, the DEIR needs to address potential conflicts with the San Juan Creek Watershed Plan currently in development, specifically the Draft Feasibility Phase F-5 Report, which includes such proposed features as a dam/detention basin and grade stabilizers, both within PA13.

8. Wildlife Movement, Habitat Fragmentation and Loss:

a. General Comments:

The functionality of wildlife corridor/habitat linkages and creeks needs to be retained. See Attachment #8, "Public Open Space Alternative (With Roads and Development Areas)". The DEIR should fully analyze continued viability of these corridors in perpetuity upon project implementation. Wildlife crossings that accommodate mountain lions and deer should be incorporated into the design of proposed arterial highways and local circulation network.

Some documentation for these habitat linkages can be found in "The Cougar in the Santa Ana Mountain Range, California" Orange County Cooperative Mountain Lion Study by Paul Beier and Reginald Barrett, dated June 1, 1993, Attachment #3, in various published articles of Paul Beier "Determining Minimum Habitat Areas and Habitat Corridors for Cougars", Attachment #4, "Metapopulation Models, Tenacious Tracking, and Cougar Conservation", Attachment #6, "A Checklist for Evaluating Impacts to Wildlife Movement Corridors", Attachment # 5 and the County of Orange Deer Telemetry Study.

Preservation of the cougar population in the Santa Ana Mountain Range of Southern California should be addressed. In particular, the east-west habitat linkage from O'Neill Regional Park/Arroyo Trabuco through the Thomas Riley and Caspers Wilderness Parks to the Cleveland National Forest must be retained. Also the habitat linkage from the Donna O'Neill Land Conservancy to Cleveland National Forest/Camp Pendleton through Gabino, Blind and Upper Cristianitos Creek needs to be preserved. Beier (1993) studied the population viability of mountain lions in the Santa Ana Mountains and Palomar Range and concluded that loss of critical habitat linkages would likely extirpate lions from the region.

b. Specific Comments:

Of particular concern are the following issues:

- 1) Planning Area 10 is proposed essentially as an open space addition to the existing eastern portion of the Ladera Land Conservancy, which itself connects to O'Neill Regional Park. However, by proposing a PA2 which is configured to extend all the way from San Juan Creek on the south to a new high school south of Oso Parkway on the north, there will be no way for wildlife movement to cross east-

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west from the Ladra Land Conservancy (as expanded) and the open space PA12 and Thomas Riley Wilderness Park on the east.

We are unaware of any study documenting mountain lion or mule deer use of Route 241 under crossing from O'Neill Regional Park to the Chiquita Canyon Conservation Area, which it appears the applicant may be relying upon to provide east-west wildlife movement. There similarly is no documentation showing mountain lion or mule deer north-south movement under Oso Parkway using existing box culverts.

The southern portion of PA2A would eliminate a key wildlife movement area in what are identified as the Chiquita Narrows and Chiquita Woods Canyon. That is why this portion of PA2A has been proposed instead for regional park purposes (see discussion in 3.d.). Even if the requested portion of PA2A is instead allocated to an expansion of Riley Wilderness Park, there will still be issues relative to wildlife movement across Chiquita Canyon Road which appears to cross Chiquita Woods Canyon and divide this area.

- 2) The creation of a New Ortega Highway doubles the problem of wildlife movement north-south across San Juan Creek. Portions of the New Ortega Highway are proposed for future 6 lanes, which would create several times the impact of the existing 2 lane Ortega Highway.
- 3) Should SR-241 not be extended, the exhibits depict an alternative northerly segment of Cristianitos Road running generally north-south east of the Gobernadora Ecological Restoration Area and connecting with the proposed Chiquita Canyon Road (which actually runs largely through the Canada Gobernadora Watershed) to the north. This road segment would particularly impact existing and documented mountain lion movement between Caspers Wilderness Park and the riparian area within the Gobernadora Ecological Restoration Area along North and South Gunsite Canyons.

At the same time, coming off of Cristianitos Road and looping through South Gunsite Canyon would be a 4 lane "community collector" road which would eliminate the present wildlife movement along that canyon between Caspers Wilderness Park and the Gobernadora Ecological Restoration Area.

As significant as the northern segment of proposed Cristianitos Road is the alignment/new location and route for Cristianitos Road south of Ortega Highway. Near the northern edge of the Donna O'Neill Land Conservancy, the proposed new alignment begins to shift several hundred feet to the east of the location of present day Cristianitos Road. In shifting the location several hundred feet to the east, the road will more or less follow a north-south ridgeline with the exception of that point where it crosses lower Gabino Canyon before rising up again to the TRW leasehold mesa.

The proposed road location would likely cut off all documented wildlife movement between the Donna O'Neill Land Conservancy and San Juan Creek, Gobernadora Ecological Restoration Area, Caspers & Riley Wilderness Parks and all remaining habitat to the north. It would appear based on topography that a high bridge for this

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road over lower Gabino Canyon would allow wildlife movement under that bridge between wilderness areas to the east and the Donna O'Neill Land Conservancy, but that it would otherwise cut off wildlife movement except at this point, assumed to be a bridge crossing.

The one concern with this assumption is that the proposal is for the road segment crossing lower Gabino Canyon to be constructed as a 2 lane collector. There may be considerable opposition to constructing a 2 lane collector with "future reservation" for widening as a significant bridge crossing, even though this would be the only effective means of assuring that there continues to be any wildlife movement into and out of the Donna O'Neill Land Conservancy.

- 4) Even if wildlife movement was not to be severely affected by the contiguous nature of PA2 with the new high school [see discussion in 8. b. 1)], east-west wildlife movement would be similarly impacted by the proposed Chiquita Canyon Road, much of which is actually in the Canada Gobernadora Watershed. As with the land use arrangement discussed in 8. b. 1), this road has the potential for eliminating all east-west movement between O'Neill Regional Park on the west and Riley and Caspers Wilderness Parks on the east. The only wildlife movement this road itself would not impact would be between Caspers, the Gobernadora Ecological Restoration Area and Riley Wilderness Park.
- 5) The local collector road depicted in Exhibits 6A and 6B appears to extend into PA 9A for the apparent purpose of accessing estate housing proposed there. However, it follows exactly the only wildlife corridor directly connecting San Juan Creek with Gabino Canyon, as noted in Beier and Barrett study.
- 6) Although not specifically addressed in the NOP it is our understanding that a significant number of property owners in the southwest corner of Riverside County have access easement rights that allow them to cross from Ortega Highway to Riverside County. Since this project will have significant growth inducing impacts, it is critical to estimate how wide the easement rights are for those property owners and whether or not they would legally be entitled to widen their current means of access within the full width of their easements, for example, from an existing 2 lane road to 3, 4, or 5 lanes. The DEIR must address the location and width of all easement rights crossing Ranch properties which the holders of those easement rights could expand upon greatly impacting wildlife movement in said potentially widened locations.

9. Lessened Public Access to Private Reserve Impacts:

The DEIR needs to analyze impacts on County regional/wilderness parks from excessive recreational use resulting from potentially lessened public access to private reserve lands, including an increase in staffing to patrol and interact with the public in order to enforce user compliance with reserve policies and additional funding for habitat rehabilitation/ restoration and recreation monitoring. The DEIR should also address related impacts of increased human/mountain lion interaction.

10. Open Space Areas:

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- a. Open space areas are delineated within the proposed land use plan. Are open space areas to be placed within "Conservation Easements" in perpetuity much like those within the Ladera Ranch Planned Community? The DEIR should discuss. If Conservation Easements are to be dedicated, they should occur at applicable subdivision levels of approval subject to approval of the Manager, County, PFRD/HBP Program Management.
- b. A 420-acre O'Neill Ranch "Overlay Zone" is proposed within Open Space Planning Unit 9A to facilitate 100 estate homes, 120 casitas and a golf course. The DEIR should clearly identify the location of these proposed components for thorough CEQA analysis of relevant impacts. Moreover, the Project Planning Area Map for Planning Area 9A should be revised to depict locations of residential nodes proposed within this planning area as well as the golf course.

11. CEQA Process:

- a. The NOP indicates the proposed project is being prepared concurrently with two other EIR/EIS documents. These include 1) the Southern Orange County Natural Community Conservation Planning Program and Habitat Conservation Plan (NCCP/HCP), and 2) the Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA).

How is the CEQA process for the proposed project to be coordinated with these other two documents as indicated in the NOP? What prevents three Lead Agencies from approving contradictory certification? What implications does this forebode for the adequacy of CEQA compliance for the subject project? The DEIR should adequately discuss this issue thoroughly for clarification of reviewers and the County as a Responsible Agency for these other two projects.

12. Trails and Class I Bikeways:

a. Riding and Hiking Trails:

Riding and hiking trails are surfaced with decomposed granite (DG) and are used by equestrians, mountain bicyclists, and hikers. The County's *Master Plan of Regional Riding and Hiking Trails* identifies the following four trails (identified below) aligned within the subject project vicinity.

The project proponent shall be required to dedicate a 16-foot-wide Recreation Easement for riding and hiking trail purposes, for each trail, to the County of Orange in compliance with County Standard Conditions of Approval Manual conditions for Recreation Easements. Design and construction of the trails are a component of the conditions.

Implementation shall occur at subsequent subdivision levels of approval for applicable subdivision maps subject to approval of the Manager, County, PFRD/HBP Program Management. The DEIR should discuss dedication requirements as a condition of approval for the proposed project. Trails *not* acquired in conjunction with subdivision maps shall be dedicated to the County of Orange by separate instrument.

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1. *Cristianitos Trail* - proposed to connect the San Juan Creek Trail (at Nursery Road) to San Onofre State Park, through the Talega Planned Community.
2. *Prima Deshecha Trail* - proposed to connect the San Juan Creek Trail (at Antonio Parkway) to San Onofre State Park, through the Talega Planned Community.
3. *San Juan Creek Trail* - proposed to follow San Juan Creek and connect the Cleveland National Forest to Doheny State Beach. This is a "mountains-to-sea" trail. The project proponent should construct the segment between Caspers Wilderness Park and the San Juan Capistrano city limits.

A Recreation Easement shall not be required within proposed "Rancho Mission Viejo Regional Park" for subject trail if the park is accepted by the County of Orange. However, design and construction of the trail will be required.

4. *Wagon Wheel Trail* - proposed to connect Caspers and Riley Wilderness Parks. The project proponent should construct two segments of the trail: a) from the southerly end of Riley Wilderness Park to the westerly edge of Caspers Wilderness Park, and b) from Oso Parkway northward to the Tijeras Creek Trail.

The DEIR should also mention the mostly existing Bell View Trail (proposed to connect the San Juan Creek Trail to the Tijeras Creek Trail) and the partially existing Arroyo Trabuco Trail (proposed to follow Trabuco Creek from the Cleveland National Forest to the San Juan Creek Trail).

Also, the DEIR should discuss the opportunity for implementing additional riding and hiking trails within the project site. These local trails should connect residential areas, parks, staging areas, and equestrian centers to regional trails. Local trails shall be dedicated to the County of Orange. (These would be recorded but not accepted by the County.)

b. Staging Areas:

Staging areas typically provide parking and amenities such as a watering trough, drinking fountain, horse tie-ups, benches, and shade trees. The *Master Plan of Regional Riding and Hiking Trails* proposes the San Juan Creek Staging Area northwest of the intersection of Antonio Parkway and Ortega Highway, near the San Juan Creek Trail. The project proponent should be required to design and construct this regional staging area, per County standards. In addition to this, the DEIR should discuss the opportunity for implementing additional staging areas within the project site.

The DEIR should also mention that two other staging areas are proposed in the project vicinity: the Prima Deshecha Staging Area (located east of the Prima Deshecha Landfill) and the Cristianitos Staging Area (located southeast of the Talega Planned Community).

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c. Class I Bikeways:

Class I (paved off-road) bikeways are used by pedestrians and bicyclists. OCTA's *Strategic Plan* for regional bikeways identifies two Class I bikeways in the project vicinity:

1. *San Juan Creek Bikeway* – proposed to follow San Juan Creek and connect Caspers Wilderness Park to Doheny State Beach. This is a “mountains-to-sea” bikeway. The project proponent should be required to design and construct this bikeway from the Wilderness Park to the existing portion of the bikeway in San Juan Capistrano, and to dedicate a 16-foot-wide Recreation Easement to the County of Orange (within the project boundary).

Should the proposed “Rancho Mission Viejo Regional Park” be implemented, a Recreation Easement shall not be required for areas within the park, but design and construction shall continue to be a requirement.

2. *Trabuco Creek Bikeway* – proposed to follow the Arroyo Trabuco from Cleveland National Forest to the San Juan Creek Trail. This is part of the “mountains-to-sea” bikeway system. Residents of RMV Planning Arcas 1 and 2 will be living close to the Arroyo Trabuco (from one to three miles away). It is expected that future RMV residents and residents of the existing RMV communities of Las Flores and Ladera will use the Trabuco Creek Bikeway for both cycle-commuting and recreational use.

We therefore request the project proponent be required to design and construct this bikeway from just north of the Solano Adobe (near the Tijeras Creek Golf Club) to just south of Crown Valley Parkway, where it would connect with the planned segment of the bikeway through the Arroyo Trabuco Golf Course.

A 16-foot wide Recreation Easement for bikeway purposes should be dedicated to the County of Orange, by separate instrument, prior to issuance of certificates of use and occupancy for the proposed project subject to approval of the Manager, County, PFRD/HBP Program Management.

The DEIR should also mention that the County's *Bikeway Plan* (for the unincorporated areas) identifies the Pico Bikeway just outside the project boundary. This existing bikeway parallels Avenida Pico in Taloga. This bikeway should be extended into RMV's Planning Area 8, to serve future residents.

The DEIR should also discuss the opportunity for implementing additional Class I bikeways within the project site. Local Class I bikeways should connect residential areas to regional bikeways and activity centers such as parks, schools, shopping centers, employment centers, etc.

To provide a needed north-south Class I bikeway through Rancho Mission Viejo, the project proponent should design and construct a Class I bikeway (possibly parallel to the proposed Cristianitas Road) that would connect the San Juan Creek Bikeway to the Pico Bikeway.

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Should proposed "Rancho Mission Viejo Regional Park" not be accepted by the County, the project proponent should consider converting the Ortega Highway, if abandoned by Cal-Tans, to the San Juan Creek Bikeway within the remaining linear open space. A precedent for conversion occurred in the County's changing "Old" El Toro Road to a segment of the Aliso Creek Bikeway in Cities of Lake Forest, and Mission Viejo.

Bikeways can be mitigation measures to help reduce air pollution, traffic congestion, parking congestion, and noise. Class I bikeways in particular, because they are off-road and suitable for bicyclists and pedestrians with a wide range of ages and abilities, serve to encourage bicycling and walking as alternative modes of transportation.

d. Grade-Separated Crossings:

Grade-separated crossings should be provided where roads will cross trails and bikeways. Examples include:

1. *San Juan Creek Trail and San Juan Creek Bikeway* – at Ortega Highway (west of La Pata Avenue), Antonio Parkway (north of Ortega Highway), the proposed Cristianitos Road, the proposed extension of SR-241, and the proposed New Ortega Highway.
2. *Pico Bikeway* – at SR-241 (to provide for the extension of the bikeway into Planning Area 8) and possibly at Cristianitos Road, depending on the bikeway and road alignments.
3. *Prima Deshecha Trail* – at La Pata Avenue (near proposed Camino Las Ramblas) and Ortega Highway (near La Pata Avenue). Also, the proposed Trampas Road should avoid the alignment of this trail. Otherwise, a grade-separated crossing would be needed.
4. *Cristianitos Trail* – at the proposed Cristianitos Road and at Ortega Highway.

e. Exhibit:

An exhibit (similar to Exhibit 5A) should be provided in the EIR that depicts trails, Class I bikeways, staging areas, and grade-separated crossings.

f. Trail/Bikeway Terminology:

To avoid confusion between riding and hiking trails and bikeways, we suggest using the following terminology in the text:

- Class I Bikeway: a paved, off-road bikeway.
- Class II Bikeway: an on-road bikeway with striped lanes.
- Riding and Hiking Trail: a trail surfaced with decomposed granite (DGI).

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In short, "bikeway" would be used for paved routes and "trail" would refer to unpaved routes.

g. Setbacks:

Trails and bikeways should be set back from roads, buildings, and walls, to allow space for shade trees and landscaping.

h. Coordination with Other Planned Communities:

Trail and bikeway planning for Rancho Mission Viejo should be coordinated with the Talega Planned Community and Coto de Caza Specific Plan Community.

i. Project Objectives:

Under Transportation project objectives (NOP pages 22-23) the following should be included in the DEIR: "Promote alternative modes of transportation, such as walking, bicycling, and mass transit."

We appreciate the project objectives listed under Recreation (NOP pages 23-24). However, the following changes should be made within the DEIR for clarification:

- Change the title to "Trails and Bikeways".
- In number 1, incorporate the following language: "Local trails should connect residential areas, parks, staging areas, and equestrian centers to regional trails. Local Class I bikeways should connect residential areas to regional bikeways and activity centers such as parks, schools, shopping centers, employment centers, etc."
- In number 1a, change the wording to read, "Provide for links in the Orange County "mountains-to-sea" trail and bikeway system."
- In number 1b, add "and bikeways" at the end of the sentence.
- In number 3, insert "and bikeway" after "trail".
- In number 4, change the wording to read, "Facilitate implementation of the OCTA and County bikeway master plans."

j. Environmental Analysis Checklist Responses:

Under Transportation/Circulation "g" (NOP page 5), it is stated that "no further evaluation of these issues is warranted in the Program EIR". However, our comments above should be included (under Transportation and Recreation, as appropriate), in order to provide guidance for the Area Plan and tentative tract map stages of approval.

Under Recreation (NOP page 7), the DEIR should also address trails and Class I bikeways.

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13. Other Concerns:

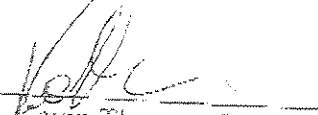
In order to better understand the project and comment appropriately during preparation of the DEIR through the subsequent screen check process, HBP requests the following as soon as possible:

- a. Submittal to PFRD/HBP Program Management of three separate exhibits all *at the same scale* on USGS base maps of the Planning Areas, Arterial and Collector Roads and Mountain Lion Movement Corridors. All exhibits to be fold-out exhibits 11" x 17" in size. These same exhibits should also be included in the DEIR.
- b. A tour of the proposed project site for PFRD staff, including HBP, Watershed & Coastal Resources, Environmental Resources, Flood Program and Design, Road Design.

Thank you for the opportunity to comment. HBP welcomes any opportunity to respond to any PDSD questions regarding our response on subject NOP.

HBP also requests a copy of the proposed DEIR, before distribution, as well as a copies of the final EIR, Board of Supervisor Resolutions and Conditions for the General Plan Amendment and Zone Change Conditions as they become available from PDSD. Moreover, HBP requests a copy of the final NOP memo on subject project distributed by your office to PDSD for our records.

Should you have any questions, please don't hesitate to contact me at 834-6666, or Eric Jessen of my staff at 834-6787.


Kevin Thomas, Director
Harbors, Beaches & Parks

Attachments: (8)

1. Public Open Space Alternative (Southern NCCP/SAMP Wildlife Movement Corridors/Habitat Linkages).
2. Ted St. John and Edith Read Rancho Mission Viejo Grassland Exhibit, 1989/1990.
3. Orange County Cooperative Mountain Lion Study, Paul Beier and Reginald Bartlett, 6-1-93.
4. Determining Minimum Habitat Areas and Habitat Corridors for Cougars, Paul Beier, 3-93.
5. A Checklist For Evaluating Impacts to Wildlife Movement Corridors, Paul Beier and Steve Loe, 1992.
6. Metapopulation Models, Tenacious Tracking, and Cougar Conservation, Paul Beier, 1996.
7. Dispersal of Juvenile Cougars in Fragmented Habitat, Paul Beier, 1995.
8. Public Open Space Alternative (With Roads and Development Areas).

cc: Bob Hamilton, PFRD/HBP Program Management

wj/en/jd/sm/ep54125

**Referenced Harbors, Beaches & Parks
attachments are available for your review at
the County of Orange.**



Capistrano Unified School District

Excellence in Education

32972 Calle Perfecto, San Juan Capistrano, California 92675

Telephone (949) 489-7000/FAX 248-8546

April 7, 2003

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DirectorBOB SENDZIK
Manager

Chuck Shoemaker
Orange County Planning & Development Services Department
300 North Flower Street
P.O. Box 4048
Santa Ana, CA 92702

SUBJECT: RESPONSE TO "RANCH PLAN" NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT

Dear Mr. Shoemaker:

Thank you for the opportunity to respond to the Notice of Preparation (NOP) for the Environmental Impact Report (EIR) addressing the "Ranch Plan". The entire proposed development is within the jurisdictional boundaries of Capistrano Unified School District (CUSD), and the District is committed to providing educational and support facilities for all future students generated by new developments.

The NOP indicates on page 10 that preliminary analyses reveal a need for three elementary schools, one middle school, and a possible need for one high school. Further, school site sizes are estimated to be 10 acres each for elementary schools, 20 acres for middle schools, and 50 acres for a high school.

CUSD is requiring this information be revised to include a minimum of *six* elementary schools, *two* middle schools, *one* high school, and *two support sites* (e.g., transportation centers). This requirement is based upon the proposed number of homes within the Ranch Plan and current student generation rates that are updated annually. Moreover, the sizes of school sites also need to be revised to *12 acres* each for elementary, *25 acres* each for middle, and *55 acres* for a high school. The larger site sizes are critical to accommodate the educational and programmatic needs of today's students. Without the required schools and larger site sizes, the District anticipates significant adverse impacts on enrollments as families with school-age children continue to move to homes in south Orange County.

We appreciate the opportunity to provide our input on school related impacts and needs associated with this project. If you have any questions or concerns regarding this letter, please do not hesitate to contact me at (949) 489-7264.

Sincerely,

David A. Doomey
Associate Superintendent, Facilities Planning



File: L-Ranch Plan NOP.doc

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South Coast Air Quality Management District

21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

June 27, 2003

Mr. Chuck Shoemaker
County of Orange
Planning and Development Services Dept.
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker:

Notice of Preparation of a Draft Environmental Impact Report for General Plan Amendment/Zone Change PA 01-114 (The Ranch Plan)

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The AQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR).

Air Quality Analysis

The AQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The AQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the AQMD's Subscription Services Department by calling (909) 396-3720.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be considered. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the evaluation. An analysis of all toxic air contaminant impacts due to the

Mr. Chuck Shoemaker

-2-

June 27, 2003

decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the AQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, AQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

AQMD rules and relevant air quality reports and data are available by calling the AQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the AQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The AQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

ORC30617-0511
Control Number



Richard K. Lashbrook
Agency Director

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Robert C. Johnson
Planning Director

Planning Department

July 29, 2003

Planning & Development Services Department
Environmental Planning Services Division
ATTN: Chuck Shoemaker
300 North Flower Street
Santa Ana, CA 92702-4048

**RE: NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
FOR THE COUNTY OF ORANGE GENERAL PLAN AMENDMENT/ZONE CHANGE**

Dear Mr. Shoemaker:

Thank you for providing the Riverside County Planning Department with the Notice of Preparation (NOP) for the above-referenced environmental document. We have no comments at this time but request that the County receive a copy of the Draft EIR when completed. If you should have any questions regarding these comments, please contact me at (909) 955-4949.

Sincerely,

Kathleen Browne
Special Projects



Terri Trammell

03/18/2003 10:52 AM

To: Chuck Shoemaker

cc:

Subject: Rancho Mission Viejo

Hi Chuck,

I would like to voice my concern and frustration with the Rancho Mission Viejo land owners. I have lived in Orange County for 7 1/2 years. I have witnessed increasing growth, traffic congestion and bad air quality. I don't understand why people don't see this as being a problem when it comes to quality of life. Clean air is so precious to our health, well being and nature. I think the land should be designated as open space with NO building of Commercial or Residential EVER. Or, it can be used as Ranch Land which is probably what their forefathers before them had in mind for the land when they purchased it or it was given to them. But I know greed and money take over common sense with human beings....please pass this message on to anyone who will listen.

Thank you.

Terri Trammell

Concerned

601 Via Promontorio
San Clemente, California 92672
February 28, 2003

Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048
Attention: Chuck Shoemaker

Subject: General Plan Amendment / Zone Change(PA01-114)

Thank you for the opportunity to submit comments and to identify issues regarding the subject EIR. My concern, and the concern of my neighbors in the southern sections of the city of San Clemente, is related to the proposed toll road (so called 241 extension, or foothill extension) routing adjacent to our homes.

You already have identified transportation and traffic needs that will be addressed by the subject EIR. You must be aware, however, that the proposed toll road is intimately tied in with the project development, and the project development can not move forward without addressing the related toll road problems. You must look not only at traffic issues within and adjacent to the development, but traffic flow associated with the development that will affect nearby communities in southern Orange County.

If the transportation needs of the Ranch Plan depend on the toll road, or any other roadway extending through other communities to connect with major arterials, such as the I-5 freeway, the EIR must address the affect these roadways will have on the impacted communities.

The city of San Clemente is already bisected with a major freeway. Homes within 0.5 to 1.0 miles of this freeway are subjected to continuous freeway noise, noxious gases, and for those homes with visual access, aesthetic degradation. The proposed toll road route, while not cutting through the heart of the city, is well within 0.5 miles of many homes in this city and will subject residents within that zone to the same objectionable elements as the current freeway.

For the reasons cited above, and for other reasons too numerous to relate here, the toll road must not be constructed along the currently proposed route. The toll road connection with the proposed development, and the toll road problems themselves, are issues that need to be addressed in the EIR.


CALVIN HECHT

David Bendall
25 Via Carisma
Aliso Viejo CA 92656
949-643-1644

Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

To Whom It May Concern:

The planned zone changes (PA 01-114) are a bad idea and clearly not in the interest of the average resident of Orange County. There is no reason that the county of Orange should change the zoning for this land, as it does not provide any significant benefits to the residents of Orange County while permanently degrading a valuable natural resource. The 14,000 dwelling units being considered for the planning area could easily be built in existing cities. In my city, Aliso Viejo, we clearly have un-built areas where thousands of condos could be added. Building in existing cities would be much preferable, as it would not require nearly the level new services from the county and would not have nearly as much adverse affect on the environment. The open space in South Orange County has national importance in terms of its biodiversity and beauty. It would be a tragedy for Orange County to rezone this land, since this would make it much less likely it would be preserved. My hope is that those in charge will look after the interests of the citizens of Orange County and of the US and protect this treasured natural resource, rather than provide an unjustifiable windfall for the owners of the land.

Sincerely,

David Bendall

TERRELL WATT, AICP
PLANNING CONSULTANT
1757 UNION STREET
SAN FRANCISCO, CA 94123

(415) 563-0543
FAX (415) 563-8701
terrywatt@att.net

March 15, 2003

Attn. Chuck Shoemaker
Orange County Planning & Development Services Dept.
300 N. Flower Street
Santa Ana, CA 92702-4048

RE: Notice of Intent to Prepare (NOP) Draft Environmental Impact Report # 589
for Proposed General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan)

Mr. Shoemaker:

The following comments on the Notice of Preparation ("NOP") of Draft Environmental Impact Report #589 (DEIR) for The Ranch Project (the Project) are submitted on behalf of Endangered Habitats League (EHL). EHL supports the County's requirement that an EIR be prepared for the Project and appreciates this opportunity to comment on the scope and content of the EIR.

COMMENTS ON THE SCOPE OF THE EIR

Project DEIR Timing/Sequencing Issues

The NOP states that the Project DEIR will be processed concurrently with the two regional planning efforts that are ongoing for the project site: 1) The NCCP/HCP; and 2) the SAMP/MSAA. Separate permitting documents and separate joint EIS/EIRs are being prepared for these two regional planning efforts. Among the purposes of an NCCP/HCP process is to identify lands that should be permanently protected in order to ensure the long-term protection of natural communities and their related species while allowing compatible development and economic use. As such, the scientific information concerning potential "reserve" areas is an essential *initial* input into a development plan for The Ranch. Similarly, the SAMP will be identifying measures necessary to preserve, enhance and restore aquatic resources in the area. The initial information from these two efforts and alternatives developed as part of the two joint EIS/EIRs would be most useful as input to the proposed Project design. The initiation of a Project DEIR does not allow for this input to have occurred prior to the selection of a "project description" for analysis. Ideally, the initiation of a Project DEIR would be delayed until the project description is revised to reflect information about biological resources and reserve design developed in the NCCP/HCP and the SAMP.

It is customary for EIS's to analyze a number of alternatives at an equal level of detail. Following that initial analysis, a preferred project is typically selected for further review. If this is the case with the NCCP/HCP and SAMP/MSAA EIS/EIRs, the Project DEIR should await the completion of the Draft EIS/EIRs for these planning efforts. As stated above, this would allow the proposed Project description to reflect key information concerning resources and reserve design identified in those planning efforts. Ideally, there would be a single joint EIS/EIR for the project and regional efforts with co-lead agencies. Has this option been considered? If so, why was it rejected? It seems timely to reconsider the option and cost savings associated with joint environmental documents.

The NOP does not provide a detailed schedule for coordinating these three efforts, or state how and when information developed as part of the regional efforts will be incorporated into the Project and Project DEIR. Whatever the sequencing of these concurrent efforts is, it should allow for information from the regional planning efforts to be incorporated into the Project Draft EIR. A detailed schedule illustrating the coordination of these efforts should be developed to ensure this is the case.

Program vs. Project-Level DEIR

EHL understands that the NOP is proposing a Program-level EIR. Nonetheless, we encourage the County to analyze project impacts at a level of detail sufficient to inform key decisions, including:

- Where development should and should not be located based on existing resources; level of impact and smart-growth planning principles.
- Where sensitive uses should be located, including schools.
- Minimum setbacks from development to aquatic resources and reserves.
- Other project and reserve design issues.

Project Description

Often DEIR's are inadequate as a result of omissions in the project description and setting information. This NOP leaves a number of questions remaining concerning key aspects of the project, including the following:

- The type and amount of uses in each overlay zone. The NOP states that these would be clearly identified as part of the project approval. Since such uses may have impacts, they must be identified in the project description for analysis. The project description should also provide details concerning the types of commercial uses, number of employees, general range of incomes and the like.
- The approximate locations of schools for the project. The location of schools should not be delayed until the tentative map stage because of the unique impacts associated with schools. The NOP indicates that the locations of the schools will not be disclosed until the tentative tract map stage. In addition, the NOP is unclear as to whether a high school will be part of the project. Again, this should be clarified in the project description and a "worst-case" scenario analyzed.
- The location of reservoirs and other major utilities. The NOP postpones the determination of the location and size of reservoirs and other utilities until the tentative map stage. The NOP notes that reservoirs will be located "in proximity to the developed areas," but not necessarily within development areas. Again, this deferral of project details may result in an underestimation of project impacts.
- The detailed text and map changes for General Plan and Zone amendments. These should be included in the project description, as well as any components of the draft development agreement that have the potential to result in impacts.
- Specific BMPs for water quality during and after construction. To the extent that water quality basins are relied on for water quality treatment, these should be described.
- Water supply, storage and distribution improvements needed for buildout (see note above concerning deferral of locating reservoir sites).
- Development, including new infrastructure, which would occur on slopes over 20%, 25% and 30% with a map illustrating the location of these activities.

- Specific contaminants/pollutants, and estimated amounts, generated by the project and cumulative development.
- Total amount of grading (cut and fill); height/depth of cuts and fills; extent to which grading will balance on site; specific location of spoils sites and sources of new fill if needed. This information should be illustrated in clear graphics as much as possible.
- Details concerning construction phasing and construction activities for all phases.
- Proposed resource management regimes for open space and NCCP/HCP and SAMP reserve areas.

The NOP provides some information about the topics listed above, but lacks the level of detail necessary to support a comprehensive evaluation of project-related and cumulative impacts.

Project Setting

Similarly local and regional setting information must be described in sufficient detail to support adequate analysis of impacts. The NOP provides a general description of much of the setting information. However, additional details should be included in the DEIR, including:

- Updated information concerning all development projects, including infrastructure improvements, in the region. In addition, this section should provide an update on how and where the County will be meeting its five-year Regional Housing Needs Allocation. Information about opportunities for infill housing in existing urban areas should be provided.
- Information on the current balance of jobs and housing, including income and housing cost information should be included in the DEIR to inform a number of issues, including need for the project.
- Detailed information concerning biological resources on-site and in the region.
- Information about the status of the water supply, both short and long-term, taking into consideration climatological changes that may impact the state's water supplies.
- Existing Williamson Act lands (mapped) on and off-site.

Detailed project description and setting information must be provided if the DEIR's analysis of impacts is to be adequate.

Thresholds of Significance

CEQA requires that "[a]ll public agencies...adopt by ordinance, resolution, rule or regulation, objectives, criteria, and procedures for the evaluation of projects and the preparation of environmental impact reports and negative declarations...." Pub. Resources Code Section 21082. Such criteria are frequently referred to as "thresholds of significance." The DEIR must include such thresholds for each environmental factor that is discussed. Policies contained in the County's General Plan in combination with regulatory standards (e.g. air quality, noise, ESA, grading, etc.) should be used as thresholds in addition to those recommended by the CEQA Guidelines.

Land Use and Planning

The DEIR must include a detailed comparison of the proposed project with all applicable plans, policies and regulations. Even though the project is proposing General Plan and zoning amendments, the DEIR should identify the differences between what the applicable plans and ordinances would allow and what the project entails.

A table should be included in the DEIR which describes and supports with evidence the proposed project's consistency with each relevant goal, policy and program of the County General Plan and other applicable

plans, policies and regulations of all agencies with jurisdiction over the project and a description of project conformance. Where there are conflicts between the proposed project and the applicable provision, the DEIR must describe conforming amendments or changes to the proposed project necessary to ensure consistency between project and applicable provision.

Finally, the Environmental Analysis Checklist states that there will be less than significant conflicts between the Project and applicable environmental plans or policies of agencies with jurisdiction over the project. No evidence is provided in the NOP to support this conclusion. To the contrary, the Checklist states:

“These documents [NCCP/HCP and SAMP] are not adopted plans at this time, so it is not possible to fully determine the project’s consistency with these plans.” Checklist at 1.

As the Checklist indicates, since the NCCP/HCP and SAMP are not yet completed, it is premature to conclude that any conflicts will be less than significant. The Project DEIR must include an analysis of Project consistency with these applicable plans. In addition, the DEIR must analyze Project consistency with other applicable plans including Air Quality plans, Regional Board regulations and the like.

This section should also address any issues related to the provision of public services, required annexations and other factors for consideration pursuant to the Cortese-Knox-Hertberg Local Govt. Reorganization Act. For example, if any of the development areas must be (or eventually will be) annexed to either an existing service district or to a City, this section must describe that action and analyze any impacts associated with the boundary change. The document should clarify whether development areas are to remain unincorporated, ultimately be annexed to adjacent cities or incorporate in the future. Impacts associated with this aspect of the project must be identified and analyzed.

Population and Housing

The Checklist states that the Project would not cumulatively exceed regional or local housing population projections. Again, the Checklist fails to provide evidence that the Project in combination with other planned projects in the region would not exceed regional or local housing population projections. This question must be the subject of a detailed analysis of all other projects that will be contributing to the housing supply in Orange County. This analysis should be added to the DEIR.

The growth inducing analysis in the DEIR must include: (1) an estimate of the amount, location and time frame of growth that may occur as a result of the project (e.g. additional housing demand or service demand induced by the project); (2) application of impact assessment methodology to determine the significance of secondary or indirect impacts as a result of growth inducement (e.g. demand for additional very low, low and moderate income housing as demand for services grows in the region from the provision of mid- to high-income homes, including construction workers); (3) identification of mitigation measures or alternatives to address significant secondary or indirect impacts.

Geophysical

We agree that every potential impact listed in the Checklist should be analyzed in the DEIR. This detailed analysis of potentially significant geophysical impacts should be prepared by a qualified, independent engineering geologist hired by the County. Any Geotechnical Reports prepared for the applicant must be the subject of a thorough peer review in order for the information to be relied on for the DEIR.

The DEIR must analyze the impacts of the cut and fill necessary to create housing sites, roadways, among other grading on the site and describe the extent to which cut and fill can be balanced on site. If borrow or spoils sites are needed, the DEIR should analyze the impacts associated with these project features. The impacts associated with grading must be analyzed including, but not limited to the likely significant impacts of soil erosion and loss of topsoil, and topographic changes, among others. Also, the DEIR should include a description (and graphic) indicating where cut and fill will occur and at what depths/heights. Indirect impacts associated with the grading on air quality and possibly truck trips to transport excess soils

offsite must also be analyzed. A detailed description of all Project components that could contribute to geophysical impacts must be the basis for the analysis.

Biological Resources and Wetlands (see also Hydrology, Drainage and Water Quality below)

We agree that every potential impact listed in the Checklist should be analyzed in the DEIR. This detailed analysis of potentially significant impacts to biological resources should be prepared by a qualified, independent expert hired by the County. In addition, we recommend that interdisciplinary teams of hydrologists and biologists (and other experts as warranted) work on these sections together to ensure complete analysis of the impacts of water quality, development and site alteration on species. Any technical reports prepared for the applicant must be the subject of a thorough peer review in order for the information to be relied on for the DEIR.

The DEIR must also include a wetland delineation by the U.S. Army Corps of Engineers (see below). Mitigation measures for impacts to biological resources should be supported by the U.S. Fish and Wildlife Service, the Department of Fish and Game and the U.S. Army Corps of Engineers. Deferral of mitigation measures until after local approvals have been completed and federal and state permitting processes have begun is not appropriate and would be inconsistent with the proposal to coordinate this Project DEIR with the NCCP/HCP and SAMP efforts. Any changes necessary for the project to receive federal and state permits should be made during the local approval process. The best way to ensure project consistency with the NCCP/HCP and SAMP is to delay the Project DEIR until further progress has been made on these planning documents and their draft EIS/EIRs.

Hydrology, Drainage and Water Quality

We agree that every potential impact listed in the Checklist should be analyzed in the DEIR. This detailed analysis of potentially significant hydrology, drainage and water quality impacts should be prepared by a qualified, independent expert hired by the County. In addition to a hydrologist, we recommend an interdisciplinary team of hydrologist and biologists (and other experts as warranted) work on these sections together to ensure complete analysis of the impacts of water quality on aquatic species. Any technical Reports prepared for the applicant must be the subject of a thorough peer review in order for the information to be relied on for the DEIR.

The proposed project could result in substantially altering the site and downstream resources with respect to its current hydrologic conditions. Significant impacts to the hydrologic regime and water quality are likely as a result of extensive grading, alteration of topography and erosion, among other impacts.

In addition, this section of the DEIR (and/or biology) must include the following:

- a delineation of all wetlands verified by the U.S. Army Corps of Engineers. A map indicating the location of delineated wetlands with an overlay of project development features should be included in the DEIR.
- an analysis of the project's impacts to wetlands as a result of grading, placement of utilities, polluted runoff from streets and trails, and use of groundwater and surface water. Redirecting drainage patterns on the property may indirectly result in impacting existing wetlands, streams and riparian vegetation on and off-site.
- an avoidance alternative consistent with the requirements of the U.S. Army Corps of Engineers, the California Department of Fish and Game, the U.S. Fish and Wildlife Service, and the Regional Water Quality Control Board.
- a discussion of the standards by which regulatory agencies evaluate proposals for development which may directly or indirectly impact wetlands.

- site development standards which include Temporary and Permanent Best Management Practices that will be relied upon to meet water quality standards.
- Methods for treating and retaining on-site storm water runoff from all new impervious surface areas, including roads, parking areas, rooflops, driveways, generated by storms.
- Mitigation measures and alternatives should include state of the art practices to reduce impacts to water quality including the incorporation of grassy swales and cisterns into project design.

The DEIR should analyze adopted BMPs as well as state of the art natural systems to address water quality impacts.

As a final note, the Checklist fails to place a check under 5d, flooding. If the site is subject to flooding, this potential impact must be addressed in the DEIR.

Air Quality

We agree that every potential impact listed in the Checklist should be analyzed in the DEIR. This detailed analysis of potentially significant air quality impacts should be prepared by a qualified, independent expert hired by the County. Any technical reports prepared for the applicant must be the subject of a thorough peer review in order for the information to be relied on for the DEIR. Mitigation measures and alternatives should be considered that would reduce air quality impacts including: reduced development; clustered development; jobs-housing balanced development; transit oriented development; and the like.

Transportation/Circulation

The Checklist indicates there would be no impacts of the Project on air traffic. However, no evidence is provided concerning the current capacity of airports in the region to handle additional demand. The potential impacts of the Project on increased air traffic demand must be considered in the DEIR.

The transportation analysis must include an evaluation of the impacts associated with the construction period activities of the project and cumulative projects in the area (e.g. truck trips, construction employee trips, staging areas, etc.). This analysis requires a detailed description of the construction activities associated with the project as well as cumulative projects (e.g. length of construction employee trips; need for off-site disposal of excess soil, etc.). The impact analysis must include all trip generating components of the project, including the schools and non-residential uses.

Finally, the DEIR should include mitigation measures and alternatives to the Project that would increase use of transit.

Public Services, Utilities and Facilities

We would urge that the DEIR provide sufficient details concerning all public services and facilities to allow analysis of potential impacts and determine the appropriate locations of key facilities (e.g. schools, reservoirs, etc.). The NOP indicates that key decisions concerning the location of some essential services may not be determined until the tentative map stage.

These analyses must also describe whether the project or cumulative development will exceed the requirements or standards of any of the agencies charged with jurisdiction over public services. In addition, these sections should refer to if completed, or provide if not yet completed by LAFCO, "service district reviews" pursuant to the Cortese-Knox-Hertzberg Act. These service reviews provide essential information about the status and ability of service districts to provide services to new development without impacts to existing service.

Aesthetics

The accepted approach to analyzing visual and aesthetic impacts is as follows:

- (1) Describe the criteria for significance thresholds;
- (2) Characterize the existing conditions on the project site and the surrounding area by photograph and description, and select key viewpoints within the area, including scenic corridors and landscapes.
- (3) Using photomontages or visual simulations, illustrate the change in character of the project site before and after project implementation.
- (4) Identify feasible mitigation measures and alternatives to reduce or eliminate significant impacts.
- (5) Where mitigation measures are proposed, use the simulations to illustrate the change in character before and after project mitigation measures are imposed (e.g. development siting, landscaping at various stages of growth, setbacks, clustering, reduced scale and height of structures, building color modification, etc.)

Because of the sensitive visual nature of the region and in this case, the change from open space to development, a thorough visual analysis must be done. In addition, the impacts of light and glare on wildlife in the area must be analyzed.

Cumulative Analysis

An EIR's cumulative analysis must consider the impact of the project combined with other related projects, including past, present, and probable future projects. The DEIR must analyze cumulative impacts for all environmental factors including, but not limited to: land use and planning; aesthetics, biological resources, hazards, public services, utilities/service systems, agricultural resources, cultural resources, hydrology/water, noise, recreation, air quality, geology, population/housing and transportation/circulation. At a minimum, the cumulative analysis should include:

- 1) A description of the geographic study area for each environmental topic. This description should include maps of each study area and a rationale for the study area.
- 2) The threshold of significance for a significant cumulative impact to occur.
- 3) Within each study area, a description of the cumulative projects or plan-based development assumptions.
- 4) An analysis of cumulative impacts, which is quantified where feasible (e.g. acres of types of habitat lost; total pollutants generated; etc.).
- 5) Mitigation measures to address significant cumulative impacts, including proposed County policy changes.

Other Sections (Noise, Hazards and Cultural Resources)

We concur with the Checklist as to the approach to Noise, Cultural Resources and Hazards, with one exception noted below*. Again, experts should be retained by the County to peer review any technical reports submitted for the DEIR by the applicant.

*Noise impacts on species must also be analyzed in the DEIR.

Alternatives

An alternatives analysis is at the heart of the DEIR. CEQA emphasizes that an EIR must analyze a range of reasonable alternatives to the project, or to the location of the project, that would feasibly attain most of the basic objectives while avoiding or substantially lessening the project's significant impacts. Pub. Res. Code Section 21100(b)(4); CEQA Guidelines Section 15126.6(a). While the NOP indicates that a number of alternatives will be analyzed, we recommend that the following additional alternatives be included in the analysis:

- 1) A "mitigated" alternative. None of the alternatives listed appears to address the combination of site constraints (slopes, biological resources, etc.) with "smart growth" design principles to address impacts

associated with air quality, traffic and sprawl-type development patterns. At least one alternative should be a "mitigated alternative" that addresses all potentially significant impacts and is based on a composite constraints map of the site. Ideally, an independent "urban design team" would work with the County and the EIR consultant to develop this alternative based on a constraints map. Such a mitigated alternative would alter the development pattern to avoid constraints and reduce or avoid other significant impacts of the project. Simply reducing the density of the project, but spreading that development over the entire site, does not result in an environmentally superior project. This alternative should also meet all agency permitting requirements (e.g. U.S. Army Corps, Dept. of Fish and Game, Regional Water Quality Control Board, etc.) and be consistent with the NCCP/HCP and SAMP efforts.

2) An Infill Alternative. An alternative should be evaluated that directs all new housing development into existing cities and urbanized areas. This alternative should consider both cities and unincorporated areas of the County a potential infill areas. Such an alternative would address impacts including loss of agricultural land and open space, impacts to biological species and their habitat, and potentially air and traffic impacts, among others.

3) A "Watershed Protection" Alternative. This alternative would direct development away from intact watersheds including the watershed of the San Mateo Creek and Cristianitos Creek, among others. This alternative could be combined with (1) above.

Sufficient information about the alternatives should be provided to allow comparison of the alternatives to the project and to one another. Again, delaying the Project DEIR until the NCCP/HCP and SAMP Draft EIS/EIRs are completed would facilitate this section of the Project DEIR.

CONCLUDING COMMENTS

Again, we appreciate being consulted on the scope of work for the DEIR. Please keep the following persons informed of any and all contracts, notices, hearings, staff reports, briefings, meetings and other matters related to the proposed project. We are pleased to respond to any questions you may have concerning our comments on the NOP.

Dan Silver
Endangered Habitats League
8424-A Santa Monica Blvd. #592
Los Angeles, CA 90069-4267

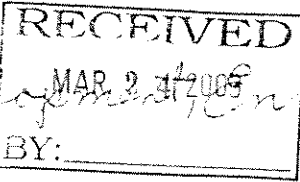
Very truly yours,



Terrell Watt, AICP

cc. Dan Silver, EHL

Casman
26731 Via Mendocino
Mission Viejo Ca
92691



Planning + Development, Environmental

I am writing in response to the application for zone change (PA01-114) by Rancho Mission Viejo. I have gone to meetings where the public was allowed to speak about this land.

I kept hearing the mediator say they can't tell the owners of the land what they can do with their land. I have land and I can't do anything I want with it and neither should Rancho Mission Viejo.

I have lived in Mission Viejo since 78. I have watched as the population in the area has exploded.

Traffic has gotten unbearable. Road rage is proof. All the vehicles have made the air quality worse each year.

All the pesticides and fertilizers used at all these new homes are ruining the water quality in San Juan Creek and San Mateo Creek also the quality of water at the beaches.

When we moved here it was quiet, we never heard the freeway traffic, now we hear it all the time. The noise bouncing off all the buildings.

Rancho Mission Viejo land has already been developed.

There is no way they can develop the remaining land from Oso in Mission Viejo to Pico in San Clemente without having an unbearable impact on all the surrounding communities.

The notice of Preparation had an environmental checklist, this planned development, would be a hazard to all environmental issues.

If this land is built on the wildlife in the area will be devastated because so much open land has already been taken.

I'm sure the planning and development services department understands the devastating impact this development would have on the area. Please don't let money cloud the issues. Deny the zone change. Respectfully
Coleman + Diana Rodgers

From the Desk of: **DAVE HUBER**

Washington Alloy Co.
Welding Products Division
(949) 443-4204

DAVE HUBER
647 Camino de los Mares
108/250
San Clemente, CA 92673
(949) 443-4204

Dear Sir:

Mar 21, 2003

This many Homes placed back off the entrance they makes no sense to me at all, cutting into the Hillsides with streets & Driveways full of oil, & Chemicals, Running off into the Drains & then out to the Ocean & Beaches. The Pacific Ocean cannot clean up that much Pollutions from that many people Living that close together its too LARGE A Project, & too much Concentration of Humans that Require Large amounts of WATER, for Lawns - (800 Gallons) Per Home, Per Day, Average, & 14,000 Homes over a Million Gallons of water - Wheres the water going to come from?

This is a money maker for Mission Viejo Co, & Builders & Construction Contractors, HANG THE ENVIRONMENT we all have to LIVE IN!

Regards Dave Huber

Mach 22, 2003

To: Mr. Chuck Shoemaker, Senior Planner
Planning & Development Services Department
300 N. Flower Street P.O. Box 4048
Santa Ana, California 92702-4048

From: Barbara Rosenbaum
15 Fontaire
Trabuco Canyon, California, 92679

Subject: Notice of Intent to Prepare Draft Environmental Impact Report # 589

Project Title: General Plan Amendment/Zone Change (PA 01-114)
The Ranch Plan

Dear Mr. Shoemaker,

Thank you for the Notice of Preparation. You are right. It does have 'potential significant impact' in many important areas which will affect quality of life for all of Orange County. This is the last remaining large piece of land to be developed. It is very important to plan carefully.

The Ranch Plan is the last piece of the Orange County N.C.C.P. process. To the Ranch's credit, it chose to be part of the Natural Communities Conservation Plan process. Even Supervisor Tom Wilson's South County Outreach and Review Effort will make recommendations about the Ranch Plan to the Supervisor this year. I plan to be part of the Southern California Association of Governments' discussion in it's regional COMPASS process involving citizens and groups all over southern California. More than six million people will be added to our area by 2030 so we are part of the greater region whether we like it or not.

1) Roads will be very important shapers of the planning. I see in the City of San Juan Capistrano's Strategic Transportation Plan that Crown Valley may be extended east and then south to Ortega Highway. There's also the possibility of a bigger North River Road which will parallel Ortega Highway.

I see that the Toll Road might extend south through the unincorporated land behind San Juan Capistrano, down behind San Clemente, either through San Onofre State Park and into Camp Pendleton or more directly to I/5 through San Clemente.

I see that Christanitos may extend to Ortega Highway from San Clemente. All of these roads could encourage more housing, runoff problems, cut off animal corridors, chop up open space and parks.

Air Quality is also part of the road building problem.

2) One road that might serve more useful purposes to more people could be the extension of Antonio Parkway (I read it may be a six to eight lane road) along the Ladera development, across Otetga Highway, onto La Pata through to Pico in San Clemente. San Clemente is already part of a widening of Pico with a modified ramp access to I/5.

This would help with the traffic of a proposed regional SJC High School and allow traffic to flow parallel to I/5 in both directions.

As you know there is a coalition opposing the extension of the 241 Toll Road. The public in the two cities have not decided which roads would better serve the traffic congestion problems.

San Juan Capistrano would be happy because the truck traffic for the Prima Descheca landfill could go north onto Pico instead of on Ortega Highway.

3) Which brings me to housing connected to road building.

It seems to me, with the projection of a population of 6 million persons, that housing has to be more dense, affordable, and creative. Estates and golf courses scattered in the back country will not meet the housing needs.

I read about a KB Home Corporation which has done very well building affordable condos in California. (Article is enclosed).

Orange County needs this kind of housing to survive economically.

A road such as Antonio/La Pata extension could allow this kind of housing to be built there with the future prospect of other modes of transportation other than cars. Air quality , homes with fewer garages, people traveling shorter distances; all would help solve some of the impacts of air pollution and traffic.

4) This kind of planning would also lessen the impact of water usage and energy needs IF the County asked builders to install water saving devices in homes; ask for water conservation measures; contain water runoff of golf courses; and water reclamation plants in the communities is good planning. All of these water-saving measures are already in use in other cities.

There is no reason why homes , businesses, or condos can't have solar panels if the buildings are sited correctly. There is no reason why the gasses from the landfill can't be used for area energy uses.

As you already know, the courts are questioning the ` paper water ` figures builders have given for subdivisions being planned. Water availability has to be documented accurately today.

5) The N.C.C.P. process is there to make sure that the best land for the unique habitat found there is permanently protected. The Ranch land has one of the most complete mosaics of the Coastal Mediterranean flora and fauna found in the world. It is fifth on the world's globally significant listed areas. This special area should not be fragmented or partitioned by roads or estates. The Resource Agencies will have all of the species documentation necessary to identify where this area is in the near future.

Already, through fragmented bad planning, Orange County and the Planning Department has allowed homes to be built in the foothills near the national forests or in the watersheds of the Santa Ana Mountains and the Trabuco Creek watershed. Even the San Juan Creek is already highly impacted by upstream pollution from too much building with no environmental safe guards. The wetlands and seasonal flood plains are no longer there to filter the runoff and protect the water quality at the beaches.

The animal corridors are not protected in the foothills in a continuous way in order for the keystone habitat specie of the mountain lion to survive. The mountain lion is the balance for the over abundance of deer and coyotes.

3)

NOP

Barbara Rosenbaum

Why are these animals being shot, poisoned or trapped? Because they are being pushed off the land by too many people and homes. Buffer zones between homes, foothills, and the forests need to be planned carefully. Enough land to sustain them. The Ranch has the opportunity to protect this special area for all of Orange County and future families.

The Orange County Planning Department has the responsibility to encourage the Ranch in every way to create this special place. We are lucky in Orange County to have the national forests so nearby. Let's not ruin a good thing by allowing building in the foothills or contamination of the watersheds which we and the animals need to survive.

The Ranch has said that it wants to continue as a working Ranch. Help the Ranch to become a National Heritage.

The Nature Conservancy and the Trust for Public Land have tried to dialogue with the Ranch to buy or manage the special areas to the Ranch's monetary benefit. How can we compare the money gained from housing to an area that the Ranch would be known for years to come all over the world?

Please take seriously my comments and suggestions. This is an opportunity for the Planning & Development Services Department to demonstrate to the public that you can do a good fair professional job with the Ranch Plan.

Don't let outside influences mentioned in the newspapers shape your decisions.

I am counting on all of you to do a good job and show the citizens of Orange County that you are professional and have vision for the best land use of the Ranch Plan in Orange County and into the next 30 years!

Very Sincerely, *Barbara Rosenbaum*

Barbara Rosenbaum

(949)635-0760 Fax- (949)635-0307 E-mail - barbrosey@aol.com

Identification of Preliminary Strategies

The City has identified two specific objectives for the STP.

Primary: Identify transportation strategies that divert through traffic from the community.

Secondary: After diversion strategies have been achieved, reduce the remaining traffic congestion within the community.

With the background information as a foundation, coupled with consideration of the primary and secondary transportation objectives, preliminary strategies were identified.

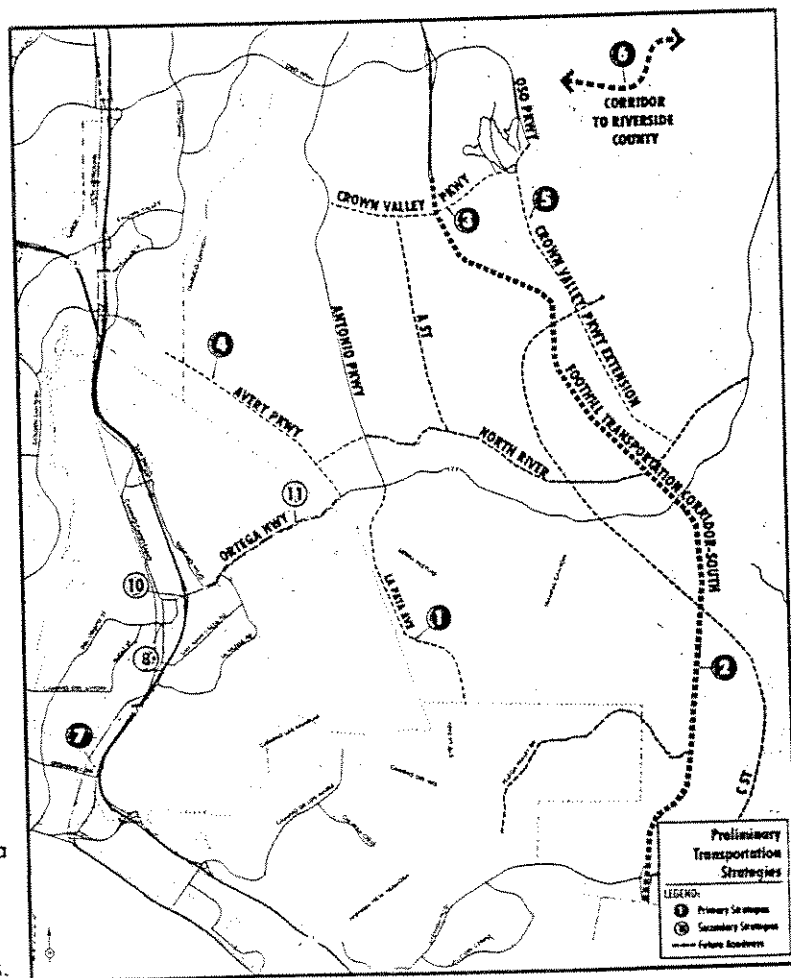
Primary Strategies

1. Extension of La Pata from Avenida Pico to Ortega Highway.
2. Extension of Foothill Transportation Corridor South (FTC-S) to I-5.
3. Extension of Crown Valley Parkway east to FTC-S to connect to Oso Parkway forming a loop. This is a planned facility of the MPAH.
4. Extension of Avery Parkway to Ortega Highway. This highway was deleted from the MPAH in 1995.
5. Extension of a highway from Crown Valley Parkway extension to Ortega Highway.
6. Highway connections to Riverside County north of Ortega Highway.
7. Southbound I-5 off-ramp at Stonehill Drive.

The following additional strategies address the secondary objective of reducing congestion once the maximum through traffic diversion has been achieved. This is an important understanding, since the following strategies may attract additional traffic if the diversion strategies have not been implemented:

Secondary Strategies

8. Eastbound free right turn lanes at Del Obispo and Camino Capistrano intersection.
9. Traffic signal coordination plan on Ortega Highway and downtown.
10. Major reconstruction of Ortega Highway/I-5 Interchange.
11. Widening Ortega Highway to four lanes to eastern city limits.





KAREN TAPIA-ANDERSEN *Los Angeles Times*

MAPPING IT OUT: Sarah and Willie Kim of Anaheim look at available lots inside a Fontana office. KB Home, which built more than 25,000 homes last year, posted a 24% gain in fourth-quarter profit.

KB Thinks Big - and Small

The builder hopes to broaden its reach beyond its traditional California core while constructing more lower-priced condos.

By **JESUS SANCHEZ**
Times Staff Writer

Since Southern California's housing bust more than a decade ago, KB Home Corp. has kept a laser-like focus on churning out affordably priced houses for first-time buyers. The strategy has paid off handsomely for the Los Angeles-based company, which on Friday reported another double-digit increase in quarterly profit.

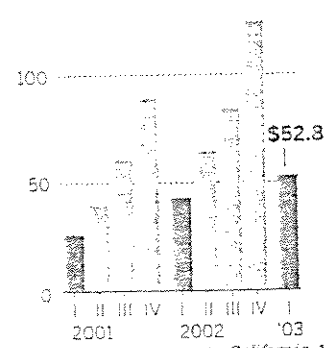
But maintaining stellar growth is likely to come much harder for the nation's fifth-largest home builder.

The new-home-building industry is bracing for a sales slowdown this year, and a projected rise in mortgage rates would knock a disproportionate number of entry-level buy-

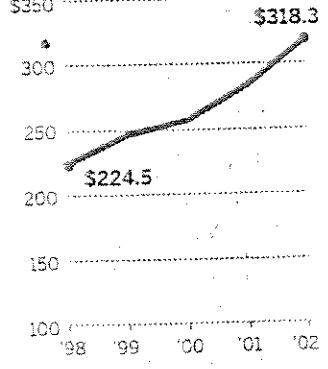
Can builder maintain its growth?

KB Home has enjoyed steady year-over-year earnings growth, but the proportion of first-time buyers among all buyers in California has dropped as home prices have soared, posing a challenge to KB and other entry-level builders.

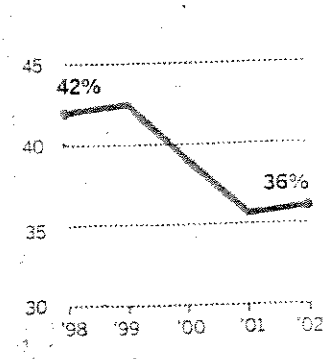
Quarterly earnings
(In millions)



Average price of a KB home in California
(In thousands)



Percentage of first-time buyers in California



Sources: Company reports, California Assn. of Realtors

Los Angeles Times

ers out of the market. That could make KB Home more vulnerable than rivals such as Lennar Corp. and Pulte Homes Inc., which sell homes to a wider spectrum of buyers. "If rates shoot up and you

only offer entry-level product, then you are going to hurt more than the other builders," said James F. Wilson, a housing industry analyst at JMP Securities. In California — KB Home's

largest and most profitable market — a shortage of developable land has compounded the challenges. With the cost of housing lots rising even faster than home prices, KB is [See KB Home, Page C2]

to Boost Condo Output

[KB Home, from Page C1]

finding it tougher to build the relatively low-priced dwellings its customers demand and still generate the profit Wall Street expects.

KB Home says it has a three-year supply of lots in California, but the company is running out of places where it can profitably build entry-level products. Last year, KB's average selling price in California was \$318,300, up more than 12% from 2001. During the first quarter of this year, the average sales price jumped to nearly \$349,000.

Bruce Karatz, KB's chief executive, said the company was responding to the rapid appreciation by dramatically boosting construction of lower-priced condominiums, which eventually could account for 25% of the properties KB builds in California, up from less than 10% last year.

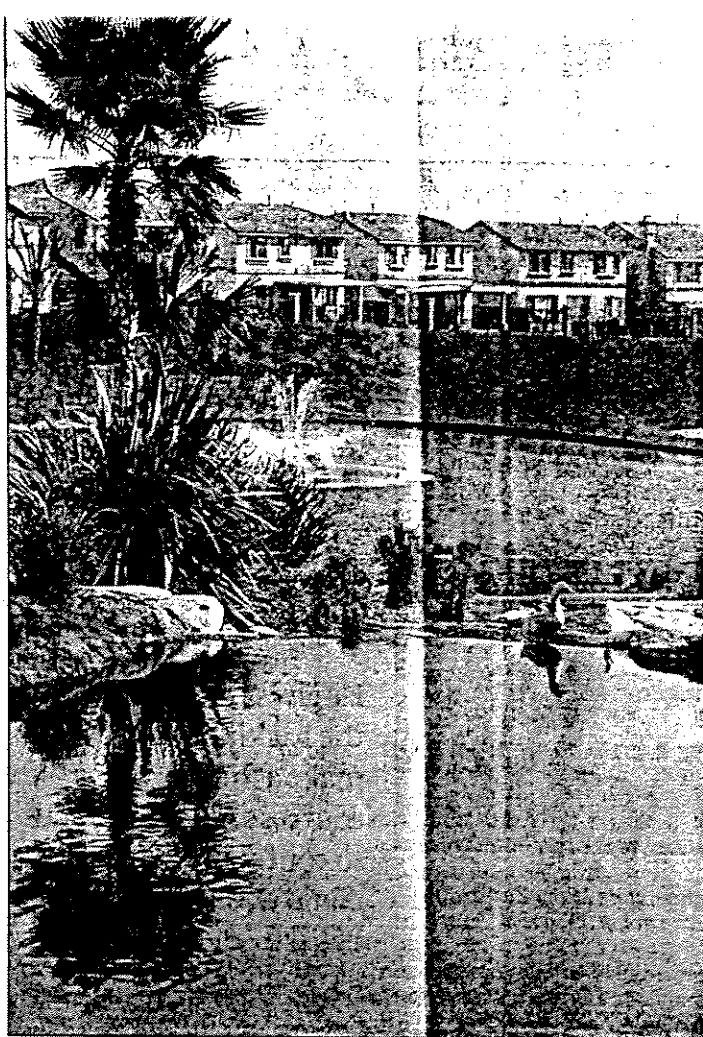
This would be a significant change for KB, which is best known for producing single-family tract houses on the suburban fringe.

By building condos, KB figures, it can pack more homes into the same area than it can with detached houses, thus maintaining its sales volume and appeal to its core customers, including young couples and immigrant families. In Rancho Cucamonga, for example, the company is selling condos starting at slightly more than \$200,000 — nearly \$60,000 less than the price of detached dwellings in the same development.

For entry-level buyers, condos eventually are "going to be the only type of housing that will be left," Karatz said.

At the same time, Karatz also has continued to wean KB from its long dependence on California. In recent years, the company has bought smaller home builders in fast-growing states such as Arizona, Nevada, Texas and Florida.

This week, KB acquired Colony Homes — the second-largest home builder in Atlanta — for an undisclosed price in a deal that would allow KB to tap into the nation's largest new-home market. Last year, privately owned Colony generated revenue of \$244 million and built 1,872 homes.



KAREN TAPIA-ANDERSEN Los Angeles Times

DEVELOPMENTS: KB, which built the Sierra Lakes community in Fontana, posted another double-digit profit gain.

California now accounts for about 23% of KB's completed units, compared with nearly 70% in the mid-1990s. In fact, last year the company delivered more houses in Texas — 7,873 — than it did in California, with 5,344.

"A lot of the things they have done have improved" their business model, said Bob Curran, an analyst who follows the housing industry for credit firm Fitch Ratings.

KB, which last year built more than 25,000 dwellings, has posted double-digit earnings growth for at least five years. On Friday, the company said net income in the quarter ended Feb. 28 rose 24% to \$52.8 million, or \$1.25 a share, from \$42.7 million, or 95 cents, a year earlier. Revenue rose 20% to \$1.09 billion. KB Home shares rose 27 cents to close Friday at \$45.49 on the New York Stock Exchange.

Karatz said he expected KB's revenue to grow at double-digit levels this year despite a dip in new-home sales nationwide and a potential rise in mortgage rates. KB Home is counting on growing primarily by expanding its share of a shrinking market by stepping up its pace of new developments. He said KB

planned to open 90 communities for sale during the current quarter, about triple last year's count.

Certainly, KB Home is in far better shape today than it was when Southern California's real estate market collapsed in the early 1990s, when the company, then known as Kaufman & Broad, built housing primarily on a speculative basis. Now, KB operates a highly efficient production method that churns out units only after they have been sold.

What's more, KB Home's focus on entry-level buyers and homeowners who trade up for the first time has made a difference, setting the company apart from most of the other major publicly owned builders.

Although risks of a slowdown in the entry-level market have increased recently, KB's properties nationwide still sell for less than the average of many other new homes. That has enabled KB to attract a big share of former apartment dwellers as well as minorities and immigrants, who make up about one-third of its buyers nationwide.

"The immigrant population continues to be a strong component of the home-buying group," Karatz said.

Suits Seek to Block Canyon Projects

Conflict of interest by a planning official is alleged in one suit. The other involves animals.

By JANET WILSON
Times Staff Writer

Two lawsuits have been filed challenging approvals of development at Orange County's rural edge that would require chopping down nearly 500 trees.

The first suit, filed Wednesday in Superior Court in Santa Ana by the Endangered Habitats League, alleges that county officials did not adequately address habitat concerns for endangered or threatened species, and did not provide crucial wildlife corridors between a central Orange County nature reserve and a proposed South County nature reserve.

The second lawsuit, filed Thursday in the same court by local activist Ray Chandos, alleges conflict of interest by a key county planning department official because his wife's firm was paid to prepare environmental documents.

Chuck Shoemaker is chief of the environmental planning division that reviews impact reports on proposed developments. PCR Services Corp. of Irvine, where his wife, Patricia, works, was paid by developer Rutter Corp. of Irvine to prepare biological studies for an environmental impact report overseen by her husband's division.

Chandos said that based on the environmental report, Chuck Shoemaker prepared a staff report recommending approval of the 162-home Saddle Creek and Saddle Crest projects on 598 acres along Santiago Canyon and Live Oak Canyon roads, and recommended it to the Orange County Planning Commission.

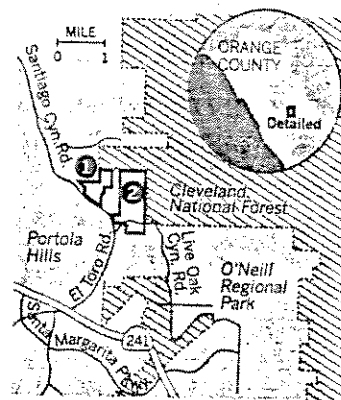
The commission voted 4 to 0 on Dec. 18 to approve the report, over opposition from arborists, environmentalists and nearby residents.

On Jan. 28, the Board of Supervisors unanimously approved the projects, along with 14 pages of zoning changes to the area, which abuts Cleveland National Forest.

Trees vs. homes

Two lawsuits have been filed challenging county approval of two developments that would fell nearly 500 live oaks and other trees.

- ① Saddle Crest development
- ② Saddle Creek development



Source: Orange County EIR

Los Angeles Times

fought for decades to preserve the area's rural character.

"I'm alleging [in the suit] that we didn't get a fair hearing at the Planning Commission, and that the county shirked its duty to independently analyze and review the application prepared on this project, in that the head of environmental planning at the county had a financial interest in the EIR, through his wife."

State codes administered by the Fair Political Practices Commission bar public employees from acting on a matter in which they, a spouse or a family member have a financial interest.

County conflict-of-interest codes prohibit public employees from engaging in "any business, transaction or activity, or [having] a financial activity in conflict with the proper discharge of official duties or [which] would tend to impair independence of judgment or action in the performance of official duties."

Chandos also alleges that top managers at the debt-ridden department, including former Director Tom Mathews and Shoemaker, signed off on major changes in the area's strict zoning because the department needed the permit fees and other revenues that would be generated by such developments.

Contacted for comment, Patricia Shoemaker confirmed that she works for PCR but said she is not a biologist. She said she could not comment on the suit.

Planning and Development Services Department spokesman Brian Murphy said neither Chuck Shoemaker nor anyone else in the department had seen the lawsuit, and that no one there could comment on active litigation.

A planning department staffer said Patricia Shoemaker had not been employed by PCR when the reports were written. The first report was completed in December 2000, and the second July 25, 2002. She began working at PCR on Aug. 12, 2002.

Chandos is a longtime Trabuco Canyon resident who has



The Economic Costs & Consequences of Sprawl

Special Briefing for Sierra Club Members

While the environmental impact of sprawl is clear, what is often overlooked is the severe economic price that over-development exacts from the American taxpayer.

Today, the malls and isolated housing communities that characterize sprawling development bring with them significant costs that often result in higher federal, state, local, and property taxes for us all. In fact, whenever development takes place far from an urban center, there are high costs associated with linking new homes and businesses to established public infrastructure.

And more often than not, existing taxpayers (and not the new users of public services or the developers) end up subsidizing additional roads, extended fire and police service, and sewer and water systems that serve businesses and residences outside community boundaries.

Your Tax Dollars at Work

	Sprawl Development 70,000 dwelling units	Smart Growth 70,000 dwelling units	Benefits of Smart Growth
Farmiland developed:	12,691 acres	7,559 acres	Consumes 45% less land
Annual fiscal impacts on general fund:	Negative \$19,067,709	Positive \$15,121,592	Cost 127% less
Total infrastructure cost:	\$613,681,094	\$338,270,087	Infrastructure costs 45% less
Total VMT* per day:	1,711,124	600,635	Citizens drive 65% less, air pollution cut by 50%

*VMT: Vehicle Miles Traveled

Note: this a comparison between two different scenarios for Virginia Beach, Virginia, 1990-2010. Source: Virginia Sprawl Costs Us All report (Primary source: 1990 Study by Simon, Larsen, Purdy, et al)

In response to the growing environmental and economic crisis created by taxpayer-subsidized sprawl, the Sierra Club is launching new efforts to protect our natural world from rapid development by encouraging communities to consider the tax impact of growth – and by requiring developers to share the costs of extending public services to newly developed areas.

Who Pays for Sprawl? You Do.

The idea that development strengthens the local tax base -- a fact in the 1980s -- has turned into today's fiction. Often, increases in tax revenue are eaten up by the costs to the community of delivering new services, including water and sewer lines, schools, police and fire protection, and roads for people who live far away from existing infrastructure. Here are some examples:

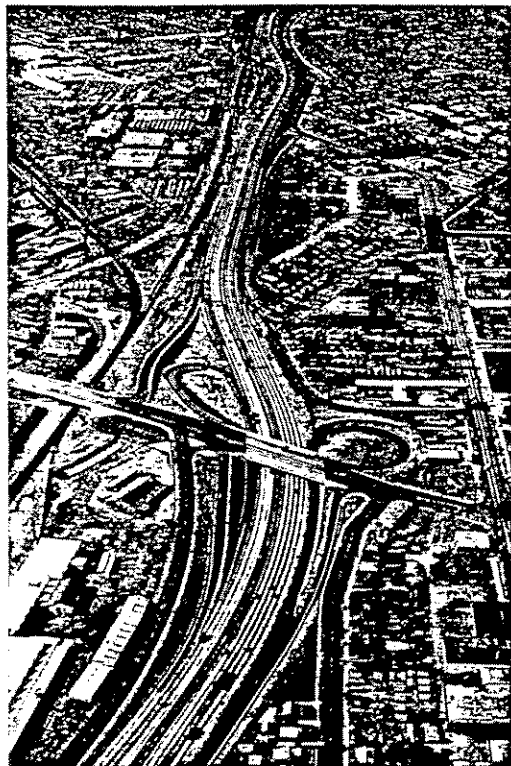
- The city of Fresno, California has doubled in size since 1980, producing \$56 million in yearly revenues. However, the cost of public services has risen to \$123 million due to increased infrastructure costs brought on by sprawl and over-development.
- Providing services to new development has grown so costly in Prince William County, Virginia, near Washington, D.C. that even though the county has the highest property-tax rate in the state, each new home built results in a \$1,688 shortfall in tax revenue.

- Between 1970 and 1995, Maine spent over \$338 million building schools in newly developed areas, even though the number of public school students declined by 27,000.

Aggravating this growing problem is the fact that in most areas, developers are not required to share in the public costs of new construction. For example, if a development company constructs a new housing community far from existing infrastructure, a new road will have to be built to link the homes to existing highways.

Yet in cases like this, the developers are frequently not required to pay impact fees to help cover the expense of constructing the access road. In the end, this leaves taxpayers with a multi-million dollar bill for the road, and encourages greater sprawl and further over-development by real estate and construction special interests.

Please Support the Sierra Club's Campaign to Stop Sprawl



When isolated housing communities spring up on the suburban landscape, the costs of public infrastructure like sewer and water service are not fully offset by the taxes paid by the new users. Instead, sprawl forces higher taxes on existing residents, sometimes as much as \$1,500 in additional taxes each year.



Once a new office building or apartment complex is completed in a suburban area, the developers walk away with a sizeable profit while taxpayers are left with the bill for roads, schools, and water and sewer lines to service the new construction.



In addition to increasing air pollution and global warming, it is estimated that sprawl costs the average driver \$755 each year in fuel and time lost in traffic congestion brought on by over-development.

For more information about the Sierra Club and its conservation efforts, please visit our website at www.sierraclub.org.

The Heart and Soul Coalition

Saving the Natural Treasures of Orange County for Our Children

March 25, 2003

County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

ATTENTION: Mr. Chuck Shoemaker

Dear Mr. Shoemaker:

The Heart and Soul Coalition (Coalition) is pleased to submit the following comments on the Notice of Preparation (NOP) of the Draft Environmental Impact Report #589 (DEIR) for The Ranch Project (Ranch).

The Coalition urges the County to delay the DEIR on The Ranch Project until work can be completed on the DEIR and DEIS for the important southern Orange County NCCP/HCP and SAMP/MSAA.

The County has been encouraging state and federal resource agencies to complete their work on an NCCP/SAMP for this important portion of south Orange County. This process was designed over a decade ago to provide a balance between economic and environmental goals, and a framework for preserving the ecosystem while allowing development in the most appropriate locations.

Once completed, the SCORE (South County Outreach and Review Effort) process can continue with its next phase of activity. As **County Supervisor Tom Wilson** told your Planning Commission last October, he looks forward to reconvening the SCORE group soon to continue its collaborative work, based on the input expected from the state and federal agencies, so it can achieve substantial consensus on a viable plan for The Ranch Project. This public participation process is essential to ensuring a viable plan. We cannot risk losing this important opportunity.

Rancho Mission Viejo is one of the last remaining natural treasures in Orange County. It supports many rare and unique plants and animals, including the golden eagle, mountain lion and steelhead trout. The 23,000-acre Rancho also contributes to two of our important water sources – San Juan Creek and the San Mateo Creek. This special land is truly a “globally significant ecological jewel,” as identified by the respected Conservation Biology Institute.

Orange County planners have the opportunity - working with **Supervisor Wilson** and his SCORE process, with state and federal agencies, with organizations like ours, and with the community and other interested parties - to design a Ranch Plan that will balance the needs of the developer and the need for new housing, with the need to preserve this last remaining special land in south Orange County, retain land for open space, parks and the protection of natural habitat, minimize impacts of growth and traffic congestion on our communities, and preserve our quality of life.

RMV and others have developed vast areas of southern Orange County over the past 30 years. We now have serious traffic congestion and other problems to deal with as impacts from new development are considered. However, by working together with the landowners, The Heart and Soul Coalition is committed to finding "win-win" solutions that can avoid, minimize and mitigate such impacts to the benefit of all involved parties and the public overall.

The County has a unique opportunity to preserve our remaining natural treasures, our history, and our clean air and clean water for our children and future generations. The fate of this historically rich land is at stake and its future is in the hands of all of us who live, work, play and raise families in this County.

The Heart and Soul Coalition is an organization representing 1,000 local individuals and groups, and several state and national groups representing almost 3 million individuals - dedicated to preserving South Orange County's scenic landscapes and natural treasures, such as Rancho Mission Viejo, for our children and future generations.

On behalf of our many members from across Orange County, the state and nation, we thank you for the opportunity to provide comments on the many impacts we foresee from The Ranch Plan. Please let me know if you have any questions and please direct all future materials and notifications to me below.

Sincerely,



Brenda Stouffer
Project Manager

Copy to: Orange County Supervisor Tom Wilson



Dudleya arborescens
Laguna Beach

CALIFORNIA NATIVE PLANT SOCIETY
ORANGE COUNTY CHAPTER

P.O. Box 54891

Irvine, CA 92619-4891

occnps.org

March 19, 2003

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana CA 92702-4048

Dear Mr. Shoemaker,

The California Native Plant Society (CNPS) is a non-profit volunteer organization that acts to preserve California's native flora. The Orange County Chapter of CNPS (OC CNPS) works to increase public awareness of the significance of native plants and to preserve the remaining areas of native vegetation in Orange County. We thank you for the opportunity to comment on the Notice of Preparation for Draft Environmental Impact Report # 589, also known as the "Ranch Plan."

OC CNPS has worked for preservation of Rancho Mission Viejo lands for nearly twenty years. We were active in the grass-roots movement in the mid-1980s that persuaded the Ranch to preserve, rather than develop, the area that is now the Donna O'Neill Land Conservancy at Rancho Mission Viejo. We have made comments on rare-plant and habitat issues at many stages since then, and our Vice President, Celia Kutcher, represents us on Supervisor Tom Wilson's SCORE Committee.

OC CNPS is aware that many rare plants, animals and habitats exist on the Ranch. Many are now rare because they have been extirpated elsewhere. We expect the EIR to fully recognize this, and to offer alternatives and mitigations that will fully offset any significant impacts. In particular:

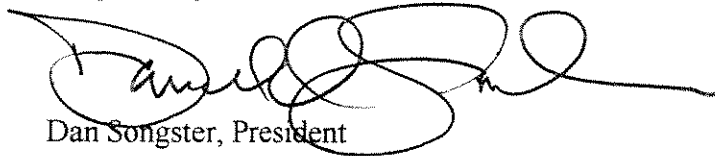
- 1) We expect the EIR's biological report to include in-depth distribution studies within Ranch boundaries of all plant species listed in the attached table. Little is known of the distribution of many of them within the NCCP Southern Subregion in general and on Ranch lands in particular.

2) We expect the EIR to describe all mitigation measures in adequate detail, and to identify on a map the locations where all mitigation measures will be implemented. This will allow public comment on the content and appropriateness of the mitigation measures. It will also ensure that the EIR properly addresses any potential impacts to existing resources that may occur as a result of the mitigation itself. In certain cases, CEQA lead agencies in Orange County have permitted a project proponent to postpone specifying mitigation measures until after certification of the EIR, when consultations with the USWFS, CDFG, Corps of Engineers and other agencies commence. While the efficiency of this approach is appreciated, it effectively prevents the public from reviewing and commenting on the actions proposed, and for this reason we believe that it is contrary to the letter and spirit of CEQA, and unsupported by California case law.

3) Since the area to be impacted may be massive, and is likely to entail significant impacts to large areas of intact habitat, we expect that all exterior slopes adjacent to preserved open space areas shall be restored using appropriate, locally native plant species. Such a measure would help provide the "maximum feasible mitigation" for significant impacts, as required by CEQA. The County Fire Authority has approved numerous locally-native plants for use in fuel modification zones, so there's no reason why those zones cannot be appropriately restored.

Finally, OC CNPS favors an alternative that excludes any form of further development within the Cristianitos/Gabino/La Paz watershed and within the Cañada Chiquita and Cañada Gobernadora watersheds, with restoration and enhancement of all abandoned development sites within those areas.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dan Songster', with a long horizontal flourish extending to the right.

Dan Songster, President

cc:

William E. Tippetts, Environmental Program Manager, California Department of Fish and Game
Ileene Anderson, Southern California Conservation Coordinator, CNPS
Karen A. Evens, Assistant Field Supervisor, U.S. Fish and Wildlife Service

CNPS-LISTED & LOCALLY-RARE PLANTS KNOWN OR EXPECTED WITHIN RANCHO MISSION VIEJO BOUNDARIES

Compiled by Orange County Chapter CNPS, March 2003

SCIENTIFIC NAME	COMMON NAME	CNPS LIST	KNOWN IN NCCP SO. SUB-REGION
<i>Abronia maritima</i>	Red Sand Verbena	4	
<i>Aphanisma blitoides</i>	Aphanisma	1B	
<i>Asplenium vespertinum</i>	Western Spleenwort	4	y
<i>Astragalus brauntonii</i>	Braunton's Milkvetch	1B	
<i>Atriplex coulteri</i>	Coulter's Saltbush	1B	y
<i>Atriplex pacifica</i>	South Coast Saltbush	1B	
<i>Atriplex parishii</i>	Parish's Brittlebush	1B	
<i>Atriplex serenana</i> var. <i> davidsonii</i>	Davidson's Saltbush	1B	
<i>Brodiaea filifolia</i>	Thread Leaved Brodiaea	1B	y
<i>Calamagrostis densa</i>	San Diego Reedgrass	locally rare	y
<i>Calochortus catalinae</i>	Catalina Mariposa Lily	4	y
<i>Calochortus weedii</i> var. <i> intermedius</i>	Intermediate Mariposa Lily	1B	y
<i>Camissonia lewisii</i>	Lewis's Evening Primrose	3	y
<i>Centromadia (Hemizonia) parryi</i> ssp. <i> australis</i>	Southern Tarplant	1B	y
<i>Chaenactis glabriuscula</i> var. <i> orcuttiana</i>	Orcutt's Pincushion	1B	
<i>Chorizanthe procumbens</i>	Prostrate Spineflower	locally rare	y
<i>Comarostaphylis diversifolia</i> ssp. <i> diversifolia</i>	Summer Holly	1B	y
<i>Convolvulus simulans</i>	Small Flowered Morning Glory	4	y
<i>Deinandra (Hemizonia) paniculata</i>	Paniculate Tarplant	4	y
<i>Dichondra occidentalis</i>	Western Dichondra	1B	y
<i>Dudleya blochmaniae</i> ssp. <i> blochmaniae</i>	Blochmann's Dudleya	1B	y
<i>Dudleya cymosa</i> ssp. <i> ovatifolia</i>	Santa Monica Mountains Dudleya	1B	
<i>Dudleya multicaulis</i>	Many Stemmed Dudleya	1B	y
<i>Dudleya viscida</i>	Sticky Leaved Dudleya	1B	y
<i>Euphorbia misera</i>	Cliff Spurge	2	
<i>Fritillaria biflora</i>	Chocolate Lily	locally rare	y
<i>Harpagonella palmeri</i>	Palmer's Grappling Hook	4	y
<i>Holocarpha virgata</i> ssp. <i> elongata</i>	Graceful Tarplant	4	
<i>Horkelia cuneata</i> ssp. <i> puberula</i>	Mesa Horkelia	1B	y
<i>Isocoma menziesii</i> var. <i> sedoides</i>	Decumbent Goldenbush	1B	
<i>Juncus acutus</i> ssp. <i> leopoldii</i>	Southwestern Spiny Rush	4	
<i>Lasthenia glabrata</i> ssp. <i> coulteri</i>	Coulter's Goldfields	1B	
<i>Lepidium virginicum</i> var. <i> robinsonii</i>	Robinson's Peppergrass	1B	
<i>Lilium humboldtii</i> ssp. <i> ocellatum</i>	Ocellated Humboldt Lily	4	y
<i>Lycium californicum</i>	California Boxthorn	4	
<i>Microseris douglasii</i> var. <i> platycarpha</i>	Small Flowered Microseris	4	
<i>Mimulus clevelandii</i>	Cleveland's Bush Monkeyflower	4	
<i>Nama stenocarpum</i>	Mud Nama	2	y
<i>Navarretia prostrata</i>	Prostrate Navarretia	1B	
<i>Nolina cismontana</i>	Chaparral Beargrass	1B	y
<i>Ophioglossum californicum</i>	California Adder's Tongue	4	
<i>Perideridia gairdneri</i> ssp. <i> gairdneri</i>	Gairdner's Yampah	1B	
<i>Polygala comuta</i> var. <i> fishiae</i>	Fish's Milkwort	4	y
<i>Quercus dumosa</i>	Nuttall's Scrub Oak	1B	
<i>Quercus engelmannii</i>	Engelmann's Oak	4	y
<i>Romneya coulteri</i>	Coulter's Matilija Poppy	4	y
<i>Satureja chandleri</i>	San Miguel Savory	1	y
<i>Selaginella cinerascens</i>	Ashy Spikemoss	locally rare	y
<i>Senecio aphanactis</i>	Rayless Ragwort	2	y
<i>Sidalcea neomexicana</i>	Salt Spring Checkerbloom	2	y
<i>Suaeda taxifolia</i>	Woolly Seablite	4	y
<i>Tetracoccus dioicus</i>	Parry's Tetracoccus	1B	y
<i>Viguiera purissima</i>	La Purisima Sunflower	locally rare	y



California Trails & Greenways Foundation

3/16/03

Richard Bishop
San Carlos

Planning and Dev. Services Dept.
Environmental Planning Services Div.
300 North Flower
Santa Ana, CA 92702-4048

Ilse M. Byrnes
San Juan Cap.

Att. Chuck Shoemaker

Mary Cahill
Newcastle

Re: The Ranch Plan (PA 01-114)

Jeannie Gillen
Murielita

We have reviewed the project Planning Areas of Rancho Mission Viejo and here are our concerns:

Jlm Hasenauer
Woodland Hills

The Planning Areas 1 - 8 as proposed will have a severe, negative impact on the surrounding areas. Their locations as seen on the map cut into much needed open space. They are too close to Caspers Wilderness Park, Riley Wilderness Park, Upper Chiquita Conservation Area and Donna O'Neill Land Conservancy with a minimal buffer area.

Joe Inch
Santa Clarita

If any development should occur it should be located next to already developed areas such as Ladera and Las Flores. This development proposal has to be scaled way back and not allow for 14,00 dwelling units and all the commercial uses.

Nancy Schaefer
Sacramento

Susan Williams
Oakland

The plan for open space is inadequate and the present design does not allow for workable wildlife corridors. This will impact survival of all wildlife in the Santa Ana Mountains and Cleveland National Forest. The present design shows narrow areas with little or no connectors between them.

Tony Look, Emeritus
Davis

Dick Trudeau, Emeritus
Lafayette

As stated before, residential/commercial areas should be located next to already developed sites and the rest should be left alone.

Sincerely

Ilse M. Byrnes
Vice Chair

FROM : SIERRA CLUB OCEAN INSTITUTE

FAX NO. : 9496619505

Mar. 26 2003 02:19PM

26 March 2003

Attn: Chuck Shoemaker
O.C. Planning and Development Services Dept.
300 N. Flower St
Santa Ana, CA 92702

Comments on the Notice of Preparation for the General Plan Amendment/Zone Change for the Ranch Plan

From: Paul Carlton, Member SCORE

FROM : SIERRA CLUB OCEAN INSTITUTE

FAX NO. : 9496619505

Mar. 26 2003 02:19PM

Comments on the Notice of Preparation for the General Plan Amendment/Zone Change for the Ranch Plan.

Let us all recognize that the Ranch Plan covers the last large area, 22,800 acres, of undeveloped land in South Orange County. While the Ranch Plan has many positive attributes, it also has many negatives. Some of the positives are: a Regional Park along the course of the San Juan Creek of 1,079 acres, 13,161 acres of open space (albiet largely open to grazing and possibly subject to future GPA/Zone Changes) and the basic premise that this whole area will be planned and approved as one overall project. I have been a member of Supervisor Wilson's SCORE team, and we have heard from many experts; building, urban infrastructure, geological, water quality, environmental requirements and many more. The process has been most interesting and informative. The conclusions I have arrived at after this process follow. However, unfortunately we still do not have the recommendations of the Resource Agencies; the California Department of Fish and Game, the U.S. Fish and Wildlife Agency, and the Corps of Engineers. Their recommendations will be the most important in the final decision as to what is preserved.

First, the most important consideration in wildlife planning is to have a large area. Second, wildlife areas which are important, but not large, should be connected by wildlife corridors to the large areas which allow our wilderness critters to travel and survive. Third, there are areas in the Rancho which contain Endangered Species which by law must be preserved. To their lack of vision and credibility, I understand the Rancho Mission Viejo Co (RMVC). has tried to legally overcome provisions in the Endangered Species Act which are so critical to the continued existence of several species that live in the Rancho. The Cleveland National Forest (Trabuco District) which is adjacent to the Rancho Mission Viejo covers some 164,000 acres, but too little of it is land which can sustain our native deer population, and if not enough deer, no mountain lions. Much of the former territory in South Orange County necessary for mountain lions, deer and smaller wild critters has been developed. A greenbelt should exist from Saddleback to Trestles which would give natural open space to our wild critters and native plants.

So what do I see as to how the Rancho should be developed? First I believe that the area east of the proposed eastern extension of Toll Road 241, should be kept in two large preserves. (I do not believe the Toll Road 241 should be extended through to I-5. La Pata should be extended to Pico in San Clemente. Los Rambles should be another avenue to take some traffic off I-5) The RMVC proposes that in Planning Area 9A that there be 100 (or more?) sites for CEO's and their like, financially, to have mini ranchos in the O'Neill Ranch. This to me is not an O'Neill Ranch. To me an O'Neill Ranch should be the one area in the property which is really a Ranch; where cattle graze and the O'Neill Ranch heirs have their "homestead", no non-family CEO's please. While the O'Neill heirs may understand the dangers of brush fires, these CEOs, with their financial power, would want elimination of the chapparel when they first face a brush fire near their homes and they would probably get it. I support the idea of a real O'Neill Ranch. A small portion of the Ranch could be set up as an Historic Site with a simulated 1800's ranch home, corrals and other accoutrements which would be open to the public. We should not forget the legacy of the the O'Neill family and the Rancho Mission Viejo and the cattle raising which occurred in Orange County in the past; our children and grandchildren should be able to know what a different place the old Rancho was before

FROM : SIERRA CLUB OCEAN INSTITUTE

FAX NO. : 9496619505

Mar. 26 2003 02:20PM

"development". If the O'Neill heirs should decide they no longer want to have a cattle grazing ranch, an Historic Site should be established as a State Park.

In addition to the O'Neill Ranch, as described above, I believe we should have an enlarged Dona O'Neill Land Conservancy east of the proposed Toll Road 241 eastern route. This area should be set aside with the purchase of a conservation easement from the RMVC to include: Planning areas, 9C, 9D, and 9E. In addition, Planning Areas 4, 6, 7A, 7B, and 8A, proposed by the RMVC as residential should be included in the Dona O'Neill Land Conservancy conservation easement. This land should not be open to grazing. This Conservancy should be a "refuge" for our dwindling number of wild critters, several of which are threatened or endangered.

TRW has a long lease on Planning areas 8b and 8c which contain a secret "star wars" complex. I would presume that this area is most important to the military. Why not have the RMVC sell this acreage with all its expensive buildings and equipment to TRW or the Defense Department. "Star wars" has a long way to go. This area abuts Camp Pendleton, more military. It should bring a good price to the RMVC. The Marines on Camp Pendleton have done a good job in protecting wild critters and I believe they would continue to do so should they have "control" over Planning areas 8b and 8c. I also understand that the Marines are not comfortable with residential development in these two planning areas.

In the western portions of the Rancho, I believe there are two most important environmental concerns. First, Planning areas 10a and 10b which are home to the largest local population of the Endangered Gnatcatcher have been set aside by the RMVC as open space. These areas back up to open space set aside with the Ladera Project and should provide an area in which the Gnatcatcher should survive. However, the RMVC proposes cattle grazing in this area and this area should not be imperiled by cattle grazing.

The second environmental concern in the western portion of the Rancho is the need for wildlife corridors. Essentially, there should be both a northern and a southern wildlife corridor. In the southern wildlife corridor, Planning area 5 at its southern extremity should be reduced by one quarter of a mile to allow for wild animals to pass from the San Clemente and San Juan Capistrano open spaces and the Prima Desecha landfill (to be a Regional Park) into the present Dona O'Neill Land Conservancy and thence onward to the enlarged Dona O'Neill Land Conservancy with access to the Cleveland National Forest. Christianitos Road from Pico to Ortega should remain as it is, a delightful two lane road through a pristine part of Old California. RMVC plans to have Christianitos Road as a major arterial should not be approved. In the northern wildlife corridor, there needs to be a half mile wide corridor south of the Teosoro High School from the Planning area 10a to the Planning area 12a and a reduction of Planning areas 3a, 3b and 3c on their northern boundaries to allow wild animal passage to Caspers Regional Wilderness Park and on to the Cleveland National Park. Sufficient setbacks in these areas are necessary to protect our only really Wilderness Park in south Orange County, Caspers Regional Wilderness Park.

The principles of "Smart Growth" tell us that new development should be contiguous to existing development. Therefore I agree that if there has to be development in the Rancho, that it must be confined to Planning Areas 1, 2 (amended above), 3 (amended above) and 5 (amended above). According to what SCORE was told,

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FAX NO. : 9496619505

Mar. 26 2003 02:20PM

the RMVC plans to put Senior Housing in much of Planning Area 1, as much as 6,000 units or almost half of the housing units planned. Affordable housing as required would seem well suited in this area. Also SCORE members were told that to have a financially viable city there should be a commercial/light industrial area within city limits. It seems most logical to have this area in Planning Area 3d which is already partially industrialized and also contains a Ranch complex which really should be in Planning Area 9. Planning Area 3e has, I believe, been set aside as a sports complex which would fit in most appropriately with the Regional Park in Planning Area 13. Therefore, the majority of Planning Areas 2, 3 and 5 would be available to the RMVC for residential development. The County authorities may decide to develop every natural open space that exists in South Orange County. If they do, South Orange County will not be the wonderful place to live that it presently is. Pollution problems will prevail. There will ALWAYS be demand for property on which to build in South Orange County. The choice is there. Develop it all or keep a good portion of it in natural open space.

I was most impressed with the LAFCO presentation by Dana Smith. To create a city it is necessary to have population of considerable size and to have a "financial" base. The city I would see is a combination of Las Flores, Ladera and Rancho Mission Viejo. These three communities would most likely have the financial resources to have a financially viable city.

Finally, although I am an activist in the Sierra Club, locally the Sierra Sage Group of South Orange County, regarding the SCORE process, I do not, repeat, do not represent the Sierra Club. The ideas expressed above are my own and do not represent the position of the Sierra Club.

I love this area. I appreciate the fact that as a member of SCORE I was able to see the hinterlands of the Rancho Mission Viejo and to hear the varied positions expressed during this process. I hope that there will be an amicable solution to the rational development of the Rancho Mission Viejo and that Supervisor Wilson will be able to carry his Supervisor colleagues along with a plan that very closely resembles what I have outlined above.

Sincerely,

Paul Carlton
Member of SCORE

LAW OFFICES
NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

WALTER L. NOSSAMAN
(1886-1964)

WILLIAM E. GUTHNER, JR.
(1932-1999)

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March 26, 2003

REFER TO FILE NUMBER
200340-0001

VIA MESSENGER

Planning and Development Services
Department
Environmental Planning Services Division
County of Orange
300 North Flower Street
Santa Ana, CA 92702-4048
Attn: Chuck Shoemaker

Re: Comments of Talega Associates, LLC - Notice of Intent to Prepare Draft
Environmental Impact Report No. 589 (The Ranch Plan)

Dear Mr. Shoemaker:

We represent Talega Associates, LLC ("Talega Associates"), owner of the Talega master planned community ("Talega Project") located in and adjacent to the City of San Clemente and the real property that is the subject of the Notice of Intent to Prepare Draft Environmental Impact Report No. 589 (The Ranch Plan) ("Notice of Preparation"), dated February 24, 2003. The purpose of this letter is to comment on the Notice of Preparation.

The Talega Project is a mixed-use, master planned community consisting of approximately 4,000 residential units, 13.2 acres of commercial uses and 67.8 acres of business park uses. The Talega Project is the subject of a comprehensive First Amended and Restated Development Agreement by and between Talega Associates, LLC and City of San Clemente, dated February 27, 2002 ("Development Agreement"). The Development Agreement grants to Talega Associates and its successors the vested right to develop the Talega Project in accordance with the Development Agreement and certain land use entitlements set forth in the Development Agreement. To date, approximately fifty-five percent (55%) of the Talega Project has been developed or is under development. Vesting tentative tract maps have been approved for the remainder of the Talega Project. Talega Associates is concerned that the proximity of the area encompassed by The Ranch Plan to the Talega Project may compromise the delicate balance achieved with regard to infrastructure required to accommodate the Talega Project and other

issues, resulting in significant unavoidable environmental impacts that cannot be mitigated to a level of insignificance.

The specific comments of Talega Associates on the Notice of Preparation are set forth below:

A. Construction of SR-241. The Notice of Preparation contemplates construction of the extension of SR-241 through the area encompassed by The Ranch Plan. For example, in the discussion of Infrastructure Improvements, the Notice of Preparation at page 10 provides that, "The Project reflects the extension of the SR-241 toll road because it is depicted on the master Plan of Arterial Highways." The Ranch Plan also proposes a new interchange at the junction of the proposed Christianitos Road and SR-241 and deletion of the proposed Crown Valley Parkway/SR-241 interchange. It is clear from the Notice of Preparation that construction of the SR-241 extension and Christianitos Road/SR-241 interchange are integral infrastructure improvements necessary to accommodate demands on the traffic circulation system posed by The Ranch Plan. Traffic impacts associated with The Ranch Plan must be carefully analyzed in view of the possibility that the proposed extension of SR-241 may not be constructed. Appropriate alternative traffic infrastructure improvements must be identified.

B. Christianitos Road. The Ranch Plan includes the addition of Christianitos Road to the Master Plan of Arterial Highways to extend from Avenida Pico northerly through Christianitos and Trampas Canyons and connecting at an interchange with the proposed extension of SR-241. This new road will provide a convenient route to Interstate 5 via Avenida Pico. The interchange at Avenida Pico and Interstate 5 is heavily impacted. The environmental impact report for The Ranch Plan should assess traffic impacts on Avenida Pico, particularly as such traffic impacts affect the Avenida Pico/Interstate 5 interchange. Reconstruction of the Avenida Pico/Interstate 5 interchange to increase the capacity of the interchange may be necessary to accommodate the traffic impacts associated with The Ranch Plan.

C. Avenida Talega. It is not clear whether the reference to reclassification of Avenida Talega from a secondary arterial highway to a collector road "within unincorporated Orange County" at page 11 of the Notice of Preparation refers to that portion of Avenida Talega within the Talega Project or The Ranch Plan. Given that Avenida Talega will provide a direct link between the area encompassed by The Ranch Plan and the Talega Project (and City of San Clemente), the impact of traffic generated by The Ranch Plan on the Talega Project and other areas of the City of San Clemente may be very severe. The environmental impact report for The Ranch Plan should thoroughly assess the impacts associated with such traffic and the mitigation measures to address such impacts should include construction of traffic improvements by the proponents of The Ranch Plan.

D. Local Circulation Network. The Notice of Preparation at page 14 provides that "much of the local circulation network would be defined at the time tentative tract maps are

processed.” This approach invites bifurcation of the environmental issues related to traffic impacts, creating a piecemeal approach to assessment of the totality of such impacts in contravention of the California Environmental Quality Act (Pub. Res. Code § 21000, et seq.). To the degree known, assessment of the traffic impacts associated with the local circulation network should be undertaken in the context of the environmental impact report for The Ranch Plan with all other potential traffic impacts.

E. Regional Circulation Plan. The Notice of Preparation proposes deletion of two arterial highways from the Master Plan of Arterial Highways. The Notice of Preparation further provides at page 17 that deletion of the Avery Parkway/Trabuco Creek Road connection will not require an amendment to the County Circulation Plan (presumably, the Circulation Element of the Orange County General Plan) because that facility is located within the City of Mission Viejo. Assessment of the impacts to the regional traffic circulation system, however, must be addressed in The Ranch Plan environmental impact report.

F. Open Space Designation. The Notice of Preparation at page 17 erroneously characterizes the Orange County General Plan Land Use Element “Open Space” designation as a “holding zone.” If true, the 13,544 acres of open space provided for in The Ranch Plan would be available for future land use entitlement and development, requiring that the proponents of The Ranch Plan make reasonable assumptions regarding such future development and analyze such future development in The Ranch Plan environmental impact report. The open space condition of the area encompassed by The Ranch Plan should be used as the base line for assessment of the environmental impacts associated with The Ranch Plan.

G. Surrounding Land Uses. At page 19, the Notice of Preparation sets forth an inventory of land uses surrounding the area encompassed by The Ranch Plan. The inventory of land uses includes the “Talega Valley” project, (presumably, the Talega Project). The discussion, however, distinguishes between such surrounding uses and existing land uses “within the study area.” The Ranch Plan will generate environmental impacts including, but not limited to, traffic impacts on most, if not all, surrounding uses. Accordingly, the study area for The Ranch Plan environmental impact report must include all of the identified surrounding land uses. Additionally, the environmental impact report should address environmental impacts associated with proximity of the area encompassing The Ranch Plan to the Camp Pendleton Marine Base and activities performed at the base. Finally, no mention is made of the Donna O’Niell Land Conservancy area. Please see the comments under Paragraph I below regarding proximity of the Donna O’Niell Land Conservancy area to the area encompassed by The Ranch Plan.

H. Environmental Analysis Checklist Responses – Transportation/Circulation. The Environmental Analysis Checklist Responses accompanying the Notice of Preparation at Section 7 (Transportation/Circulation) provides that “The segment of Interstate 5 that is parallel to the project site operates at a deficient level of service.” As discussed above, The Ranch Plan may produce significant traffic impacts on Interstate 5 and at least one Interstate

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

Planning and Development Services Department

March 26, 2003

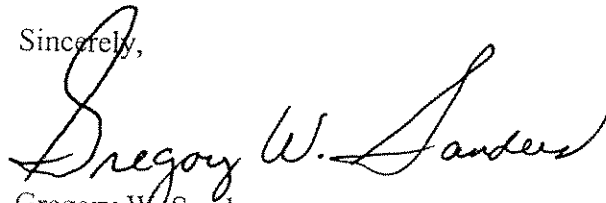
Page 4

5 interchange (Avenida Pico) that is presently operating at a level of service that is less than optimum. The Ranch Plan must assess the traffic impacts such plan will generate with regard to Interstate 5 and interchanges that future residents and commuters of the area encompassed by The Ranch Plan will use.

I. Donna O'Niell Land Conservancy (Talega Reserve Area). Environmental impacts on the Donna O'Niell Land Conservancy area (Talega Reserve Area) associated with development of The Ranch Plan should be assessed. Among other things, traffic circulation and development setback mitigation measures should be analyzed as a means of protecting this pristine wilderness area.

Thank you for the opportunity to review the Notice of Preparation. We look forward to reviewing a revised Notice of Preparation that reflects the comments set forth above.

Sincerely,

A handwritten signature in cursive script that reads "Gregory W. Sanders". The signature is written in dark ink and is positioned above the printed name.

Gregory W. Sanders

of NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

GWS/dsb

Date: March 28, 2003

To: Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

From: Thomas A. and Judith M. Gielow
469 East 18th Street
Costa Mesa, CA 92627-3161

Re: The preparation of the EIR, environmental issues to be addressed in the EIR and related issues – Notice of Preparation (NOP) for Draft EIR 589 "The Ranch Plan" General Plan Amendment/Zone Change etc.....

Dear Mr. Shoemaker,

The proposal to proceed with development of the Rancho Mission Viejo property while that same property is in the "good faith" process of NCCP program preparation seems premature, "unfaithful", and disrespectful to Supervisor Wilson.

As members of the League of Women Voters and of the St. Mark Presbyterian Church (U.S.A.) Ecophilians Environmental Group, we have been following the NCCP process and Supervisor Wilson's task force on land use and water issues. We are very interested in the Rancho Mission Viejo Development Plan, and believe that the Southern Orange County NCCP and SAMP should be completed first, in order to set some parameters for development.

The proposed NOP contains 17 areas of important community impacts that the EIR must address. We believe that each of those impacts has collateral impacts of significant importance.

We are concerned with survival of the biological treasures of unique plant and animal species found on the property. How much habitat area can be taken away and still maintain a viable, propagating species?

While we are concerned with the assurance of an adequate, reliable, exclusive, safe, affordable and high quality drinking water supply, what impacts will there be to the groundwater supply (recharge capacity), affordable cost of imported water, land use – golf courses, fire, exotic versus unique native plants – and run-off effects on the water quality of local creeks and, ultimately, the beaches? Or, what of the impacts on water from population, transportation, etc.

Likewise we are concerned about affordable housing, utilities, and services such as sewer and refuse as they might impact the health of the environment and the people expected to live in it.

Sincerely yours,
Thomas A. and Judith M. Gielow

Thomas A. Gielow

Judith M. Gielow

3435 Wilshire Boulevard
Suite 660
Los Angeles, CA 90010-1904



(213) 387-6528 phone
(213) 387-8348 fax
www.sierraclub.org

March 20, 2003

Attention: Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Mr. Shoemaker:

The following comments on the Notice of Preparation ("NOP") of Draft Environmental Impact Report #589 (DEIR) for The Ranch Project (the Project) are submitted on behalf of the Sierra Club, the Friends of the Foothills and the Natural Resources Defense Council (NRDC). The Sierra Club and NRDC support the County's requirement that an EIR be prepared for the Project and appreciate this opportunity to comment on the scope and content of the EIR.

Other units of the Sierra Club may be submitting additional comments under separate cover, and all of these comments are incorporated by reference into this letter.

To avoid redundancy, the Sierra Club and NRDC hereby incorporate the comments of the Endangered Habitats League as if repeated verbatim herein.

The DEIR for the Project should be deferred until the completion of the draft EIS/EIRs for the South Orange County NCCP and SAMP. Important information relevant to the description of the Project and an adequate impacts analysis of the Project will be developed during these latter processes.

The impacts of proposed golf courses on Biological Resources and Wetlands and on Hydrology, Drainage and Water Quality warrant full analysis.

The Project DEIR should analyze the full range of impacts to the adjacent San Onofre State Beach and Camp Pendleton, including the impacts of noise from current uses of Camp Pendleton on sensitive noise receptors.

The impacts of cumulative degradation or loss of habitat and habitat linkages for listed species, species of concern and broadly acknowledged keystone species resident on or dependent on resources of the Project area, including but not limited to southern steelhead trout and mountain lion, should be analyzed in the context of quality of and trends for habitat on Camp Pendleton, San Onofre State Beach, Cleveland National Forest, county regional parks, and local land conservancies including but not limited to the Donna O'Neill Land Conservancy. That is, the analysis of such impacts should not be limited to the immediate Project area.

Impacts from plant and animal exotics commonly associated with projects of this type in coastal southern California should be analyzed for the Project area, the NCCP and SAMP reserves, and

other natural open space, including but not limited to land conservancies, regional parks, state parks, Forest Service and other federal property for which impacts by exotics may reasonably be anticipated.

The Project DEIR should analyze impacts on surf and beach quality in South Orange County and North San Diego County, including economic impacts for local municipalities and the state park system and also impacts on current or soon-to-be begun projects to restore water and habitat quality in local creeks and surf (including but not limited to San Juan and San Mateo Creeks). Surftrider Foundation, CalTrout, San Diego Trout and Trout Unlimited are good sources of information on such projects.

The DEIR should analyze how natural and prescribed fire regimes for fire-dependent habitat in NCCP and SAMP reserves, regional parks, land conservancies, state parks and federal lands will be constrained or otherwise impacted by the Project alternatives and how those impacts will affect the short-term and long-term functioning and stability of such habitat. The creation of roads and their impact on increased frequency of human-started fires should be analyzed.

The DEIR should analyze impacts on wildlife due to intrusion on natural open space and subsequent culling by governmental agencies and private landowners, including but not limited to rabbits and coyotes. The recent killing of coyotes at the Talega development adjacent to the Donna O'Neill Land Conservancy is a recent example of such impacts.

The DEIR should analyze impacts on wildlife, habitat and waterways due to the creation of roads and subsequent traffic on those roads. As with all alternatives analysis, every reasonable effort should be made to provide specific, measurable data.

The DEIR should analyze impacts to groundwater supplies and recharge capacity.

The DEIR should analyze the anticipated impacts of pesticides, including herbicides, typically associated with residential, commercial and infrastructure developments of the kind described in the NOP, including but not limited to impacts on water quality and biological resources.

The analysis of cumulative impacts throughout the Project DEIR should include impacts from the proposed Foothill-South toll road 241 extension. This includes but is not limited to Land Use and Planning, Agriculture, Geophysical, Hydrology and Drainage, Water Quality, Transportation/Circulation, Air Quality, Noise, Biological Resources, Aesthetics, Cultural/Scientific Resources, Recreation, Mineral Resources, Hazards, Public Services and Utilities and Services Systems.

An infill alternative should be analyzed as detailed in the comments of the Endangered Habitats League.

The Project DEIR should analyze the hazards of building more residential and commercial development in proximity to the San Onofre Nuclear Generating Station (SONGS).

We appreciate being consulted on the scope of work for the DEIR. Please keep the following persons informed of any and all contracts, notices, hearings, staff reports, briefings, meetings and other matters related to the proposed project. We are pleased to respond to any questions you may have concerning our comments on the NOP.

Gail Prothero
Conservation Chair, Sierra Sage Group
Sierra Club
29302 Sandalwood Court
San Juan Capistrano, CA 92675

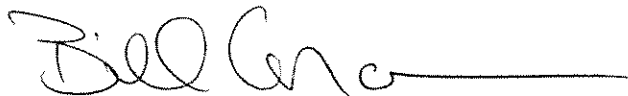
Bill Holmes
Chair, Friends of the Foothills
33281 Acapulco Drive
Dana Point, CA 92629-1005

Brittany McKee
Conservation Organizer
Sierra Club
PO Box 3942
San Clemente, CA 92674

Bill Corcoran
Southern California Regional Representative
Sierra Club
3435 Wilshire Boulevard, Suite 660
Los Angeles, CA 90010

Andrew Wetzler
Project Attorney
Natural Resources Defense Council
6310 San Vicente Blvd.
Ste. 250
Los Angeles, CA 90048

Sincerely,

A handwritten signature in black ink that reads "Bill Corcoran". The signature is written in a cursive style with a long horizontal line extending to the right.

Bill Corcoran

Cc: Gail Prothero
Bill Holmes
Brittany McKee
Andrew Wetzler
Heather Hoecherl

March 23, 2003

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 N. Flower Street
P.O. Box 4048
Santa Ana, CA 92702-4048

"When a condition or a problem becomes too great, humans have the protection of not thinking about it. But it goes inward and minces up with a lot of other things already there and what comes out is discontent and uneasiness, guilt and a compulsion to get something—anything—before it is all gone."

John Steinbeck 1961 The Winter of Our Discontent

The destructive greed of developers for the last decade in Orange County and their ability to manipulate government to their advantage is unconscionable. It must stop. The Ranch Plan is illegal. All of the laws demanding the Orange County Supervisors vote to turn down the requested zoning change are on the books. Rancho Mission Viejo's zoning change must be stopped. The NRDC, the Nature Conservancy, the Sierra Club all wish to work with state and federal agencies to purchase this last precious open habitat ecosystem. They need a willing seller. If the zoning is changed, no organization can afford to pay the new price per acre. For over one hundred years the land has been taxed for ranching and agriculture. Why do they get to change it now? If the zoning is changed, California's wilderness becomes a memory. And our Orange County Supervisors should be indicted.

We ask instead that Orange County Supervisors use the full force of the law to protect this land that we love. The last decade of development in Orange County has been a disgrace. The million year old canyons and rolling hills of the Lagunas are gone. The teal blue of the ocean with up stream development is no longer a healing environment and often is posted as unsafe for humans to enter. The mountain streams of our childhood where water could be tasted straight out of the stream are gone. It is believed that only twelve mountain lions stand between a wilderness echo system with balance and a wasteland of look alike strip malls and houses with rooftops and paved asphalt that send polluted runoff into our water table, our streams and our ocean, destroying those ecosystems. Any decisions made about a zoning change must take into account what has already happened to open space in Orange County. We oppose a General Plan/Zone Change for Rancho Mission Viejo. Orange County open space is built out.

The entire 23,000 acres must remain zoned open space for agriculture, ranching and acquired critical habitat linking Cleveland National Park with Camp Pendleton and preserving San Onofre State Park for visitors to enjoy the wilderness.

The laws exist to stop the zoning change. The Federal Endangered Species Act is only one of the ways. Title 16 Section 1531-1545. It is law, honor it. But we are talking about much more than endangered species.

The plan that is proposed will determine the land use for the next thirty years. The developers say that 14,000 homes, a 16 mile toll road, paved roads in the infrastructure and commercial development the twice the size of South Coast Plaza is what Orange County needs in this 23,000 acres. We say is that Orange County's open space is built out. **Smart Growth is possible. Oregon is an example. Since 1975 Oregon's population has grown by 50% but it has used only 2% more land because of its laws that protect its open space. 29 ELR 10418.** Any General Plan for Orange County must consider the intent of Congress in its Title 16 Conservation Laws. It is illegal to pollute our waterways and the ocean. It is illegal to destroy our watershed without guaranteeing protection of wildlife, plants, fish, birds and animals. In the last decade, critical habitat has been ambushed and destroyed in Orange County from all sides. All wildlife in this area is in jeopardy. The mountain lion is not an endangered species, but it will not survive in Orange County with loss of 23,000 acres that it currently has that connects its range of open habitat from Cleveland forest to Camp Pendleton. The mountain lion is part of an ecosystem. What happens then to the deer, the raccoons, the possum and all wildlife as paved roads pollute and cut off the water heads of San Juan Creek? What happens to the Steelhead trout happens to the delicate reef ecosystems as more and more spills create more and more days that the water isn't even safe for humans to enter. The Federal Conservation Law exists. It must be enforced.

United States Fish and Wildlife Service and the State of California Department of Fish and Game are the guardians of our state wildlife. These agencies give permits each year, establishing the number of "take" that the specie will withstand. The government and not an individual landowner owns our wildlife. As neighbors if not actually tenants in common with the Oneil family now known as Rancho Mission Viejo for nearly a hundred years, how do you plan to protect your ward, the wildlife, which has moved freely between state and national parks and the Rancho Mission Viejo land zoned for agriculture and ranching?

We are not talking just of endangered species such as, the knatchacher, steelhead trout, but of mountain lions, raccoons, possums, deer, geese, frogs, abalone, octopus, in other words all of the wildlife the state owns on any property. You have the authority under United States law going back to English Common Law. This is not Scotland where a landowner owns the right to any wildlife on his property. In this country the state and federal government own the wildlife. You have the legal precedence of easement by prescription to demand the zoning of RMV remain as it has been, ranching and agriculture to ensure wildlife a place to dwell in Orange County. Orange County open space is built out. See Easement by prescription Section 318 of the Code of Civil Procedures. Enforce it.

We oppose the GPA zoning change for Rancho Mission Viejo on the grounds that Southern California cannot support the drinking water needs of its current population. We already rely on water brought in from the Colorado River and Northern California.

Senator Kuehl's Bill SB221 demands a plan be presented for water acquisition for any new development of over 500 houses. Our California senators are rightfully concerned

about the limits of a Mediterranean climate to support continued population growth, especially in the old paradigm relying on urban sprawl of individual homes.

Senator Costa's Bill SB610 states,

(5) Furthermore, California's overall water delivery system has become less reliable over the last 20 years because demand for water has continued to grow while new supplies have not been developed in amounts sufficient to meet the increased demand. (6) There are a variety of measures for developing new water supplies including water reclamation, water conservation, conjunctive use, water transfers, seawater desalination, and surface water and ground water storage. (7) With increasing frequency, California's water agencies are required to impose water rationing on their residential and business customers during this state's frequent and severe periods of drought. (8) The identification and development of water supplies needed during multiple-year droughts is vital to California's business climate, as well as to the health of the agricultural industry, environment, rural communities, and residents who continue to face the possibility of severe water cutbacks during water shortage periods. (9) A recent study indicates that the water supply and land use planning linkage, established by Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code, has not been implemented in a manner that ensures the appropriate level of communication between water agencies and planning agencies, and this act is intended to remedy that deficiency in communication. (b) It is the intent of the Legislature to strengthen the process pursuant to which local agencies determine the adequacy of existing and planned future water supplies to meet existing and planned future demands on those water supplies.

Seawater desalination? Water reclamation? Are we going to wait until like Hong Kong we flush our toilets on Tuesdays? The State Law exists. Enforce it.

Major General William G. Bowdon speaking for officials at Camp Pendleton has requested that any change of plans for the Ranch not include housing near the base because of military operations. (December 10, 2002 "Encroachment new concern for military." The Orange County Register.) Federal interest in this land means funds might be available. We need a willing seller. If the zoning changes, no agency can afford to buy it for the public.

The TCA is asking for 100 million dollars of tax payer's money to fund a sixteen mile privately owned toll road through this land. That acquisition would also be made after the land becomes more expensive. Once again the tax payer is asked to subsidize the wealthy.

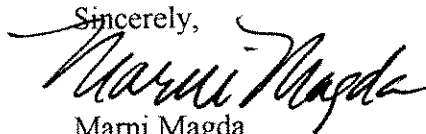
The General Plan Amendment looks to the next thirty years. We suggest it look also to the last thirty years. How much of Orange County used to be orange groves, avocados, strawberry fields and wilderness habitat? Fifteen years ago I saw a mountain lion on Laguna Canyon road. The wilderness corridors still existed. Rancho Mission Viejo is a critical connection between the open habitat of the Cleveland National forest and Camp Pendleton. It must remain ranching, agriculture and open habitat. We need land for locally grown agriculture. It is hard to predict the next thirty years. But scientists tell us, the world has at our current dependency perhaps forty years until all of the oil of the earth has been used. We will no longer fly fresh strawberries from Argentina to Pavilions

using our current technology. Fossil fuel will be a resource of the past. We hope a new invention will save us. We're working on it. Maybe it will. Maybe in forty years airplanes, cars, technology as we know it, will be finished and the lights will go out. Perhaps you are reading this letter and saying, "Another doom sayer tree hugger." In the last 100 years, human ignorance, waste and greed has used up 96% of our California redwoods. The paving of Orange County until recently was less obvious. Now we have all watched the landmovers destroy our rolling hills, canyons, streams, replacing them with tedious urban sprawl. Oregon has shown us how to conserve open space. Orange County will be a ghost town wasteland if we can't ship water and food in. Last year in Antarctica an iceberg the size of Rhode Island broke off and floated to sea. Scientists are stunned. The primary explanation they have is global warming. It is not easy to predict the next thirty years. If the zoning is changed, it will not take thirty years to pave our last wilderness, it will be destroyed immediately.

The Nature Conservancy wants to assist the public to buy the critical habitat of Rancho Mission Viejo. It needs a willing seller. The developer wants you to change the zoning of his land so it will be worth more to be developed as residential and commercial land. We must protect this wilderness connection of the Cleveland National Forest with Camp Pendleton. You have the laws you need. Our grandchildren's future is in your hands.

Chief Seattle's letter to the President in 1854: "... If we sell you our land, remember that the air is precious to us, that the air shares its spirit with all the life that it supports. The wind that gave our grandfather his first breath also received his last sigh. The wind also gives our children the spirit of life. So if we sell our land, you must keep it apart and sacred, as a place where man can go to taste the wind that is sweetened by the meadow flowers...."

Sincerely,



Marni Magda
Chairman of the Land Acquisition Committee
460 Oak Street
Laguna Beach, CA 92651
949-494-1373

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower Street
Santa Ana, CA 92702-4048

This letter is in regards to the Rancho Viejo Development proposal and the preparation of the Environmental Impact Report for this development. I would like to voice my concern for this development and my strong support for environmental stewardship and responsibility. Please consider the following points when conducting this report:

1. The Draft Environmental Impact Report for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. This would facilitate the development of the Project description, a reasonable range of alternatives, and impacts that should be analyzed.
2. An infill alternative should be analyzed that directs new housing development into existing cities and urbanized areas.
3. Impacts to San Onofre State Beach, regional parks, Cleveland National Forest, Camp Pendleton, adjacent land conservancies should be fully analyzed.
4. ***Impacts and cumulative impacts by the proposed Foothill-South toll road should be analyzed***
5. The project description in the Notice of Preparation is inadequate and would benefit from information about biological resources and reserve design that is currently being developed under the NCCP and SAMP.
6. The impacts of golf courses, pesticide applications and exotic plants and animals on the Project area and contiguous natural open space areas, including but not limited to impacts on water quality and biological resources, should be analyzed.
7. Impacts to local creeks and beaches should be analyzed, including impacts on continuing or currently planned projects to restore water quality and habitat.
8. Impacts to fire regimes on protected or proposed reserve areas should be analyzed.
9. Impacts to groundwater supplies and recharge capacity should be analyzed.
10. Impacts to habitat linkages should be analyzed.

These points are critical and should not be ignored or overlooked. Overdevelopment and development without concern for the consequences to the environment have occurred too many times. We need to take a responsible, caring attitude toward the environment around us, and realize the undeniable link and codependence between us and our environment.

Thank you for hearing my concerns.

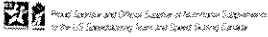
Sincerely,

Valerie Dencker



STEVE NETHERBY
UNI INDEPENDENT ASSOCIATE

Office: (949) 366-2522
Toll-Free: (877) 368-4544
Fax: (949) 366-0520
E-mail: snetherby@aol.com
www.unitoday.net/steve-netherby



Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower Street
Santa Ana, CA 92702-4048

Mr. Shoemaker:

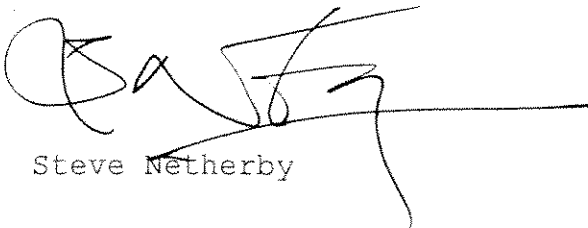
A recent Newsweek cover article spoke in delicious detail about MOAB -- our military's "Mother of All Bombs." In terms of the loss to Orange County's nature inventory, the proposed development of Rancho Mission Viejo would have an impact far worse than a mall-full of MOABs.

After a military war, a country can reclaim and rebuild. But development's MOABs place a crust of concrete and steel over the land that lasts forever. Then, they leak manmade pollution into the waterways and water tables and the very air that ensure the kill. The countryside can never be reclaimed.

As resource professionals, your offices know the global value of Rancho Mission Viejo's remaining wildlands and their plant and animal populations. Rancho Mission Viejo has encrusted enough of the county with its concrete and steel. It is my hope that we can work with the RMV Company to negotiate a win-win purchase of these precious properties.

At the very least, I'm asking that the Draft Environmental Report for the Ranch Project (DEIR #589) be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. We must approach this project with reverence for the resources that would be destroyed by the proposed development MOABs.

Sincerely,



Steve Netherby

Dear Mr. Shoemaker,

March 22, 2003

We have lived in San Clemente for seven years and truly enjoy living in such a beautiful community. The incredible open space in our area is the reason for it being a 'livable' environment.

As you complete your Environmental Report of Rancho Mission Viejo, please fully analyze these:

- The Draft Environmental Impact Report for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the Southern Orange County NCCP and SAMP are completed. This would facilitate the development of the project description, a reasonable range of alternatives and impacts.
- An infill alternative that directs new housing development into existing cities and urbanized areas.
- Impacts to San Diego State Beach, regional parks, Cleveland National Forest, Camp Pendleton and adjacent land conservancies.
- The project description in the Notice of Preparation (NOP) is inadequate and would benefit from information about biological resources and reserve design that is currently being developed under the NCCP and SAMP.
- The impacts of golf courses, pesticides applications of exotic plants and animals on the project area and contiguous natural open space areas, including but not limited to impacts on water quality and biological resources.
- Impacts to local creeks and beaches including impacts on continuing or currently planned projects to restore water quality and habitat.
- Impacts to fire regimes on protected or proposed reserve areas
- Impacts to ground water supplies and recharge capacity
- Impacts to habitat linkages

Considering all these things in your report will help to preserve the biological diversity and natural heritage of Southern California.

3/24/03

Chuck Shoemaker

Planning and Development Services Dept
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702

How much more open space will we allow these land barons to whittle away before we say "enough"? Is Mission Viejo or Rancho Santa Margarita good for the environment? Is there ever one native plant to be found in either of those cities? Do we need a report to tell how our greed is wiping out critical habitat?

Rancho Mission Viejo sits on precious land. It breaks my heart to think of what could be done to it. It doesn't cut it to save the land on either side of the creek where houses can't be built anyway and call that a regional park. What a joke. Caspers is a regional park, reflecting many different types of habitat zones.

When will we humble ourselves? We have stolen this land from the native people who generally honored God and His creation. We have brazenly plowed over their sacred sites and marched on with no regard for the next generations.

Enough! No development is the only plan.
What about making restitution and giving back the
land to the Juaneno (Acjachemen Nation) to steward

"Streambed alteration", "14,000 homes"
"4 golf courses". I drive by Ladera Ranch every
work day. I get the picture. What an abuse of
the land. I don't want to see any more.

I don't worry to ~~sound~~ ^{sound} angry and bitter, but
I believe many of the average citizens of Orange County
feel the same way. This is not good for the
environment in any way and it's not good for
mankind, who, admit it or not, needs wild
places. We're frustrated and demand some
righteous stewardship of this glorious land that
God has given us.

Thanks for anything you can do to help
make that happen.

Sincerely,

Jeff Mott

PO Box 422

Trabuco Canyon, CA
92678

P.S.

Of course, I feel the same about the proposed
development at Cook's Corner and the removal of oaks
as I do about Rancho Mission Viejo. Enough is enough.

March 24, 2003

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower St.
Santa Ana, CA 92702-4048

RE: Rancho Mission Viejo development proposal

Dear Mr. Shoemaker:

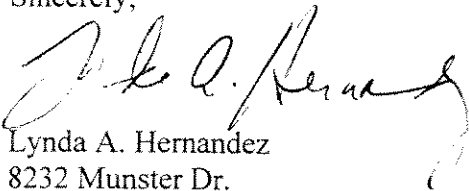
I hope you will take into consideration my comments regarding the last of our beautiful Orange County lands still open and without development:

Please know that I speak in unison with thousands of others regarding the importance of analyzing further –

1. Impacts to habitat linkages which would affect the ability of the remaining Bobcat's to survive in this area next to Cleveland National Forest.
2. Impacts on local creeks and beaches so that we do not duplicate the horrendous urban runoff affecting our beaches to the north.
3. The Draft Environmental Impact Report for above should be delayed until NCCP and SAMP are completed.

We are talking about an international area of biodiversity. And, all possible solutions and alternatives must be examined so that future generations can enjoy at least a small part of what Orange County was before extensive development. It is possible to develop existing urban areas and not destroy the last remaining open space. Thank you for your consideration and attention to this crucial situation.

Sincerely,



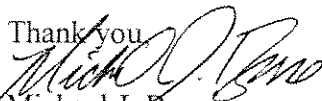
Lynda A. Hernandez
8232 Munster Dr.
Huntington Beach, CA 92646

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower Street
Santa Ana, CA 92702-4048

I would like to propose that the below 10 points be included in the Environmental Impact Analysis for the Rancho Mission Viejo development proposal.

1. The Draft Environmental Impact Report (DEIR) for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. This would facilitate the development of the Project description, a reasonable range of alternatives, and impacts that should be analyzed.
2. An infill alternative should be analyzed that directs new housing development into existing cities and urbanized areas.
3. Impacts to San Onofre State Beach, regional parks, Cleveland National Forest, Camp Pendleton, adjacent land conservancies should be fully analyzed.
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8. Impacts to fire regimes on protected or proposed reserve areas should be analyzed.
9. Impacts to groundwater supplies and recharge capacity should be analyzed.
10. Impacts to habitat linkages should be analyzed.

Thank you,


Michael J. Bosse

601 Calle Miguel
San Clemente, CA 92672

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker,

The following are environmental impacts I feel should be taken into consideration for Rancho Mission Viejo:

1. The Draft Environmental Impact Report (DEIR) for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. This would facilitate the development of the Project description, a reasonable range of alternatives, and impacts that should be analyzed.
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8. Impacts to fire regimes on protected or proposed reserve areas should be analyzed.
9. Impacts to groundwater supplies and recharge capacity should be analyzed.
10. Impacts to habitat linkages should be analyzed.

Thank you for your time.

Sincerely,

Jeff Petersen
32641 Caribbean Dr.
Monarch Beach, CA 92629

March 24, 2003

Chuck Shoemaker
Planning and Development Services Dept.
Environmental Planning Service Div.
300 N. Flower St.
Santa Ana, CA 92702-4048

Dear Chuck Shoemaker:

The Draft Environmental Impact Report (DEIR) for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. This would facilitate the development of the Project description, a reasonable range of alternatives, and impacts that should be analyzed.

An infill alternative should be analyzed that directs new housing development into existing cities and urbanized areas.

Impacts to San Onofre State Beach, regional parks, Cleveland National Forest, Camp Pendleton, adjacent land conservancies should be fully analyzed.

Impacts and cumulative impacts by the proposed Foothill-South toll road should be analyzed.

The project description in the Notice of Preparation (NOP) is inadequate and would benefit from information about biological resources and reserve design that is currently being developed under the NCCP and SAMP.

The impacts of golf courses, pesticide applications and exotic plants and animals on the Project area and contiguous natural open space areas, including but not limited to impacts on water quality and biological resources, should be analyzed.

1524 E. RIO VERDE DR.
WEST COVINA, CA 91791

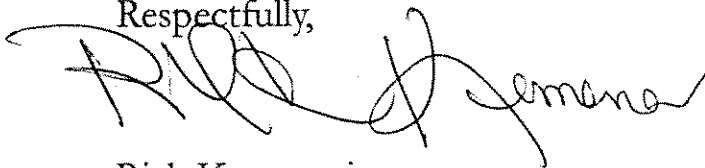
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Impacts to fire regimes on protected or proposed reserve areas should be analyzed.

Impacts to groundwater supplies and recharge capacity should be analyzed.

Impacts to habitat linkages should be analyzed..

Respectfully,

A handwritten signature in black ink, appearing to read "Rick Kemenesi". The signature is written in a cursive style with a large, stylized initial "R".

Rick Kemenesi

CREED

Coalition for Responsible and Ethical Environmental Decisions

March 24, 2003

Charles Shoemaker, County of Orange Senior Planner
Tim Neely, Manager of Environmental Planning Services

A confusion of due dates for public comment on Notice of Preparation for Draft EIR 589 General Plan Amendment Zone change (PA010114) SCH#2003021141 has prompted calls to CREED of concerns that our issues are expressed to you. I have compiled the following urgent expressions. We really need the completion of environmental documents now in process before we make specific recommendation. The preservation of sensitive and endangered habitat areas is of highest priority to us. Also:

Care in saving corridors for the larger animals to and from the National Forest .

Open space for human recreation and solitude.

Concern about the effects of large influx of populations on our transportation corridors.

Allowance for low income housing(not government projects, but inclusion in the planning for residential areas to be built by private contractors or non-profit organizations)

Protect the San Mateo and San Juan creek watersheds for preservation of our clean beach and clean surf, the only surf that is not closed frequently during the summer on the southern California coast.

Our general perspective is that the land in agricultural zone that should be modified to protect the above interests, but should not enter the planning phases which establish value as other than agriculture until negotiations for purchase of the environmentally valuable habitat have been completed, because we cannot afford to pay development land prices. Orange County is asked by the Ranch owners to give them the billions of dollars in value of a rezone. A portion of that value must be retained by the value, in preserve area and recreational area...in open space. Otherwise, a rezone is a taking of value from the quality of life of the county residents and tax payers. Some land must be preserved under CEQA, and some purchased by our conservation organizationsor by State/Federal grant.

Lyn Harris Hicks, for CREED 

Coalition steering group leaders serve as "vision to," do not "represent" identifying entities below.

Maricene Brown: hospital administrator ; medical and business administration educator

Donna Davy: educator, former director of child-education programs of the Ocean Institute, Dana Point

Lyn Harris Hicks: Soroptimist Int'l; former News Editor, Daily Sun Post, Capistrano Bay newspaper

Steve Ketcherby: community activist; nationally published journalist

Ricardo Nicol: architect, San Clemente Rotary Club Director; former San Clemente Planning Commissioner

Marilyn O'Brien: educator, past president, American Assn. of University Women, San Clemente-Capistrano Bay Branch; first intervenor group opposing licensing of San Onofre II & III

205 Calle De Anza, San Clemente, CA, 92672
Tel/Fax 949-492-5078 * creedmail@cox.net

Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Service Division
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker,

I am writing this letter in regards to the Environmental Impact Report that you intend to prepare for the Rancho Mission Viejo development proposal. I believe that it is absolutely essential to take into consideration the huge environmental impacts that this massive development will inflict.

The impacts to our last remaining open space are so far reaching that I will only list the following points without making this letter too long-winded

The impacts to the surrounding regional parks, adjacent land conservancies, the San Mateo Wilderness, San Onofre State Beach and Cleveland National Forest should be analyzed to the fullest capacity.

There an alternative should be analyzed whereupon any new housing and commercial development is shown to be closer to existing urbanized areas.

The cumulative impacts of the proposed Foothill-South toll road should be analyzed.

Impacts to local creeks and beaches should be analyzed, especially in conjunction with the impacts the Talega project has had on these elements to date.

The impacts of golf courses and all the pesticides, herbicides, and the runoff pollution needs to be fully analyzed.

Impacts to habitat and their linkages, as well as wildlife corridors should be fully analyzed. Impacts to endangered species and their habitat should also be analyzed.

In conclusion, the Draft Environmental Impact Report (DEIR) for the Ranch Project (DEIR #589) should be delayed until the DEIR/DEIS for the southern Orange County NCCP and SAMP are completed. This would facilitate the development of the Project description, a reasonable range of alternatives, and impacts that should be analyzed. I believe this project as it stands is far too destructive to our local environment. It will adversely affect our quality of life for those of us who live in South Orange County, and it will destroy far too much precious wildlife habitat.

Sincerely,



Jim Parkhurst

46 Primrose
Aliso Viejo, CA 92656

March 23, 2003

Subject: Notice of Intent to Prepare Draft Environmental Impact Report #589

I strongly oppose any general plan amendment for the area. This plan will have devastating impacts to the environment that cannot be mitigated to a level below significant. An EIR should not be prepared until the SAMP/MSAA and NCCP/HCP have been completed.

The plan is inconsistent with the plans and goals of the community. This amendment has the potential to impact a lot more cities and communities than San Clemente, San Juan Capistrano, Rancho Santa Margarita and Mission Viejo. Cities such as Dana Point, Lake Forest, Laguna Hills, Laguna Niguel and Aliso Viejo will also be indirectly impacted by the proposed project.

The general plan amendment has the potential to impact the entire county and I firmly believe that there has been not been an adequate amount of public involvement for such a large project. The focus has been geared towards only 4 south county cities. A project this large has the potential to impact not only all the cities along the Route 5 corridor but also those inland starting at the Route 405 interchange all the way down to the southern end of San Clemente. Route 5 is a regional facility and currently can barely handle the traffic generated from Ladera Ranch and Rancho Santa Margarita how is it going to accommodate traffic from a project of this magnitude?

This project has so many fatal flaws and it is evident that South County residents do not want this project. There is no benefit to the impacted communities from a project of this magnitude.

This is a poorly thought out proposal and as a resident who has lived in Orange County for 29 years I urge you to reject Rancho Mission Viejo's proposal and leave the general plan as it is currently written. Their plan will ravage Orange County and we will become a smog infested, traffic congested, water polluted version of Los Angeles County. Is that the type of environment we want to live in and raise our children in? I think NOT!!

Sincerely,

Dawn Kukla

A handwritten signature in black ink, appearing to read "Dawn", with a long horizontal flourish extending to the right.



PLANNING & DEVELOPMENT SERVICES
DEPARTMENT
300 N. FLOWER STREET
P.O. BOX 4048
SANTA ANA, CALIFORNIA 92702-4048

**REVISED
NOTICE OF PREPARATION**

DATE: March 23, 2004
SUBJECT: Notice of Intent to Prepare Draft Environmental Impact Report #589

Project Title: General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan)

Applicant: Rancho Mission Viejo

Contact: Chuck Shoemaker **Phone:** (714) 834-2552

On February 24, 2003, the Orange County Planning & Development Services Department (County) prepared an Initial Study for the Project and determined that an Environmental Impact Report (EIR) is necessary. The Notice of Preparation (NOP), which included a copy of the Initial Study, was distributed for a 30-day review period. Since the NOP was distributed, certain modifications to the Project have been made. The County has elected to prepare a Revised NOP that outlines those changes and solicit input from Responsible and Trustee agencies regarding those changes. To facilitate your review, a copy of the NOP that was previously distributed is attached for your reference.

The County of Orange is the lead agency for the Project and will prepare the EIR under the terms and requirements of the California Environmental Quality Act (CEQA) and the implementing Guidelines for the California Environmental Quality Act (Guidelines). In order for the concerns of your agency to be incorporated into the Draft EIR, we need to know the views of your agency as to the modifications to the Project relevant to your agency's statutory responsibilities in connection with the proposed project. Prior comments provided to the County by your agency on the scope and content of the Draft EIR will be addressed and need not be repeated. Responsible and Trustee agencies must consider the EIR prepared by the County of Orange when considering a permit or approval of the project. The project description, location, and an analysis indicating the probable environmental effects of the proposed action are contained in the attached materials.

The purpose of this notice is: (1) to serve as the Notice of Preparation to potential Responsible and Trustee Agencies required by Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues from interested parties other than potential Responsible and Trustee Agencies, including interested or affected members of the public. The County requests that any potential Responsible or Trustee Agency responding to this notice respond in a manner consistent with Guidelines Section 15082(b).

Because an NOP for the Project was previously distributed and comments have already been submitted to the County regarding the Project, any comments submitted in response to this Revised NOP should be limited to address only those changes to the Project as described in this Revised NOP. There is no need to resubmit the comments previously provided on the original NOP for those aspects of the Project that have not changed.

Pursuant to CEQA Section 21080.4, Responsible and Trustee Agencies must submit any comments in response to this notice no later than **30 days after receipt of this notice**. The County will accept comments from these Agencies and others regarding this notice through the close of business, **April 23, 2004**.

All comments or other responses to this notice must be submitted in writing to:

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

Submitted by:


Jim Neely, Director

Attachment: 2003 NOP

INTRODUCTION

The County of Orange (County) will be the Lead Agency under the California Environmental Policy Act (CEQA) for the preparation of a Program Environmental Impact Report (EIR) for the Project. Section 15168 of the CEQA Guidelines states that a Program EIR "...may be prepared on a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) As logical parts in the chain of contemplated actions, (3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways."

PROJECT SPONSOR'S NAME AND ADDRESS

Rancho Mission Viejo
28811 Ortega Highway
San Juan Capistrano, CA 92675

PROJECT LOCATION

The approximately 22,815-acre project site is located in south Orange County and constitutes the remaining undeveloped portions of the Rancho Mission Viejo located within unincorporated Orange County. The planned community of Ladera Ranch and the cities of Mission Viejo, San Juan Capistrano, and San Clemente surround the Project area on the west; the City of Rancho Santa Margarita bounds the northern edge of the Project area; the southern edge is bound by Marine Corps Base (MCB) Camp Pendleton in San Diego County; and Caspers Wilderness Park and the Cleveland National Forest bound the property on its eastern edge. The regional location and local vicinity maps are depicted in Exhibits 1 and 2, respectively, of the attached 2003 Notice of Preparation (NOP).

SUMMARY OF PROJECT DESCRIPTION

The Ranch Plan is a proposed General Plan Amendment and Zone Change that would include up to 14,000 dwelling units and other uses within a development area of approximately 7,694 acres. Approximately, 6,000 of the 14,000 dwelling units would be senior housing. The remaining 15,121 acres of the 22,815 acres within the project site would be retained in open space. Development is proposed to occur over a period of approximately 20 to 25 years. Infrastructure would be constructed to support all of these uses, including road improvements, utility improvements, and schools. Ranching and agricultural activities would be retained within a portion of the proposed open space area.

The project applicant is requesting (in Planning Application number PA01-114) a zone change from A-1 General Agricultural and SG-Sand and Gravel Extraction (for portions of San Juan Creek) to PC-Planned Community zoning district for the entire project site. In addition, several elements of the County of Orange General Plan would need to be amended in order to allow for implementation of the project, including the Land Use, Transportation, Resources, and Recreation elements. A Development Agreement between Rancho Mission Viejo and the County is also intended to be processed concurrent with this project.

MODIFICATIONS TO THE PROJECT SINCE THE 2003 NOP WAS CIRCULATED

Since the NOP was circulated in February 2003, there have been certain changes to the proposed Project. This revised NOP is being circulated to inform agencies and the public of the changes and provide an opportunity for comment. The following are the modifications that have occurred since the 2003 NOP was circulated:

Changes to the Project Acreage

Originally, the Project site contained 22,850 acres. Since the NOP was circulated, approximately 35 acres west of La Pata Avenue south of Ortega Highway were sold to Whispering Hills, LLC, which then granted an access easement over a portion of the property to the Capistrano Unified School District. This access easement was needed for the San Juan Hills High School. This reduced the overall acreage of the site to approximately 22,815 acres.

Changes in the Land Use Designations Requested

While the overall nature of the Project and the proposed uses has not changed, the specific land use designations being requested as part of the General Plan Amendment and Planned Community Zoning have been revised. This change is a result of further coordination with regulatory and resource agencies, direction provided by the County of Orange, and more detailed planning by the project sponsor.

The General Plan Land Use designations initially requested included 9,296 acres of 1B-Suburban Residential, with the remaining 13,554 acres in land use category 5-Open Space. These designations are referenced on pages 5 through 17 of the attached 2003 NOP. In conjunction with the 1B-Suburban Residential designation, overlay land use categories identified with the PC-Planned Community Zoning District allowed development of supporting uses of Urban Activity Center, Business Park, Neighborhood Center, and the O'Neill Ranch (estate housing with a golf course and 120 casitas located in Planning Area 9).

Revised General Plan land use designations (detailed by Planning Area) are described in the General Plan Summary Table (see Exhibit 1) and graphically depicted in Exhibit 2; both exhibits are attached at the end of this Revised NOP. The original and revised proposed General Plan land use designations for the project are summarized as follows:

Original General Plan Request	Proposed General Plan Request
1B-Suburban Residential (9,296 acres)	1A-Rural Residential (1,761 acres)
5-Open Space (13,554 acres)	1B-Suburban Residential (8,382 acres)
	3-Employment (80 acres)
	5-Open Space (11,765 acres)
	6-Urban Activity Center (827 acres)
Project Total (22,850 acres)	Project Total (22,815 acres)

The revised General Plan land use designations are intended to provide greater land use definition and clarity with the Ranch Plan project. The overall project residential component remains at a 14,000 dwelling unit maximum. The development proposed for Planning Area 9 (100 estate lots and 120 casitas) is now contained within the 1,761-acre 1A-Rural Residential designation but with a majority of the estate area maintained as open space. The revised General Plan land use designations contain a greater proportion of development designations

and a smaller open space designation area than the original General Plan request. This is due to the large amount of land placed in the 1A-Rural Residential designation. The ratio of development to open space is clarified and refined in the PC-Planned Community Zoning District regulations.

The PC-Planned Community Zoning District land use categories previously proposed are also referenced on pages 5 through 17, and Exhibit 4, of the attached 2003 NOP. Revised PC-Planned Community Zoning District land use categories detailed by Planning Area are contained in the Ranch Plan Statistical Table, attached to this Revised NOP as Exhibit 3. A new Ranch Plan PC Development Map is also attached as Exhibit 4 to this Revised NOP. The original and revised PC-Planned Community District land use categories are summarized as follows:

Original PC-Planned Community	Revised PC-Planned Community
Residential Category: 8,610 acres Residential (14,000 dwelling unit max.) O'Neill Ranch Overlay Urban Activity Center Overlay Neighborhood Center Overlay Business Park Overlay Golf Resort Overlay	Total Development Use: 7,694 acres Residential Use (14,000 d.u. max.) Urban Activity Center Use Neighborhood Center Use Business Park Use Golf Resort Use
Open Space Category: 14,240 acres	Total Open Space Use: 15,121 acres
Project Total: 22,850 acres	Project Total: 22,815 acres

The revised PC-Planned Community District regulations contain essentially the same Ranch Plan project and use categories as originally requested but without use of the overlay categories. Minor use adjustments in overall planning area acreages and in acreages of non-residential categories have been made as depicted in the Ranch Plan Statistical Table, but do not change the overall Ranch Plan land use concept or employment to housing ratio. The estates and casitas proposed in Planning Area 9 are now contained in the residential use category. The revised PC-Planned Community District regulations contain a larger proportion of open space and smaller proportion of development area use than represented in the revised General Plan designations. This is due in part to the larger commitment of open space use in certain Planning Areas, as noted below. It is also due to the more specific definition and commitment of land use as a part of zoning regulations. The General Plan reflects a policy level of planning whereas zoning regulations are intended to be more specific.

Since the initial project filing, the project was the subject of review by the regulatory and resource agencies in coordination with the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) planning activities. This coordination resulted in some reductions in the size of the areas designated for development in portions of Planning Areas 2, 3, 7, 8 and 9 to protect natural resources in those areas. Other changes have been made for greater clarity regarding land uses proposed and consistency between the General Plan land use designations and Planned Community Zoning District land use categories. These changes, along with more detailed planning since the initial project filing, have resulted in revisions to both the requested General Plan designations (as described above) and the PC-Planned Community Zoning District regulations regarding land use categories.

Modifications to the Circulation Proposal

There are three changes in the proposed circulation system. The first change pertains to Chiquita Canyon Road. The 2003 NOP identified Chiquita Canyon Road as a proposed addition to the Master Plan of Arterial Highways (MPAH) and the Circulation Plan component of the Transportation Element of the General Plan. The project proposes to construct the road in the same basic alignment previously shown, but rather than designating it as an arterial highway, the facility would be a local road. This is in recognition of the Orange County Transportation Authority's (OCTA) policy not to show private or gated roadways on the MPAH.

The second change has to do with Ortega Highway. The 2003 NOP reflected a proposal for the deletion from the MPAH of Ortega Highway east of Antonio Parkway to the connection with the proposed New Ortega Highway. Although Ortega Highway is not an arterial highway, it is on the MPAH because it is a state highway. State highways cannot be deleted from the MPAH. The project is now requesting that Caltrans abandon this segment of Ortega Highway and that New Ortega Highway and the connecting segment of Antonio Parkway become the designated state route. The California Transportation Commission would have to approve this request. Should the CTC approve the request, the MPAH and Circulation Plan would be revised to reflect the change. There would not be a change in function from what was originally requested.

The third change in the circulation proposal is associated with the original request to delete the connection of Trabuco Creek Road and Avery Parkway from the MPAH. This area is outside of the project limits and is the subject of another study. At the request of the City of Mission Viejo, this request was dropped from the project.

Recreation Element Amendment Modification

The 2003 NOP stated that Figure VII.1 of the Recreation Element, the Master Plan of Riding and Hiking Trails, would be amended to designate specific locations/ alignments for proposed trails and staging areas within the project area. Specifically, it stated that in Planning Area 13, the riding and hiking trail would be along the south side of the creek. It has been determined that establishing an alignment for the trail does not require an amendment to the General Plan. The alignment depicted and discussed in the Master Plan of Riding and Hiking Trails does not specify which side of the creek the trail is placed, only the general alignment.

Resources Element Amendment Modification

The 2003 NOP stated that Figure VI-3 of the Mineral Resources component of the Resources Element would be amended to remove the designation of mineral resources within San Juan Creek. The reason for the amendment request was the project's proposal to locate the Rancho Mission Viejo Regional Park within this area. Once implemented, the recreational land use would not be consistent with the extraction of sand and gravel resources. However, the designation of a mineral resource zone is not a commitment to mine these resources. Therefore, the figure in the General Plan will remain unchanged and the EIR will address the loss of availability of the resource in this area as a result of the proposed land use.

Request for Removal of Acreage from the Agricultural Preserve

The removal of 12,354.59 acres from RMV's Agricultural Preserve by means of a cancellation of the Williamson Act contract was identified as a component of the project in the 2003 NOP. It identified that notices of non-renewal had previously been filed for all the areas that would be

removed from the Agricultural Preserve. The project is now only requesting the removal of approximately 1,900 acres from the Agricultural Preserve pursuant to the cancellation process.

Processing Approach

At the time the project applicant submitted its application for a General Plan Amendment and Zone Change (GPA/ZC) for the Ranch Plan in November 2001, the applicant's goal was to process the project concurrently with the two regional planning efforts underway for the area. These efforts include the Southern Subregion NCCP/HCP being prepared by U.S. Fish and Wildlife Service (USFWS) and the County of Orange, in cooperation with the California Department of Fish and Game (CDFG); and the SAMP/MSAA, being prepared by the U.S. Army Corps of Engineers (ACOE) and the CDFG. Although this goal has been achieved in part, such as with the concurrent identification of a consistent set of project alternatives, there have been substantial delays in the completion of the NCCP/HCP and SAMP/MSAA, and their respective environmental documents. The Notices of Intent (NOIs) which were published by the resource agencies for those planning efforts in 2001 anticipated the release of draft environmental documents sometime in 2002. When the 2003 NOP for the GPA/ZC was issued, it was anticipated, in spite of the delays already encountered, the NCCP/HCP and SAMP/MSAA programs would keep pace with the GPA/ZC processing. However, other regional planning efforts (e.g., the Riverside County MSHCP), as well as the major fires experienced in the Fall of 2003, have competed for the attention of the resource agencies.

Also, the regulatory underpinnings of the NCCP/HCP have been affected by federal judicial decisions involving critical habitat designations and the "No Surprises Rule" (Spirit of the Sage Council v. Norton), issues which still remain unresolved. The No Surprises Rule is intended to provide regulatory certainty in exchange for conservation commitments, and it has been a major incentive for landowners such as the project applicant to voluntarily participate in NCCP/HCP planning efforts.

The foregoing events not only have introduced uncertainties into the timeframes for completing the planning processes, but have also placed increased demands on staff at the participating resource agencies. At the same time, budgetary problems and related cutbacks have further affected the ability of those agencies to maintain processing schedules.

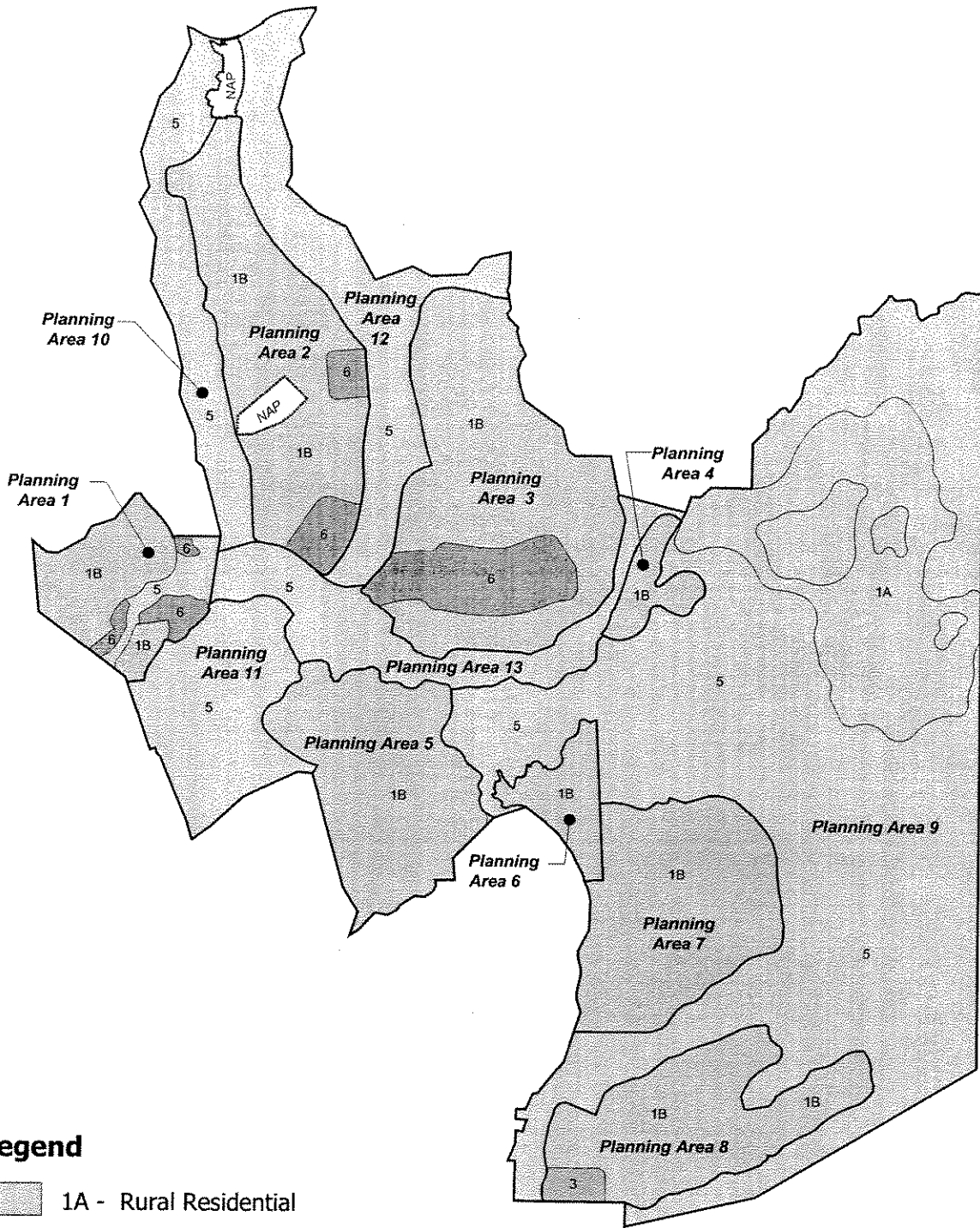
Meanwhile, plans for the proposed Ranch Plan project have been refined and preparation of the Ranch Plan EIR has moved forward, utilizing the baseline environmental data that has already been gathered, and the framework for environmental analysis that has been established, pursuant to the NCCP/HCP and SAMP/MSAA processes to date. In order to prevent further delays in the planning effort for the Ranch Plan area, and to protect the significant investment of time and resources to date in that effort, and by virtue of the project applicant's right under CEQA to define its project and the project objectives, the Project applicant has requested that the County move forward with processing of the General Plan Amendment and Zone Change (GPA/ZC) for the Ranch Plan even though NCCP/HCP and SAMP/MSAA programs may not be complete by the date of County action on the proposed project.

Notwithstanding that the GPA/ZC would be processed before completion of any NCCP/HCP or SAMP/MSAA, the proposed project and the process that has been utilized to develop and evaluate the proposed project and the other alternatives (1) provides a plan for development and a framework for conservation that will help to achieve the major benefits originally envisioned by those planning programs for the Ranch Plan area, and (2) provides a conservation plan that would be complementary to any such programs that are completed in the






future. Therefore, the proposed EIR can move forward without jeopardizing the preparation of the NCCP/HCP and SAMP/MSAA.

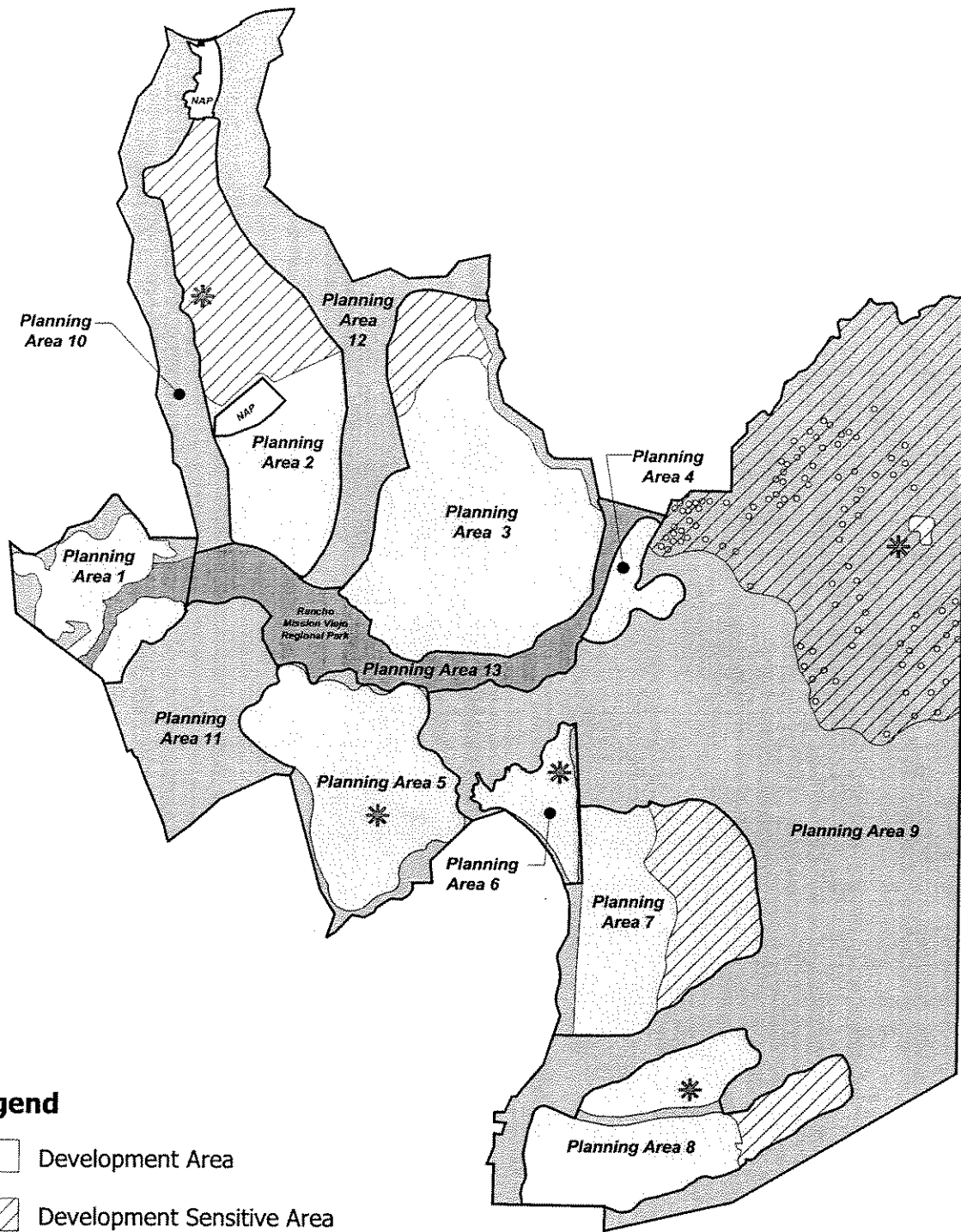
Length for Implementation

The 2003 NOP identified the project phasing to be over 30 years. The current phasing concept is that the project would be constructed over 20 to 25 years. This timeframe is also reflective of the planning horizon used for local and regional planning programs.








Legend

-  1A - Rural Residential
-  1B - Suburban Residential
-  3 - Employment
-  5 - Open Space
-  6 - Urban Activity Center



Legend

-  Development Area
-  Development Sensitive Area
-  Golf (Location to be Determined)
-  Open Space
-  Rancho Mission Viejo Regional Park

The Ranch Plan PC Development Map

EXHIBIT 1

Ranch Plan General Plan Summary

Planning Area	Rural Residential 1A	Suburban Residential 1B	Employment 3	Urban Activity Center 6	Open Space 5		Planning Area Totals	
	Gross Acres	Gross Acres	Gross Acres	Gross Acres	Open Space Gross Acres	RMV Regional Park Gross Acres		
1		544		132	12	122	810	
2		1,470		210			1,680	
3		1,868		485			2,353	
4		216					216	
5		1,350					1,350	
6		308					308	
7		1,442					1,442	
8		1,184	80				1,264	
9*	1,761				7,511		9,272	
10					845		845	
11					1,015		1,015	
12					1,348		1,348	
13						912	912	
Subtotals	1,761	8,382	80	827	10,731	1,034		
Total	11,050 **						11,765	22,815***

* Rural Residential designation includes 218 acres of golf, of which only 200 acres would be developed.

** The acreage totals for General Plan-level development designations do not identify certain included open space areas that will be reflected in zoning and subsequent levels of planning.

*** Water quality facilities may be located in either development use areas or open space use areas.

**EXHIBIT 3
The Ranch Plan Statistical Table**

Planning Area	Development Use											Open Space Use		Planning Area Totals
	Residential		Urban Activity Center		Neighborhood Center		Business Park		Golf Resort		Gross Acres	Open Space Acres	Rancho Mission Viejo Regional Park Gross Acres	
	Gross Acres	Maximum Dwelling Units	Gross Acres	Maximum Square Footage	Gross Acres	Maximum Square Footage	Gross Acres	Maximum Square Footage	Gross Acres	Maximum Square Footage				
1	451	1,020	89	1,190,000							540	148	122	810
2	985	1,550	40	610,000	5	50,000					1,030	650		1,680
3	1,957	5,630	122	1,680,000	10	100,000					2,089	264		2,353
4	211	150			5	50,000					216			216
5	1,181	2,440			10	100,000					1,191	159		1,350
6	263	110									263	45		308
7	843	1,480			10	100,000					853	589		1,442
8	982	1,400			10	100,000	80	1,220,000	20		1,092	172		1,264
9*	420	220									420	8,852		9,272
10												845		845
11												1,015		1,015
12												1,348		1,348
13													912	912
Total**	7,293	14,000	251	3,480,000	50	500,000	80	1,220,000	20		7,694	14,087	1,034	22,815***
														15,121

* 420 acres with PA 9 included 100 estate lots, 120 casitas and golf course complex.

** Total dwelling units and development acreage totals shall not be exceeded.

*** Water quality facilities may be located in either development use areas or open space use areas.

Revised NOP Respondents “The Ranch Plan”

State Agencies

- Caltrans District 12 Robert Joseph, Chief, District 12
- Department of Conservation Paul Frost, Associate Oil & Gas Engineer
- Department of Fish & Game William E. Tippets, Deputy Regional Manager
Karen A. Goebel, Assistant Field Supervisor, U.S. Fish and Wildlife Service
Cor Shaffer, District Engineer
Greg Holmes, Unit Chief
- Department of Health Services Scott Morgan, Senior Planner
- Department of Toxic Substances Control
- Governor’s Office of Planning & Research, State Clearinghouse and Planning Unit

Local Agencies (County, City, Special Agencies)

- City of Mission Viejo Charles E. Wilson, Director of Community Development
- City of Rancho Santa Margarita Kathleen Haton, Planning Director
- Foothill/Eastern Corridor Agency Macie Cleary-Milan, Deputy Director
- County of Orange Integrated Waste Management Division John Arnau
- Orange County Fire Authority Gene Begnell, Battalion Chief
- SDG&E Christopher P. Terzich, Senior Environmental Specialist

Public

- Damien Shilo, Tribal Chairman
- Matthew Vespa & Terrell Watt
- Judith M. Gielow
- Barbara Rosenbaum
- Paul Carlton
- Marni Magda
- Kelsyen Leedom
- Greg Sumter
- Greg Koch
- Ilse M. Byrnes
- Dawn Montano
- Marianna H. Handler
- The Rodgers Family

Residence or Representing

- Juaneño Band of Mission Indians, Acjachemen Nation
- Shute, Mihaly & Weinberger LLP
- St. Mark Presbyterian Church Ecophilians Environmental Group
- League of Women Voters of the Capistrano Bay Area
- SCORE
- Laguna Beach
- San Juan Capistrano
- Jurisdiction not given
- Anaheim
- California Trails & Greenways Foundation
- Aliso Viejo
- Sewanee, TN
- Mission Viejo



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

April 19, 2004

Mr. Chuck Shoemaker
Orange County Planning and Development Services Department
P.O. Box 4048
300 N. Flower Street
Santa Ana, CA 92702-4048

Subject: Notice of Preparation for the General Plan Amendment/Zone
Change (PA01-114) (aka. The Ranch Plan) draft
Environmental Impact Report, SCH No. 2003021141

Dear Mr. Shoemaker:

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced Notice of Preparation. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations. We offer the following comments for your consideration.

The proposed project is located outside the administrative boundaries of any oil field. However, there is one idle well and nine plugged and abandoned wells within the project boundaries. These wells are identified on Division map W-1-4 and records. The Division recommends that all wells within or in close proximity to project boundaries be accurately plotted on future project maps.

Furthermore, if any additional abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

To ensure proper review of building projects, the Division has published an informational packet entitled, "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for review. Developers should contact the Division's Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction.

DIVISION OF OIL,
GAS, & GEOTHERMAL
RESOURCES

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ARNOLD
SCHWARZENEGGER
GOVERNOR

Mr. Chuck Shoemaker – Orange County Planning and Development Services

Department

April 19, 2004


Page 2

Determination of the adequacy of any proposed methane mitigation measures for the project is beyond the Division's authority. However, the Division recommends that any plugged and abandoned well be vented if a structure is to be built over or in proximity to a well.

If any structure is to be located over or in the proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the PRC authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in the proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

Thank you for the opportunity to comment on the Notice of Preparation for the Draft Environmental Impact Report for The Ranch Plan. If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, CA 90630-4731; phone (714) 816-6847.

Sincerely,



Paul L. Frost
Associate Oil & Gas Engineer

cc: State Clearinghouse in the Office of Planning and Research

STATE OF CALIFORNIA-THE RESOURCES AGENCY

ARNOLD SC. WARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME



FACSIMILE TRANSMITTAL

TO: Chuck Shoemaker
FAX: 714-834-6132

FROM: Warren Wong
South Coast Region
4949 Viewridge Avenue
San Diego, California 92123
Telephone (858) 467-4249
Fax (858) 467-4299

DATE: 4/23/04 TIME: 1345

OF PAGES SENT INCLUDING TRANSMITTAL SHEET 12

COMMENTS:

Comments on the Revised NOP for the Ranch Plan

IF YOU DO NOT RECEIVE ALL OF THE PAGES INDICATED
PLEASE CALL THE SENDER AS SOON AS POSSIBLE.

Mr. Chuck Shoemaker (FWS/CDFG-OR-812.3)

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1,761 acres of rural residential uses, 8,382 acres of suburban residential uses, 80 acres of employment uses, 11,765 acres of open space and 827 acres of urban activity center use. Although these figures indicate a reduction in the acreage of designated open space, the NOP asserts that, with refinements to the mapping and land use within residential areas, a portion of this designation will be maintained for open space and will result in an increase to a total of approximately 15,121 acres of open space throughout the RMV property.

Although the Ranch Plan was originally proposed to be processed concurrently with the NCCP/HCP and SAMP/MSAA plans, the applicant is now requesting that the development of the GPA/ZC for the project advance although the NCCP/HCP and SAMP/MSAA plans may not be completed by the time of project approval. According to the NOP, the proposed project would provide a framework for conservation that would help to achieve the major benefits originally envisioned by the NCCP/HCP and SAMP/MSAA plans and would provide conservation planning that would be complementary to any plans developed in the future.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381 respectively. As a Trustee Agency, the Department must be consulted by the Lead Agency during the preparation and public review for project-specific CEQA documents. As a Trustee Agency, the Department reviews CEQA documents on proposed projects, comments on the project impacts, and determines whether the mitigation measures or alternatives proposed are adequate and appropriate. Pursuant to Section 1302 of the Fish and Game Code, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and habitat necessary for biologically sustainable populations of those species. Under the California Endangered Species Act (CESA), it is the policy of the State to conserve, protect, restore, and enhance any endangered species or any threatened species and its habitat (Section 2052 of the Fish and Game Code). A CESA Permit (Section 2081 of the Fish and Game Code) or, if applicable, a Consistency Determination (Section 2080.1 of the Fish and Game Code), must be obtained if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit.¹ The Department also administers the NCCP program under Section 2800 *et seq* of the Fish and Game Code.

The primary concern and mandate of the Service is the protection of fish, wildlife, and plant resources and their habitats. The Service comments on any public notices for Federal permits or licenses affecting the Nation's waters (e.g., Clean Water Act, Section 404 and River and Harbor Act of 1899, Section 10) pursuant to the Fish and Wildlife Coordination Act. The Service is also responsible for administering the Federal Endangered Species Act of 1973 as amended (Act).

¹ Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a 2081 permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a 2081 permit. For these reasons, the:

- biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit, and
- a Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

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Section 9 of the Act prohibits the "take" of any listed species by any person subject to the jurisdiction of the United States. Take incidental to an otherwise lawful activity may be permitted only pursuant to the pertinent language and provisions in Section 7 and Section 10 (a) or through a special rule under Section 4 (d) of the Act.

Specific Comments

The NOP indicates that a larger commitment of open space would result from future refined mapping of the project, ultimately designating approximately 15,121 acres of open space within the RMV property. Although this would be an increase from the approximately 14,240 acres designated in the original proposal, it is unclear what uses would be allowed within these refined mapping areas and if these uses would preclude these areas from being considered suitable for conservation of biological resources. The DEIR should specify the proposed allowable uses within these areas and analyze potential direct, indirect and cumulative effects on biological resources.

The Wildlife Agencies are concerned with the advancing of the GPA/ZC process ahead of the development of the NCCP/HCP and SAMP/MSAA plans. The parties to the NCCP/HCP and SAMP/MSAA are still developing reserve designs, and associated impacts and conservation levels are still being analyzed and refined. The purpose of these conservation efforts is to protect and conserve sensitive resources in southern Orange County while still allowing appropriate levels of economic development. The GPA/ZC process does not require consistency with NCCP/HCP and/or SAMP/MSAA principles and, if approved before these conservation plans, could hinder or even preclude these conservation planning efforts.

Per CEQA Section 15130, a project's cumulative impacts discussion must be included in the EIR when the project's incremental effect is cumulatively considerable. The discussion must include a list of past, present and probable future projects, including those that are outside the control of the Lead Agency. We are concerned that the processing of the GPA/ZC prior to the NCCP/HCP and SAMP/MSAA plans would constrain the analysis of cumulative effects. The NCCP/HCP and SAMP/MSAA processes are considering effects of proposed projects beyond the boundaries of the RMV property. Without the benefit of the completed analysis of the larger NCCP/HCP and SAMP/MSAA plan areas, the cumulative effects analysis performed for the Ranch Plan would require assumptions on impacts to conserved/preserved areas that are still being developed.

We strongly recommend the GPA/ZC be processed concurrently with, if not after, the NCCP/HCP and SAMP/MSAA plans to ensure the appropriate consideration of impacts to sensitive resources and, especially, the identification and evaluation of a range of reasonable alternatives. Pursuant to CEQA Guidelines Section 15126.6 (b), project alternatives discussed in the EIR should include those that can avoid or substantially lessen significant effects, even if those alternatives would impede the attainment of project objectives or be more costly.

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General Comments

To enable Wildlife Agencies staffs to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, we recommend the following information be included in the DEIR:

1. A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
2. A complete list and assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying State or federally listed rare, threatened, endangered, or proposed candidate species, California Species-of-Special Concern and/or State Protected or Fully Protected species, and any locally unique species and sensitive habitats. Specifically, the DEIR should include:
 - a. A thorough assessment of Rare Natural Communities on site and within the area of impact, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1; revised May 8, 2000).
 - b. A current inventory of the biological resources associated with each habitat type on site and within the area of impact. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - c. An inventory of rare, threatened, and endangered species on site and within the area of impact. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380).
 - d. Discussions regarding seasonal variations in use by sensitive species of the project site as well as the area of impact on those species, using acceptable species-specific survey procedures as determined through consultation with the Wildlife Agencies. Focused species-specific surveys, conducted in conformance with established protocols at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required.
3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources. All facets of the project should be included in this assessment. Specifically, the DEIR should provide:
 - a. Specific acreage and descriptions of the types of wetlands, coastal sage scrub, and other sensitive habitats that will or may be affected by the proposed project or project alternatives. Maps and tables should be used to summarize such information.
 - b. Discussions regarding the regional setting, pursuant to the CEQA Guidelines, Section 15125(a), with special emphasis on resources that are rare or unique to the region that would be affected by the project. A complete discussion of how this project affects the

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Southern Orange County NCCP planning effort must be provided. This discussion is critical to an assessment of environmental impacts.

- c. Detailed discussions, including both qualitative and quantitative analyses, of the potentially affected listed and sensitive species (fish, wildlife, plants), and their habitats on the proposed project site, area of impact, and alternative sites, including information pertaining to their local status and distribution. The anticipated or real impacts of the project on these species and habitats should be fully addressed.
- d. Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed NCCP reserve lands. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated and provided. A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site.

The Wildlife Agencies are concerned about the effects of artificial night lighting (ANL) on the fish and wildlife species that use natural habitats adjacent to development areas. Species' behaviors are tied to light and darkness in daily and seasonal life cycles. The ecological effects of ANL are profound and increasing. The direct illumination and the sky glow (i.e., light pollution) created by ANL disrupt important behaviors and physiological processes with significant ecological consequences (ANL Conference 2002, Moore 2000). Species using the natural areas adjacent to development will be subjected to increased levels of light and may be adversely impacted. For example, ANL can affect bird behavior, migration, and physiology (Tejler et al. 1987, Marsden et al. 1980, Bakken and Lee 1992), ANL can affect neotropical migratory birds on their northern spring migrations (Ogden 1996), billions of moths and other nocturnal insects are killed each year at lights (ANL Conference 2002), and lights upset the behavior of snakes and other nocturnal animals (Lieberman 2002). Both temporary and permanent changes to the illumination of an area may affect amphibian reproduction, foraging, predator avoidance, and social interactions (Buchanan 2002). Millions of birds die or suffer injuries from collisions with buildings lit at night as they journey north and south (FLAP 2002).

Based on these potential effects on biological resources from ANL, and given that much of the project area is currently undeveloped and/or without artificial lighting, the DEIR should provide environmental baseline information for the project area and address the potential project-related direct, indirect and cumulative effects of lighting on flora and fauna in the project vicinity. Lighting of golf courses, commercial areas and other non-residential facilities adjacent to native habitats should be avoided. Use of back- and side-shielded lighting fixtures should be required as a standard project feature throughout public use areas to minimize indirect effects and to reduce cumulative effects of lighting for the project. Areas that require lighting for safety considerations

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should be clustered to reduce the need for added lights and to further minimize amount of edge effects. Development areas should be focused in or near currently lighted areas to avoid the introduction or expansion of light pollution and to minimize adverse effects on wildlife and the function of preserved habitats.

- e. Discussions regarding possible conflicts resulting from wildlife-human interactions at the interface between the development project and natural habitats. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions.
 - f. An analysis of cumulative effects, as described under CEQA Guidelines, Section 15130. General and specific plans, and past, present, and anticipated future projects, should be analyzed concerning their impacts on similar plant communities and wildlife habitats.
 - g. If applicable, an analysis of the effect that the project may have on completion and implementation of regional and/or subregional conservation programs. Under Section 2800 through Section 2840 of the Fish and Game Code, the Department, through the NCCP program, is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity. Coastal sage scrub is the first natural community to be planned for under the NCCP program. The Department recommends that the Lead Agency ensure that the development of this and other proposed projects do not preclude long-term preserve planning options and that projects conform with other requirements of the NCCP program. Jurisdictions participating in the NCCP program should assess specific projects for consistency with the NCCP Conservation Guidelines. Additionally, the jurisdictions should quantify and qualify: 1) the amount of coastal sage scrub within their boundaries; 2) the acreage of coastal sage scrub habitat removed by individual projects; and 3) any acreage set aside for mitigation. This information should be kept in an updated ledger system.
4. Mitigation measures for adverse project-related impacts on sensitive plants, animals, and habitats. Measures to fully avoid and otherwise protect Rare Natural Communities (Attachment 2) from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.

Mitigation measures should emphasize avoidance, and where avoidance is infeasible, reduction of project impacts. For unavoidable impacts, on-site preservation in perpetuity of the affected habitats should be achieved. The Wildlife Agencies generally do not support the use of relocation, salvage, and/or transplantation as mitigation for impacts on rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.

This discussion should include measures to perpetually protect the targeted habitat values where preservation and/or restoration is proposed. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc. Plans for restoration and revegetation should be prepared by persons with

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expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used; (c) a schematic depicting the mitigation area; (d) time of year that planting will occur; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the entity(ies) that will guarantee achieving the success criteria and provide for conservation of the mitigation site in perpetuity.

Mitigation measures to alleviate indirect project impacts on biological resources must be identified in the DEIR, including measures to minimize changes in the hydrologic regimes on site, and means to convey runoff without damaging biological resources, including the morphology of on-site and downstream habitats.

5. Descriptions and analyses of a range of alternatives to ensure that alternatives to the proposed project are fully considered and evaluated. The analyses must include alternatives that avoid or otherwise reduce impacts to sensitive biological resources. Specific alternative locations should be evaluated in areas of lower resource sensitivity where appropriate.

The Wildlife Agencies have responsibility for the conservation of wetland and riparian habitats. It is the policy of the Wildlife Agencies to discourage development in or conversion of wetlands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

If appropriate, a jurisdictional delineation of lakes, streams, and associated riparian habitats should be included in the EIR, including a wetland delineation pursuant to the U.S. Fish and Wildlife Service definition (Cowardin et al. 1979) adopted by the Department. Please note that wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

The proposed project may require a Lake or Streambed Alteration Agreement (SAA). The Department has direct authority under Fish and Game Code Section 1600 *et seq.* regarding any proposed activity that would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake. The Department's issuance of a SAA for a project that is subject to CEQA requires CEQA compliance actions by the Department as a Responsible Agency. As a Responsible Agency under CEQA, the Department may consider the County's (Lead Agency's) CEQA documentation. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the documentation should fully identify the potential impacts to the lake, stream or riparian resources and provide a adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. A

Mr. Chuck Shoemaker (FWS/CDFG-OR-812.3)

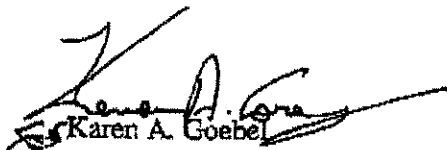
8

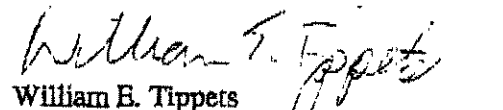
SAA notification form may be obtained by writing to the Department of Fish and Game, 4949 Viewridge Avenue, San Diego, California 92123-1662, or by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600. The Department's SAA Program holds regularly scheduled pre-project planning/early consultation meetings. To make an appointment, please call our office at (858) 636-3160.

The Department finds that the proposed project would not be de minimus in its effect: on fish and wildlife resources per Section 711.4 of the California Fish and Game Code.

The Wildlife Agencies appreciate the opportunity to comment on the NOP. Please contact Ms. Jill Terp of the Service at (760) 431-9440 or Mr. Warren Wong of the Department at (858) 467-4249, if you have any questions or comments concerning this letter.

Sincerely,


Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service


William E. Tippetts
Deputy Regional Manager
California Department of Fish and Game

Attachments (2)

cc: Department of Fish and Game
R. Rempel
M. Valentine
State Clearinghouse

Mr. Chuck Shoemaker (FWS/CDFG-OR-812.3)

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Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine when a botanical survey is needed, who should be considered qualified to conduct such surveys, how field surveys should be conducted, and what information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:
 - a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
 - b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.
3. Botanical consultants should possess the following qualifications:
 - a. Experience conducting floristic field surveys;
 - b. Knowledge of plant taxonomy and plant community ecology;
 - c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
 - d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
 - e. Experience with analyzing impacts of development on native plant species and communities.
4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:
 - a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

- b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.
 - c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.
 - d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.
 - e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.
5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:
- a. Project description, including a detailed map of the project location and study area.
 - b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
 - c. Detailed description of survey methodology.
 - d. Dates of field surveys and total person-hours spent on field surveys.
 - e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
 - f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
 - g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
 - h. Recommended measures to avoid impacts.
 - i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
 - j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
 - k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
 - l. Name of field investigator(s).
 - j. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

ATTACHMENT 2

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Less than 6 known locations and/or on less than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh

- S1.2
 Southern Foredunes
 Mono Pumice Flat
 Southern Interior Basalt Flow Vernal Pool
- S2.1
 Venturan Coastal Sage Scrub
 Diegan Coastal Sage Scrub
 Riversidean Upland Coastal Sage Scrub
 Riversidean Desert Sage Scrub
 Sagebrush Steppe
 Desert Sink Scrub
 Mafic Southern Mixed Chaparral
 San Diego Mesa Hardpan Vernal Pool
 San Diego Mesa Claypan Vernal Pool
 Alkali Meadow
 Southern Coastal Salt Marsh
 Coastal Brackish Marsh
 Transmontane Alkali Marsh
 Coastal and Valley Freshwater Marsh
 Southern Arroyo Willow Riparian Forest
 Southern Willow Scrub
 Modoc-Great Basin Cottonwood Willow Riparian
 Modoc-Great Basin Riparian Scrub
 Mojave Desert Wash Scrub
 Engelmann Oak Woodland
 Open Engelmann Oak Woodland
 Closed Engelmann Oak Woodland
 Island Oak Woodland
 California Walnut Woodland
 Island Ironwood Forest
 Island Cherry Forest
 Southern Interior Cypress Forest
 Bigcone Spruce-Canyon Oak Forest
- S2.2
 Active Coastal Dunes
 Active Desert Dunes
 Stabilized and Partially Stabilized Desert Dunes
 Stabilized and Partially Stabilized Desert Sandfield
 Mojave Mixed Steppe
 Transmontane Freshwater Marsh
 Coulter Pine Forest
 Southern California Fellfield
 White Mountains Fellfield
- S2.3
 Bristlecone Pine Forest
 Limber Pine Forest



US Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009
(760) 431-9440
FAX (760) 918-0638



CA Dept. of Fish & Game
4949 Viewridge Avenue
San Diego, California 92123-1662
(858) 467-4201
FAX (858) 467-4235

In Reply Refer To:
FWS/CDFG-OR-812.3

Mr. Chuck Shoemaker
County of Orange
300 N. Flower Street
P.O. Box 4048
Santa Ana, California 92702-4048

APR 23 2004

Re: Revised Notice of Preparation of a Draft Environmental Impact Report for the General Plan Amendment/Zone Change (PA 01-114) (a.k.a., The Ranch Plan) in the County of Orange, State Clearinghouse Number 2003021141

Dear Mr. Shoemaker:

The California Department of Fish and Game (Department) and U. S. Fish and Wildlife Service (Service) (collectively, "Wildlife Agencies") staffs have reviewed the above-referenced Revised Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the General Plan Amendment/Zone Change (PA 01-114)(Ranch Plan) in the County of Orange (County). The project is within the planning areas for Orange County's Southern Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and the Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) that are currently being developed in consultation with the project proponent, the Rancho Mission Viejo Company (RMV), the County, Army Corps of Engineers (ACOE) and the Wildlife Agencies.

The County previously circulated a project NOP for review in February 2003. The original submittal proposed a Zone Change (ZC) from General Agriculture and Sand and Gravel Extraction to Suburban Residential and the development of up to 14,000 dwelling units and associated development on approximately 9,296 acres of the 22,850-acre RMV property. The remaining 13,554 acres would have been dedicated as open space. The revised project also proposes to amend the General Plan zoning from General Agriculture and Sand and Gravel Extraction to Planned Community on the 22,815-acre project site. The reduced project acreage reflects the deletion of 35 acres from the planning area for the Whispering Hills development adjacent to La Pata Avenue. The project would also include General Plan Amendments (GPAs) to the Circulation, Recreation, and Mineral Resources elements of the General Plan. According to the NOP, the revised project would result in the development of up to 14,000 dwelling units,

TAKE PRIDE
IN AMERICA 

State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor



California
Department of
Health Services

SANDRA SHEWRY
Director

April 19, 2004

Chuck Shoemaker
Orange County Planning and Development Services Department
PO Box 4048
300 N. Flower Street
Santa Ana, CA 92702-4048

The Ranch Plan (State Clearinghouse No.: 2003021141)

Our office received the Notice of Preparation for the proposed 14,000 development referred to as The Ranch Plan. A summary of the project, as presented on the State Clearinghouse web site, is attached to this letter.

The Department requests that the water agencies supplying this proposed development demonstrate that they have an adequate source of water to reliably supply any new connections to their existing water system. Demonstration of the adequacy of water supply should be determined prior to the approval of new parcel maps for this development and construction of additional water supply/treatment facilities needed to supply this increased water demand. The demonstration of water supply adequacy should also include a summary of the water agencies water rights and contracts that ensure that existing customers and newly approved customer water demands will be reliably supplied. Our office has not received any documentation from local water agencies that demonstrate their capacity to supply these proposed new water system demands.

In accordance with Section 1164550 of the Health and Safety Code, any modifications to the water agencies existing system that adds sources of supply, treatment, and/or significantly alter their existing distribution system will require a water supply permit from our office as presented in the code section below:



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
www.consumerenergycenter.org/flex/index.html

Southern California Drinking Water Field Operations Branch, Santa Ana District
28 Civic Center Plaza, Room 325, Santa Ana, CA, 92701
Telephone: (714) 558-4410 Fax: (714) 567-7262
Internet Address: www.dhs.ca.gov/ps/ddwem/

The Ranch Plan (State Clearinghouse No.: 2003021141)

Page 2

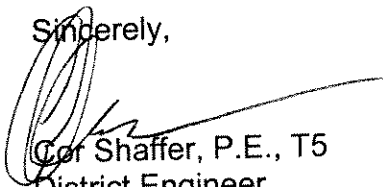
April 19, 2004

§116550. Changes requiring amended permit

(a) No person operating a public water system shall modify, add to or change his or her source of supply or method of treatment of, or change his or her distribution system as authorized by a valid existing permit issued to him or her by the department unless the person first submits an application to the department and receives an amended permit as provided in this chapter authorizing the modification, addition, or change in his or her source of supply or method of treatment.

We appreciate the opportunity to comment on this Notice of Preparation. If you have any questions, please contact me at (714) 558-4708.

Sincerely,



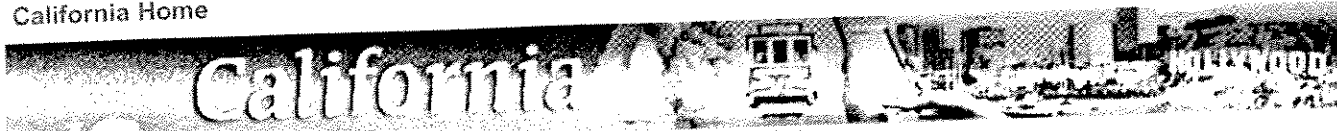
Cor Shaffer, P.E., T5
District Engineer
Santa Ana District

Enclosure

cc: Orange County Public Health

State Clearinghouse – Office of Planning and Research

California Home



OPR Home > CEQAnet Home > CEQAnet Query > Search Results > Project Description

General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan)

City	Cross Street	Document Type	Description
East of the City of San Juan Capistrano in the Vicinity of Ortega Highway E-of Antonio Parkway		Notice of Preparation	<p>The Ranch Plan is a proposed General Plan Amendment and Zone Change that would include up to 14,000 dwelling units and other uses within a development area of approximately 7,600 acres. Approximately 6,000 of the 14,000 dwelling units would be senior housing. The remaining 15,121 acres of the 22,815 acres within the project site would be retained in open space. Development is proposed to occur over a period of approximately 20 to 25 years. Infrastructure would be constructed to support all of these uses, including road improvements, utility improvements, and schools. Ranching and agricultural activities would be retained within a portion of the proposed open space area.</p> <p>As proposed by Rancho Mission Viejo in its application to the County, the project would result in the development, over approximately 30 years, of up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, and four golf courses, a proposed 1,079-acre regional park, and an approximately 13,161 acres of open space area (a 420 acre portion of which would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units, and equestrian facilities). Ranching activities would also be retained within a portion of the proposed open space area. Infrastructure would be constructed to support all of these uses, including road improvements, utility improvements and schools. The number and locations of schools will be further refined during entitlement and environmental review processes. Existing agriculture uses may also be expanded as a result of implementation of the Project.</p>

[CEQAnet HOME](#) | [NEW SEARCH](#)



Arnold
Schwarzenegger
Governor

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



Jan Boel
Acting Deputy
Director

Notice of Preparation

March 24, 2004

To: Reviewing Agencies

Re: General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan)
SCH# 2003021141

Attached for your review and comment is the Notice of Preparation (NOP) for the General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Chuck Shoemaker
Orange County Planning and Development Services Department
P.O. Box 4048
300 N. Flower Street
Santa Ana, CA 92702-4048

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003021141
Project Title General Plan Amendment/Zone Change (PA 01-114) (aka: The Ranch Plan)
Lead Agency Orange County

Type NOP Notice of Preparation

Description The Ranch Plan is a proposed General Plan Amendment and Zone Change that would include up to 14,000 dwelling units and other uses within a development area of approximately 7,694 acres. Approximately 6,000 of the 14,000 dwelling units would be senior housing. The remaining 15,121 acres of the 22,815 acres within the project site would be retained in open space. Development is proposed to occur over a period of approximately 20 to 25 years. Infrastructure would be constructed to support all of these uses, including road improvements, utility improvements, and schools. Ranching and agricultural activities would be retained within a portion of the proposed open space area.

Lead Agency Contact

Name Chuck Shoemaker
Agency Orange County Planning and Development Services Department
Phone 714-834-2552 **Fax**
email
Address P.O. Box 4048
 300 N. Flower Street
City Santa Ana **State** CA **Zip** 92702-4048

Project Location

County Orange
City
Region
Cross Streets East of the City of San Juan Capistrano in the Vicinity of Ortega Highway E-of Antonio Parkway
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use A-1 General Agricultural and SG-Sand and Gravel Extraction to PC-Planned Community

Project Issues Geologic/Seismic; Traffic/Circulation; Biological Resources; Recreation/Parks; Public Services; Agricultural Land; Drainage/Absorption; Air Quality; Aesthetic/Visual; Minerals; Population/Housing Balance; Water Quality; Noise; Forest Land/Fire Hazard; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Fish and Game, Region 5; Office of Emergency Services; Native American Heritage Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 12; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8; Regional Water Quality Control Board, Region 9; Caltrans, Division of Transportation Planning

Date Received 03/24/2004 **Start of Review** 03/24/2004 **End of Review** 04/22/2004

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



City of Mission Viejo

Facsimile Transmittal Form

To: Chuck Shoemaker
Planning + Development Services Dept.

From: Chuck Wilson

Fax: (714) 834-6132

CITY OF MISSION VIEJO
Planning Department
200 Civic Center
Mission Viejo, CA 92691
(949) 470-3022 Telephone
(949) 951-6176 FAX

Number of pages, including this sheet: 15

Date: 4/23/04

Time: _____

Re: Review Comments on Revised HOP for "Ranch Plan" Project

Message: See attached letter. Original to follow by mail.



City of Mission Viejo

Community Development Department

Gail Reavis
Mayor
Trish Kelley
Vice Mayor
William S. Craycraft
Council Member
John Paul "J.P." Ledesma
Council Member
Lance R. MacLean
Council Member

**Sent Via Facsimile
(Original to Follow by Mail)**

April 23, 2004

Chuck Shoemaker
County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048
(714) 834-2552
(714) 834-4652 (fax)

Dear Mr. Shoemaker:

SUBJECT: Review Comments on Revised Notice of Preparation of Draft Environmental Impact Report (EIR No. 589) for Rancho Mission Viejo's Proposed General Plan Amendment and Zone Change (PA 01-114) Relating to the Proposed "Ranch Plan" Development Project

Thank you for the opportunity to review and comment on the Revised Notice of Preparation dated March 23, 2004 for the item referenced above. The City of Mission Viejo received the notice on March 26, 2004. Our comments on the original Notice of Preparation are noted in the attached letter dated March 25, 2003 and are still applicable for discussion areas not specifically discussed in this letter. The City's Planning and Transportation Commission reviewed the Revised Notice of Preparation at their April 12, 2004 meeting. The Commission's comments have been incorporated into the comments discussed below in this letter. The City of Mission Viejo has concluded its review and has identified the following issues on the Revised Notice of Preparation:

The land use designations for the Ranch Plan Project too broad, general and vague

The City of Mission Viejo finds that the General Plan and zoning land use designations for the Ranch Plan project continue to be so broad and general that they fail to provide a proper definition and distinction of proposed land uses within the community. Land use designations such as "employment" and "urban activity center" can allow such a broad range of development

Chuck Shoemaker

Page 2

types and development intensities, that the proposed General Plan Amendment and Zone Change fail to serve as a clear guide to future development.

Because of this lack of land use specificity and because of the broad range of building opportunities that can be allowed within these vague land use categories, the City of Mission Viejo questions if the environmental analyses will be adequate to identify and analyze potential impacts, such as traffic congestion and noise, that rely upon development intensity assumptions. Specifically, how will the environmental impact report be able to determine how the Ranch Plan area will impact existing streets and intersections and identify specific transportation improvements, if the location, type and intensity of development are not clearly defined?

Further, the relationship between commercial and residential land uses must be fully analyzed. The County should consider how this project will assist in fulfilling the County need for affordable housing, and specifically how the Project is, or will be, consistent with the Housing Element of the County General Plan. The commercial development contemplated by the project will likely generate additional need for affordable housing, and such needs should be addressed by the Project otherwise the impact and need for affordable housing could be shifted to other areas in the County and nearby cities.

Recommendation:

1. Further revise and refine the land use categories for the General Plan Amendment and Zone Change so that the type, intensity and location of land uses is clearly delineated within the Ranch Plan community. This specificity should allow for a proper identification of the ultimate pattern of development for the area, and allow for a proper assessment of potential environmental impacts, including cumulative impacts, that could result from the development of these specific land uses.
2. Analyze the extent to which the Project will provide affordable housing and whether or not this will be sufficient to meet the demand it is likely to generate. In addition, the County should analyze various development alternatives in the EIR for the project, including different scenarios for development of in the "urban activity center" areas, as well as alternatives that consider incorporation of affordable housing.

Is the Environmental Impact Report for the Ranch Plan project proposed to be used by the County of Orange and the Applicant to environmentally clear future development entitlements such as subdivision maps and master plans?

The revised Notice of Preparation identifies that a Program EIR will be prepared to environmentally clear the Ranch Plan project. Could the Program EIR for the Ranch Plan General Plan Amendment and Zone Change be used as environmental clearance for subdivision maps, master plans, conditional use permits and other development entitlements that are subsequently processed and approved by the County of Orange? If so, could there be a potential that the Ranch Plan Program EIR could underestimate environmental impacts, due to assumptions in the technical analysis that underestimate the project's development potential?

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Page 3

As noted in our comment above, the City of Mission Viejo finds that the General Plan and Zoning designations for Ranch Plan land uses are too broad and general, even though the overlay districts have been eliminated from consideration.

Given the very broad nature of the land use categories, the City raises a concern that the development assumptions used in the Program EIR technical analyses, could be significantly different than what would be actually proposed for development. If this occurs, the Program EIR could, for example, underestimate project-generated trips and underestimate required mitigation to impacted streets and intersections.

The City further inquires if the County of Orange will employ any mechanisms subsequent to the Program EIR's adoption, to track project trips and determine if supplemental traffic analyses would need to be conducted for project-specific development approvals.

The City identifies two examples of this potential, in both residential and nonresidential land use categories.

Residential Development: Since the environmental document for the Ranch Plan GPA and Zone Change is a Program EIR, it does not appear to be governed under CEQA statute by a five-year time limitation for applicability that a Master EIR is governed by. Thus, if the Program EIR is used for umbrella environmental clearance for development entitlements in the Ranch Plan area, it could serve as the environmental clearance through the duration of the Ranch Plan's buildout horizon of 20 to 25 years.

The revised Notice of Preparation identifies that 6,000 of the 14,000 dwelling units in the Ranch Plan area would be senior housing (page 2 of revised NOP); other technical documents prepared for the Ranch Plan project area identify that a significant portion of the 14,000 residential units are assumed as senior housing or multi-family units. However, the land use summaries in the NOP do not distinguish a category for senior housing or multi-family units. The land use categories are identified as Rural Residential and Suburban Residential, under which both single family detached and multi-family/senior housing could be developed. Further, Exhibit 3 to the Revised NOP: the Ranch Plan Statistical Table, identifies only a maximum dwelling unit threshold for each Ranch Plan Planning Area and for the total Ranch Plan, but does not distinguish number of dwelling units by type of residential unit.

During the 20 to 25 year timeframe of development build-out of the Ranch Plan area, market demands could dictate a change in the types of development that would be constructed in the Ranch Plan area, i.e., that all residential development be single-family construction. The current designation of land use categories in the General Plan and PC zoning – Rural Residential and Suburban Residential – would accommodate such changes.

However, if the project traffic study assumes a certain number or percentage of multi-family units in the Ranch Plan analysis, the project traffic study would use a lower trip generation factor than would be employed for single-family development, and total residential project trips could be undercounted. More importantly, the cumulative effect of all the residential project trips upon

Chuck Shoemaker

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intersections and roadways located in the Ranch Plan area and in adjacent jurisdictions, could be under-estimated and any additional mitigation not identified in the Program EIR.

Recommendation:

If the Program EIR is to be utilized for umbrella environmental clearance for residential development entitlements in the Ranch Plan area, the City of Mission Viejo recommends:

1. That the Program EIR include narrative discussion confirming the specific residential type and intensity, and associated project trips, that are cleared through the Program EIR traffic analysis;
- b) That the Program EIR identify mechanisms to track and account for residential development, by type, and the associated cumulative residential trips, as residential development entitlements are submitted for approval;
- c) That the City of Mission Viejo be advised, through the Initial Study environmental process of later activities, of any residential development entitlements that are submitted to the County of Orange for the Ranch Plan area, to be able to provide comments on whether the circulation/transportation impacts of the later activities were fully analyzed in the Program EIR, and whether subsequent and updated traffic analyses need to be performed.

Non-Residential Development: The Revised NOP identifies three major types of nonresidential development that would be permitted by the Planned Community regulations: urban activity center uses, neighborhood center uses, and business park uses. Exhibit 3 to the revised NOP further identifies maximum square footage of each of these uses, for each of the proposed Ranch Plan planning areas.

The City again inquires on the need to document the assumptions that are used in the Program EIR traffic study for nonresidential development, to determine if the traffic analysis comprehensively accounts for the broad range of land uses that can be constructed under these land use categories. For example, 3.48 million square feet of land uses are anticipated for "urban activity center" uses in the Ranch Plan area. According to the County of Orange General Plan Land Use Element, the urban activity center land use designation covers a broad range of land use opportunities, ranging from residential, commercial, office, industrial parks, and civic, cultural and educational uses. Trip generation rates for these individual uses range significantly, from 45 trips per thousand square feet for retail development, to 10 trips per thousand square feet for office development.

Again, the City raises inquiry on how the Program EIR will be implemented to verify if the assumptions for types of nonresidential development that are broadly identified in the PC regulations, and the types of nonresidential land uses that are assumed in the Program EIR traffic analysis for traffic generation and project mitigation, will be compatible and consistent with actual nonresidential development approvals as they are submitted to the County of Orange for processing. And, further, whether the cumulative effects of all nonresidential project trips upon intersections and roadways located in the Ranch Plan area and in adjacent jurisdictions, will be

Chuck Shoemaker
Page 5

adequately estimated and mitigated in the Program EIR or require supplemental traffic analyses in conjunction with later development activities.

Recommendation:

If the Program EIR is to be utilized for umbrella environmental clearance for all nonresidential development entitlements in the Ranch Plan area, the City of Mission Viejo recommends:

- a) That the Program EIR include narrative discussion confirming the specific nonresidential type and intensity, and associated project trips, that are cleared through the Program EIR traffic analysis;
- b) That the Program EIR identify mechanisms to track and account for all nonresidential development, by type, and the associated cumulative trips, as development entitlements are submitted for approval;
- c) That the City of Mission Viejo be advised, through the Initial Study environmental process of later activities, of any nonresidential development entitlements that are submitted to the County of Orange for the Ranch Plan area, to be able to provide comments on whether the circulation/transportation impacts of the later activities were fully analyzed in the Program EIR and whether subsequent and updated traffic analyses need to be performed.

How will the Ranch Plan project be phased, and how will the Environmental Impact Report address the timing of infrastructure construction in relation to project phasing?

The revised Notice of Preparation states that the Ranch Plan area will be developed over a period of 20 to 25 years. Will the Environmental Impact Report for the Ranch Plan project identify and discuss how the Ranch Plan area will be phased? More importantly, will the Environmental Impact Report for the Ranch Plan area analyze how infrastructure improvements, such as transportation facilities, will be phased with Ranch Plan development to insure that needed infrastructure is in hand to serve cumulative development needs?

The City's desire is to insure that new development is phased in concert with any new or additional transportation/circulation improvements that are identified in the Program EIR traffic analysis. The Program EIR should adequately address project phasing and identify if certain infrastructure improvements, such as traffic improvements, should be completed in earlier phases of project development to maintain adopted levels of service standards in the project study area.

Recommendation:

The City of Mission Viejo recommends that the Program EIR analyze and identify, or that the Program EIR require a supplemental traffic analysis that analyzes and identifies, the timing of circulation improvements in relation to specific intensities of Ranch Plan development, to insure that adopted Measure M and Congestion Management Program (CMP) levels of service requirements are maintained on affected arterial roadways and intersections.

Chuck Shoemaker
Page 6

How can Ortega Highway be realigned with a direct connection to the San Diego Freeway and with minimal or no impact to existing communities?

The revised Notice of Preparation identifies the Applicant's proposal to amend the study area circulation system relating to Ortega Highway. The City of Mission Viejo Planning and Transportation Commission has completed an initial review of the revised Notice of Preparation, and has raised specific inquiry if the Environmental Impact Report will address all options for an Ortega Highway realignment. In particular, if Ortega Highway is to be realigned as part of the Ranch Plan project proposal, it is important that any viable option include a connection to the San Diego Freeway with minimal impact to existing communities.

Recommendation:

In conjunction with the Environmental Impact Report's technical analysis of Old Ortega/New Ortega circulation options, include consideration of an Ortega Highway realignment that could realign south of San Juan Creek or connect to an I-5 interchange at Camino Capistrano.

Modifications to the Circulation Proposal: New Ortega Highway/Old Ortega Highway

The revised Notice of Preparation identifies that the Ranch Plan project is requesting Caltrans to:

- abandon the segment of Ortega Highway (SR 74) east of Antonio Parkway to its connection to the proposed New Ortega Highway; and,
- that the proposed New Ortega Highway and the connecting segment of Antonio Parkway from New Ortega Highway southerly to Old Ortega Highway, become the designated state route.

The revised Notice of Preparation further states that the California Transportation Commission has the authority to approve this request.

Recommendation:

The Program EIR should address the following inquiries so that the transportation/circulation components of the Ranch Plan project are more clearly understood:

- 1) Clarify if the project proposal is to:
 - delete the designation of Old Ortega Highway as a State Route – from Antonio Parkway easterly to its connection to the proposed New Ortega Highway – with the roadway continuing to exist and serve as a local route for traffic; or,
 - if the project proposal is to truly abandon this segment of Old Ortega Highway upon approval of the State Route relocation, so that no function of roadway would be retained.
- 2) Clarify the role of the Orange County Transportation Authority (OCTA) in the County of Orange's request for rescission of a State Route and the submittal of an alternate state

Chuck Shoemaker

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project proposal for the identified segment of Old Ortega Highway. Specifically, does Government Code 14528.7 require an additional agency, the OCTA board of directors, to consider and authorize this request and submit a resolution jointly with the County of Orange to the California Transportation Commission to rescind the State Route designation?

Circulation measures should be identified and analyzed to clearly detail their benefit as part of the traffic study

The environmental review should clearly detail the benefits of proposed circulation mitigation measures. Assuming some mitigation measures are required to accommodate development traffic, the project should provide a phasing plan restricting levels of development to completed circulation improvements. This plan should be adjusted with the tracking and subsequent analysis of future phases based on actual land-use as previously recommended.


Recommendation:

The environmental report should analyze what circulation improvements are needed to maintain the appropriate Levels of Services and provide a phasing plan based on restricting development to completed improvements.

Thank you for the opportunity to comment on the meeting notice. We look forward to receiving future public meeting and hearing notices and reviewing the environmental documentation associated with the project when available.

Sincerely,

CITY OF MISSION VIEJO



Charles E. Wilson, AICP

Director of Community Development

Attachment

cc: City Council
Planning and Transportation Commission
Dennis Wilberg, City Manager
Irwin Bornstein, Assistant City Manager/ Director of Administrative Services
Dave Snow, Assistant City Attorney
Shirley Land, Transportation Manager
Elaine Lister, Planning Manager
Dan Kelly, Rancho Mission Viejo



City of Mission Viejo

Community Development Department

John Paul "J.P." Ledesma
Mayor
Gail Reavis
Vice Mayor
William S. Craycraft
Council Member
Trish Kelley
Council Member
Lance R. MacLean
Council Member

**Sent Via Facsimile
(Original to Follow by Mail)**

March 25, 2003

Chuck Shoemaker
Chief, Private Projects
County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048
(714) 834-2166
(714) 834-4652 (fax)

Dear Mr. Shoemaker:

SUBJECT: Review Comments on Notice of Preparation of Draft Environmental Impact Report (EIR No. 589) for Rancho Mission Viejo's Proposed General Plan Amendment and Zone Change (PA 01-114) Relating to the Proposed "Ranch Plan" Development Project

Thank you for the opportunity to review and comment on the Notice of Preparation dated February 24, 2003 for the item referenced above. The City of Mission Viejo received the notice on February 26, 2003. The City's Planning and Transportation Commission reviewed the Notice of Preparation at their March 10, 2003 and March 24, 2003 meeting. The Commission's comments have been incorporated into the comments discussed below in this letter. The City of Mission Viejo has concluded its review and has identified the following issues on the Notice of Preparation:

Comment:

1. The "Ranch Plan" submitted in the Notice of Preparation proposes the deletion of Crown Valley Parkway east of Antonio Parkway from the Master Plan of Arterial Highways (MPAH). Such a deletion would eliminate the possibility of a future connection to the

Chuck Shoemaker
Page 2

Foothill Transportation Corridor at Crown Valley Parkway. The proposed deletion of Crown Valley Parkway is contrary to an existing City of Mission Viejo policy position opposing such an action. In addition, before such a deletion action could occur, a separate cooperative study administered by the Orange County Transportation Authority (OCTA) with participation of all affected agencies is required. It is our understanding that such a cooperative study is just now being initiated. We intend to participate actively in such a study. We would expect given the potential impacts to the future volumes on Crown Valley Parkway in Mission Viejo, that a connection of Crown Valley Parkway to the Foothill South *would* provide relief or an option to motorists, therefore making sense from a regional circulation standpoint.

Requested Action: *The County should structure its EIR to have an alternative that does not assume that the deletion of Crown Valley Parkway will be approved in the OCTA cooperative process. We believe that there could be opposition to such a deletion proposal, and we ask that the County pursue its EIR 589 in a manner that can adapt to the findings of the OCTA cooperative process concerning Crown Valley.*

This EIR's traffic analysis should include an analysis with their future 2025 "build-out" assumptions using the existing MPAH network to establish a "base condition" so that any proposed and/or approved changes to the MPAH can be evaluated for the regional impacts and the identification of needed mitigations. This EIR needs to include mitigation measures that may be required per the final outcome of this or other MPAH amendments associated with this project. Again, all of the changes will need to be approved through the above referenced cooperative process before they can be assumed.

Comment:

2. The proposed "Ranch Plan", in addition to eliminating an interchange at Crown Valley Parkway, also appears to fail to provide for a future interchange to the Foothill Transportation Corridor at either the existing or realigned Ortega Highway per the proposed in the Notice of Preparation. Exhibit 5A, "MPAH Modifications (with Extension of SR-241)", shows only a proposed interchange with Foothill Transportation Corridor at Cristianitos Road. It is our understanding that the "Ranch Plan" was supposed to *include* a direct interchange with "New Ortega Highway". Is Exhibit 5A in error? If the exhibit is correct, then we would request a detailed traffic analysis of the Foothill Transportation Corridor why such an interchange is not beneficial.

We question the statement made in the NOP that the interchange at Cristianitos Road would be a replacement for the interchange at Crown Valley Parkway, and we would request a detailed traffic analysis of the interchange usage to show how the Cristianitos Road interchange would successfully attract regional traffic that would otherwise have used an interchange at Crown Valley Parkway. The lack of arterial connections to Foothill Transportation Corridor in the area shown are very likely to be inadequate to intercept and attract regional traffic to the corridor.

Chuck Shoemaker
Page 3

Requested Action: *The County needs to provide early clarification as to the "Ranch Plans" integration with the Foothill Transportation Corridor. As previously indicated the EIR's traffic analysis needs to address the lack of an Ortega Highway interchange and the benefits of the Cristianitos Road interchange especially in its referenced exchange for the elimination of the Crown Valley Parkway interchange. Again we would note the requirement to amend the MPAH to consider these as viable alternatives. There should also be some discussion of the possible impacts including financial assumptions to the feasibility of the Foothill Transportation Corridors extension to the south with the proposed modifications.*

In addition, the EIR for the "Ranch Plan" needs a detailed construction phasing plan with related traffic analysis to identify possible "interim" mitigation measures within the limits of adjacent agencies if the project proceeds without the construction of the Foothill Transportation Corridor and/or these limited interchanges.

Comment:

3. The proposed "Ranch Plan" takes an established State Highway, Ortega Highway (State Highway 74) and disconnects it, via a re-alignment to the north that requires a continuous east-west travel connecting to the Interstate 5 (I-5) to occur on a "jog" along Antonio Parkway and then to any existing east-west connections such as Crown Valley Parkway and Oso Parkway. This is a significant deviation from the MPAH whose impacts need to be fully explored both from the standpoint of this project's traffic and from the standpoint of existing and projected future regional circulation and its impacts on the surrounding communities. We would expect to see comments from Caltrans in review of this proposal and we would request to be provided a copy of their comments on this matter. It seems to us that Highway 74 is the only direct regional access route that feeds into South Orange County from the Lake Elsinore area, and we would request a detailed analysis to determine how the proposed jog in Ortega Highway would affect and potentially alter current access patterns to I-5. This issue is further compounded by the previously noted omission of a connection to the Foothill Transportation Corridor.

Requested Action: *We request to be provided copies of any comments from Caltrans on this matter and those from public safety agencies such as, but not limited to, the Orange County Fire Authority, in case they have any comments about response times in emergencies. If this proposal is carried forward into the EIR, we request that the EIR include a focused and detailed traffic analysis, which develops traffic estimates of traffic loadings on Ortega Highway (new and/or existing alignment) and the diversions to Antonio Parkway, Crown Valley Parkway, and other facilities as appropriate, including intersection analyses, and travel delays to motorists, with and without a "jog" in Ortega Highway, so that we may clearly assess the change in traffic patterns, I-5 freeway access patterns, and route utilization resulting from such a circulation change.*

Chuck Shoemaker

Page 4

Comment:

4. The traffic forecasts produced by EIR #589 need to produce realistic and credible forecast traffic volumes and project impact volumes on arterials, intersections, and freeway and toll road sections of interest to their logical limits identifying impacts that are not consistent with the general plans of the surrounding cities. The traffic analysis for EIR #589 needs to clearly demonstrate how the "Ranch Plan" project traffic is routed to and from the project area to access the surrounding regional system including the freeway/toll road system (including project traffic volumes and impacts). We urge the County to establish an ongoing consultation process, during the preparation of this EIR, on traffic and circulation, to work with the adjacent agencies for their early review and comments before finalizing the document. The cooperative study process for the proposed MPAH could serve the same function.

The traffic projections will need to properly incorporate and reflect any other active proposed developments such as the Mission Hospital expansion project in the City. We call to the County's attention that traffic and revenue forecasts for Transportation Corridors Agency's consolidation proposal for the Foothill/Eastern and San Joaquin toll road systems will be coming available shortly, while this EIR is under preparation, and that the traffic forecasts for the EIR will need to be compatible with the TCA forecasts. We also mention that traffic forecasts are forthcoming from TCA's South Orange County Transportation Infrastructure Improvement Project ("SOCTIIP") Foothill Transportation Corridor - South environmental process, and projected traffic loadings from this EIR must be compatible with those forecasts. The City itself also will be performing an update of its General Plan Circulation Element and will be preparing updated traffic forecasts as part of that effort.

Requested Action: *We request the County acknowledge "up front" our substantial concerns about realistic future traffic forecasting, impacts, and realistic mitigation in all areas of impact. We request the County establish a formal ongoing process of consultation during the preparation of this EIR on the subject of traffic and circulation, and that the County permit the City of Mission Viejo and other adjacent communities to participate in such a process. As previously indicated this same cooperative process will be required if the "Ranch Plan" carries forward any alternatives that require modifications to the MPAH.*

The EIR's traffic analysis needs to clearly document concurrent traffic forecasting efforts identified above and the assumptions made that may be different from existing conditions and/or assumptions established in the OCTAM-3 model including network, housing, and socio-economic. The goal is to establish a credible set of freeway and arterial traffic forecasts from current assumptions, which sensible impact and mitigation decisions can be made.

Chuck Shoemaker

Page 5

Comment:

5. The proposed arterial circulation system in the project area needs to be carefully reviewed, especially for the balance of regional circulation. We are concerned that the proposed roadway system for the "Ranch Plan" may be oriented and laid out in a manner that actually discourages use of the Foothill Transportation Corridor. We understand that the County's planning process during the preparation of this EIR may consider and work to develop practical alternatives to the plan as it is proposed. We request that we be allowed to have input to that process.

Requested Action: That the County, during the preparation of this EIR, examine and develop other alternatives to the proposed circulation system as presented in the Notice of Preparation. These alternatives need to address previous identified regional traffic changes. One specific issue that should be evaluated in the traffic study is the "Ranch Plan" and its utilization of the Foothill Transportation Corridor. We request to have input to the County's planning process during the time that those alternatives are explored by the County.

Comment:

6. We are concerned that the Notice of Preparation does not make stronger mention of the need for coordination between this County EIR for the Rancho Mission Viejo proposal and the separate EIS/SEIR which is currently being prepared for the South Orange County Transportation Infrastructure Improvement Project ("SOCTIIP"), exploring circulation alternatives including several alternative alignments for the TCA's Foothill South project, which would pass through the project area. We find noticeably absent in the 3rd paragraph of the Notice of Preparation itself any mention of the SOCTIIP EIS/SEIR, even though that paragraph seems to properly list the other ongoing EIR/EIS efforts in the area with which this EIR will be coordinated. The City of Mission Viejo has a keen interest in the Foothill Transportation Corridor - South project, and we seek assurance that the range of land use and circulation alternatives examined in the County's EIR will not inadvertently preclude or compromise *any one* of the Foothill South alignment alternatives that might ultimately emerge for implementation from the SOCTIIP process. We understand the County's need in its EIR to consider Ranch Plans both with and without a Foothill South, but if Foothill South does go forward we need to be sure that the Ranch Plan *with* Foothill South is compatible with, complements, accommodates, and facilitates the Foothill South alignment chosen.

Requested Action: The County, as it prepares its EIR, needs to provide more explicit mention of the SOCTIIP EIS/SEIR in its documents, and provide for more explicit coordination between the Ranch Plan alternatives and Foothill South alternatives in the SOCTIIP process. We also ask the County to maintain sufficient coordination in that regard to assure that the Ranch planning and Ranch EIR does not proceed in a manner that could result in incompatible recommendations from the SOCTIIP and Ranch planning processes.

Chuck Shoemaker
Page 6

Comment:

7. An ongoing concern for us in Mission Viejo is that the traffic forecasts provided to us in recent studies by OCTA show increases in the neighborhood of 75,000 to 100,000 vehicles per day on sections of I-5 in and near Mission Viejo that are already at capacity, and we do not believe that's realistic. Essentially all the I-5 interchanges in Mission Viejo are at or near capacity now. However, should results in the traffic study for this EIR be put forth tending to validate that such huge traffic increases will occur on I-5, we will need the EIR to have a serious discussion of how the entire deficient I-5 freeway system is going to be mitigated, including mitigations to all the interchanges to I-5 that will be deficient.

Requested Action: *The County needs to scope the traffic studies in this EIR in a manner that acknowledges up front and deals with the practical real-world congestion problems on I-5 today, and on the routes leading to the I-5 interchanges. Should the high additional traffic volumes alluded to above materialize, the County's EIR should include detailed traffic analyses of how the entire I-5 freeway system is going to be mitigated, including mitigations to all the I-5 interchanges that will be deficient.*

Comment:

8. On Page 11 of the Notice of Preparation, Chiquita Canyon Road is described as a roadway to be added to the Master Plan of Arterial Highways serving north-south traffic demand, but the description goes on to say that the road would be constructed as a two-lane collector "with provisions that the roadway may be gated and accessible for local traffic only." We are concerned that gating the roadway for local traffic only is inconsistent with having the road on the MPAH. We request that this apparent inconsistency be explained or rectified early in the EIR process.

Requested Action: *The County needs to provide early clarification to us in writing, in response to this set of comments, as to how this facility can be both (1) proposed for addition to the MPAH, and (2) allowed to be gated. The City would likely have further comment or concern on this subject depending on the County's response, given the role that this roadway appears to play in the circulation system in the project area.*

Comment:

9. On Page 11 of the Notice of Preparation, we note the mention of a deletion (from the MPAH) of a proposed extension of Trabuco Creek Road to a proposed extension of Avery Parkway. As previously noted such MPAH proposed deletions would need to be processed through the cooperative process overseen by OCTA.

Chuck Shoemaker
Page 7

Requested Action: *The subject deletion should be included in any cooperative planning process for amendments to the MPAH as previously noted. Any associated mitigation measures need to be identified.*

Comment:

10. On Page 23 of the Notice of Preparation regarding project objectives for Public Service/Public Safety/Governance, and on Page 9 of the Environmental Analysis Checklist Responses there is some discussion regarding public services. It is noted that the project will increase demand for government facilities and service, especially facilities/services for fire protection, police protection, schools, and roads. The project proposes to provide for new schools and additional roadways, as well as, the need for an additional fire station and police service. The southeast area of South Orange County lacks a regional justice center, which might include a new Sheriff's substation and/or court facility in the project area. We request that the County address the future planning and phasing of all public services, including the possible location of a Southeast Orange County Regional Justice Center in the project area.

Requested Action: *That the County address the future planning and phasing of all public facilities and services, including the possible location of a Southeast Orange County Regional Justice Center in the project area.*

Thank you for the opportunity to comment on the meeting notice. We look forward to receiving future public meeting and hearing notices and reviewing the environmental documentation associated with the project when available.

Sincerely,

CITY OF MISSION VIEJO



Charles E. Wilson, AICP
Director of Community Development

cc: City Council
Planning and Transportation Commission
Dan Joseph, City Manager
Dennis Wilberg, Assistant City Manager/ Director of Public Works
Shirley Land, Transportation Manager
Elaine Lister, Planning Manager
Dan Kelly, Rancho Mission Viejo

CITY OF RANCHO SANTA MARGARITA

30211 Avenida de las Banderas, Suite 101
Rancho Santa Margarita, California 92688
Phone: (949) 635-1800 Fax: (949) 635-1840

FAX

Date: 4/23/2004

To: Chuck Shoemaker

Fax No.: (714) 834-6132

From: Yoon Kim

Subject: Comments on the Ranch Project NOP

Pages (including cover sheet): 4

The hard-copy is in the mail.



CITY OF RANCHO SANTA MARGARITA

Mayor

Neil C. Blais

Mayor Pro Tempore

Jerry Holloway

Council Members

L. Anthony Beall

Gary Thompson

James M. Thor

City Manager

D. James Hart, Ph.D.

April 23, 2004

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

RE: Comments on the County of Orange Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) #589 for the Rancho Mission Viejo Project (The Ranch Project)

Dear Mr. Shoemaker:

Thank you for the opportunity to review and comment on the Revised NOP for a Draft EIR for the proposed development of the Ranch Project. The proposed development bounds the City of Rancho Santa Margarita (City) on the northern edge of the Project area.

Based on the City's review of the Revised NOP, the City has the following concerns and comments regarding the scope of analysis in the EIR:

1. **Circulation/Traffic Improvements**

The Initial Study Item 7: Transportation/Circulation (pg. 4) states that although the project assumes the extension of SR-241, the EIR will evaluate the traffic impacts both with and without SR-241. The City would like to request the following circulation network to be included in the analysis of the EIR with and without the extension of SR-241:

- **241 Interchange at Antonio Parkway:** The proposed development will inevitably increase the traffic demand for the 241 Interchange at Antonio Parkway. The EIR should include current traffic demand in the area as well as a worst-case scenario under the built-out scenario of the proposed development.
- **Deletion of Crown Valley Parkway from MPAH:** In the NOP Project Summary Pg. 11 states that the proposed segment of the Crown Valley Parkway east of Antonio Parkway would be deleted from the MPAH. Without this east-west



The Ranch Project NOP

April 23, 2004

Page 2

travel route, north-south traffic demand on Antonio would increase to get to an alternate east-west route. Please include a thorough analysis of the increased traffic impact on arterial highways with the deletion of Crown Valley Parkway in the EIR. Also, please include an analysis with Crown Valley Parkway in the EIR.

- Traffic impact on Avenida Empresa: As indicated above, increased traffic demand on Antonio Parkway will impact Avenida Empresa, a primary arterial, which connects to Santa Margarita Parkway, a major arterial highway. Please include in the EIR the impact on Avenida Empresa with the development of the proposed project.
- Traffic impact on Avenida de las Banderas: Another local circulation network that will be greatly impacted with the increased traffic demand on Antonio Parkway from the proposed project is Avenida de las Banderas. North-south bound traffic on Antonio Parkway will increase traffic demand for Avenida de las Banderas to connect to alternate routes. Please include Avenida de las Banderas in the cumulative circulation analysis of the EIR.
- Analysis of traffic demand on Oso Parkway: The initial study does not include the potential traffic impact on Oso Parkway. Oso Parkway is an east-west arterial highway connecting to the northern end of the project site. Please include in the EIR the traffic analysis on Oso Parkway and the cumulative impact on this arterial highway with the proposed development.

2. Schools and Public Services

The NOP Project Summary Page 10 states that the students generated by the proposed project would require development of three elementary schools, a middle school and may necessitate the construction of a high school within the project limits. Please include in the EIR the timeline and process of the school development. The EIR should also include the impacts on local schools within the Capistrano Unified School District (CUSD) with the proposed development.

Furthermore, the Initial Study Item 16: Public Services (pg. 9) states that the project would increase demand for government facilities and service because of the increased population in the project site. It also indicates that there would be long-term public cost associated with the maintenance of these facilities. Please include in the EIR a detailed layout of how these




The Ranch Project NOP
April 23, 2004
Page 3

facilities will be funded. If there will be long-term public cost that will impact adjacent communities, please include such implications in the EIR.

Thank you once again for the opportunity to respond to the notice of intent to prepare a Draft EIR. Please forward a copy of the Draft EIR and a written response to this letter to Kathleen Haton, Planning Director, when it becomes available. In addition, the City would like to receive a copy of any public information and to be informed of any public meetings or hearings related to this project.

Sincerely,


Kathleen Haton
Planning Director

cc: D. James Hart, Ph.D., City Manager
George Wentz, Assistant City Manager
Tom Wheeler, City Engineer

CALTRANS DISTRICT 12

3337 Michelson Drive, Suite 380
Irvine, CA 92612



FACSIMILE TRANSMISSION

TO:

NAME <i>MR. CHUCK SHOFMAKER</i>	DATE <i>4/22/04</i>
COMPANY/BRANCH <i>COUNTY OF ORANGE PLANNING & DEVELOPMENT SVC.</i>	FAX NO. <i>(714) 834-4602</i>

FROM:

NAME <i>MAUREEN ELNABAKE</i>	PHONE NO. <i>(949) 734-2080</i>
BRANCH	FAX NO.

REFERENCE:

SUBJECT <i>REVISED NOP - GENERAL PLAN AMENDMENT / ZONE CHG (PA-01-114) aka: 'the Ranch Plan'</i>

MESSAGE:

See attached comment letter.


FAX ONLY - USE AS ORIGINAL

ORIGINAL TO FOLLOW

PAGE: 1 OF 8

DEPARTMENT OF TRANSPORTATION

DISTRICT 12
3337 MICHELSON DRIVE SUITE 380
IRVINE, CA 92612-8894
PHONE (949) 724-2255
FAX (949) 724-2592
TTY (949) 756-7813



Division of
Environmental

FAX AND MAIL

April 23 , 2004

Mr. Chuck Shoemaker
County of Orange
Planning and Development Services
Environmental Services Division
300 North Flower Street
Santa Ana, CA 92702

File: IGR/CEQA
SCH#: 2003021141
Log #: 1210
SR: SR-74, SR-241, 15

Subject: Revised NOP for the General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan)

Dear Mr. Shoemaker,

Thank you for the opportunity to comment on the **Revised NOP for the General Plan Amendment/Zone Change** received April 5, 2004. The project site is located off Ortega Highway northeast of Interstate 5 and comprises the remaining 23,000 acres owned by the Rancho Mission Viejo Company. The project has been revised from the original NOP to include modifications to total acreage, land use designations, circulation, recreation and resource elements, processing approach (will go forward without the NCCP/HCP and SAMP/MSA processes) and length of implementation which is now stated as a 20-25 year horizon.

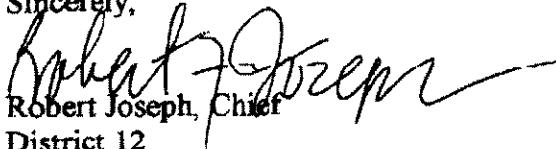
Caltrans District 12 is a responsible agency on this project and has the following comments

1. Comments from the first NOP will remain the same (see attached). The Department will continue to be available for consultation with the Lead Agency and the Project Proponent prior to the issuance of the Draft Environmental Impact Report (DEIR).
2. The DEIR is being prepared to comply with CEQA only. However, since it can be expected that some Federal permits will be sought during the a project of this scope, the project will likely need to comply with the Federal regulations as well (namely, Section 106 of the National Historic Preservation Act of 1966).

3. Caltrans advised the County to conduct the cultural studies for this project in accordance with normal Section 106 procedures (by qualified researchers who meet the standards set by the Secretary of the Interior).

Please continue to keep us informed of this project and other future developments, which could potentially impact our transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maureen El Harake at (949) 724-2086.

Sincerely,



Robert Joseph, Chief
District 12
IGR/Community Planning Branch

Attachment

- c: Terry Pencovic, HQ IGR/CEQA
- Terry Roberts, OPR
- Raouf Moussa, Traffic Operations - South
- Joe Harake, Traffic Operations - Toll Roads
- Ahmed Abou-Abdou, Project Management
- Sylvia Vega, Environ
- Praveen Gupta, Environmental

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY

DEPARTMENT OF TRANSPORTATION

DISTRICT 12

1231 MICHELSON DRIVE, SUITE 380

SANTA ANA, CA 92612

PHONE: (949) 724-2899

FAX: (949) 756-4950

TTY: (949) 756-7813

MAIL AND FAX

April 10, 2003

Chuck Shoemaker
 County of Orange
 Planning and Development Services
 Environmental Services Division
 300 North Flower Street
 Santa Ana, CA 92702

File: IGR/CEQA
 SCH #:2003021141
 LOG: 1210
 SR: SR-74, SR-241, IS

Subject: NOP for the General Plan Amendment/Zone Change (PA 01-114) aka: The Ranch Plan

Dear Mr. Shoemaker,

Thank you for the opportunity to review and comment on the **NOP** received March 4, 2003 for the **General Plan Amendment/Zone Change (PA 01-114)**. The project site is located off Highway 91, northeast of Interstate 5 and comprises the remaining approximately 23,000 acres owned by the Ranch Mission Viejo Company. The project consists of General Plan Amendment/Zone Change from existing A-1 Agricultural and Sand and Gravel Zoning to PC-Planned Community zoning designations. The PC zoning would overlay a 1B-Suburban Residential and 5- Open Space zone General Plan Land Use designation as amended from its existing Land Use designation of Open Space.

There are a total of 13 Planning Area designations that will include:

- Up to 14,000 DU's;
- 130 acres of urban activity center uses;
- 258 acres of business park uses;
- 39 acres of neighborhood retail uses;
- up to four golf courses;
- a proposed 1,079 acre regional park;
- an approximately 13,161 acre open space area (a 420 acre portion of which would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units and equestrian facilities);
- Ranching activities would also be retained within a portion of the proposed open space area;
- And infrastructure supporting all of these uses including road improvements, utility improvements and schools.
- Existing agricultural uses may also be expanded with implementation of the Project

Caltrans District 12 status is a responsible agency on this project and has the following comment:

Chuck Shnemaker
 April 10, 2003
 Page 2

Land Use and Transportation Elements of the General Plan

- a) Deleting arterials from the Master Plan of Arterial Highways (MPAH) creates inconsistency between the County's Housing and Land Use Elements which states an "...intent...to establish both a phasing allocation of development commensurate with roadway and public facility capacities and an overall build-out development plan which can be supported by implementation of the planned infrastructure system." (p. 21, Land Use, 1). Also, the guidelines for Administration of the MPAH require that local agency General Plan Circulation Elements to be consistent with the MPAH. The amendment process for the MPAH includes cooperative Traffic Study in which all affected or impacted jurisdictions and agencies participate to determine the extent of the inter-jurisdictional issues. OCTA has initiated the process, March 27, 2003, by conducting it's first meeting with the Technical Advisory Committee (TAC) consisting of the impacted agencies and jurisdictions. The results of the effort should be included in the EIR.
- b) Caltrans supports the use of sustainable/livable communities land use concepts, such as Transit Oriented Development (TOD), for development and multi-modal transportation options that would accommodate the growth that will occur, while reducing the possible transportation related impacts of this project.

2. Traffic

- a) Due to the potential regional and areawide significance of the impacts of Transportation/Circulation, the scope of the analysis for the Study Area needs to be expanded to cover the I-5 Freeway between the San Diego/Orange County Line and the I-5/I-80 Interchange.
- b) Currently, interchanges along the I-5 within the study area are experiencing severe congestion and long delays with an F Level of Service. Caltrans along with OCTA are working with the cities of Mission Viejo, San Juan Capistrano, Laguna Niguel in order to improve existing conditions. Proposed improvements under discussion with the cities are expected to provide some congestion relief to the existing conditions but do not address future demand.
- c) Currently, no additional capacity enhancement is expected along the I-5 Corridor since it is within the Non-Competition Zone of the Toll Roads. The SOCTIP Process is currently evaluating several alternatives to provide capacity that would meet future traffic needs.
- d) Any deletion to the existing Orange County Master Plan of Arterial Highways such as Crown Valley Parkway and Ortega Highway Interchanges at SR-241 may result in severe impacts on local and regional highway and arterial traffic circulation.
- e) Furthermore, the proposed realignment of State Route 74 (Ortega Highway) to terminate at Antonio Parkway may result in severe operational deficiencies. This is due to discontinuity of the route and diversion of a portion of the traffic to Crown Valley Parkway which is terminating to carry as much as 100,000 vehicles per day in the year 2025.

Chuck Shoemaker
April 10, 2003
Page 3

- f) Prior to issuing the DEIR, the County and/or their consultants will provide a final Analysis for Caltrans review. Proposed mitigation to address transportation/circulation impacts will be a cooperative effort between the County, OCTA and Caltrans District 12 office.
3. **Design** – Should SR-74 Ortega Highway be realigned, and continue to be designated as a State Highway, it shall conform to the Highway Design Manual Guidelines and Standards.
- a) Any bridgework across San Juan Creek would have to be evaluated and approved by Caltrans Headquarters Structures Unit.
- b) Please state what the actual designation and potential use for the relinquished portion of the SR-74 Ortega Highway would be, should the New Ortega Highway portion be completed.
- c) Informational note: District 12 Design A Unit is currently working on the draft Project Report for two projects on Ortega Highway as described below. The proposed project is not in conflict with these, however, coordination with Design Unit A and Environmental Planning Units should occur for any plans in the proximity of the SR-74, for the proposed realignment of the SR-74, or any work done on, over, under or adjacent to State Right of Way (ROW).
- The Lower 74 widening project. The project limits are PM 1.0/2.9, from Calle Entradas to La Pata (Antonio Parkway). The project is proposed to widen the highway from the existing two lanes to four lanes with a 3.6m wide striped median.
 - The Upper 74 project. The project limits are PM 13.3/16/6, from San Juan Creek Bridge to Orange County/Riverside County line. The project is proposed to widen the existing 10'/11' lane to 12' lane (3.6m) with 1.2m shoulders.

4. **Environmental Considerations:**

- a) The RMV plan is to be coordinated with the NCCP/HCP and the SAMP/MSA processes, and these coordinated plans/projects, whose boundaries are adjacent/include state right-of-way shall demonstrate consistency in their mitigation for any significant impacts to State ROW. Caltrans will certify that the cooperative mitigation efforts of these lead agencies and the property owner, are consistent and to the extent practicable, do not impact each other.
- b) Additional runoff is likely from the dwelling units proposed as part of the RMV plan. It is essential that Best Management Practices (BMPs) be considered along with additional Caltrans and resource agency coordination in order to maintain the water quality of the area. BMPs should be included with eventual project work to ensure that construction debris/fallout does not enter any culverts/ditches along the state right-of-way potentially impacting the water quality of the area. Further coordination should occur with Caltrans Maintenance for issues relating to the maintenance of these v-ditch areas.
- c) All work within the State ROW must conform to Caltrans Standard Plans and Standard Specifications for Water Pollution Control, including production of a Storm Water Pollution Prevention Plan (SWPPP) as required. No additional net increase in runoff draining into the

Chuck Shoemaker

April 10, 2003

Page 4

Caltrans ROW, either from construction operations, or from the resulting project phase) will be allowed.

- d) There are numerous sensitive areas along SR-74 and proposed within the SR-241 south extension (primarily in the form of coastal sage scrub). These areas are considered highly sensitive, especially in the months of March through July when the nesting season of coastal sage scrub species typically occurs. Disturbance can occur to coastal sage scrub species in the form of noise impacts. Typically any project equipment used adjacent to State ROW on access paths in these areas shall not exceed a threshold of 62-65dBA. Please include a disturbance relating construction type, phases and locations to their subsequent level of impacts to sensitive resource areas along the State ROW and how they may be avoided.
5. **Permits** – Any impacts onto, over or under Caltrans Right of Way (at Ortega Highway) will require an Encroachment Permit prior to work. This project may require an encroachment permit for hauling dirt during grading. In addition, improvements within Caltrans Right of Way will require an encroachment permit for work such as surveys, soil sampling and geotechnical borings, potholing, utilities, sidewalk, curb and gutter, intersection and signal improvement. For specific details on encroachment permit procedure, please refer to Caltrans Encroachment Permits Manual Seventh Edition. This manual is available on the web at www.dot.ca.gov/hq/traffops/developserv/permits.
6. **Mitigation**
- a) Caltrans suggests, at the earliest opportunity, that the County and the Landowner/Developer take the following actions in cooperation with OCTA, TCA and Caltrans:
- Agree on methodologies to perform in a traffic analysis study that identifies the project's proportionate transportation impacts on the regional (Freeway/State Highway) system. Please see attached *Guide for the Preparation of Traffic Impact Studies*.
 - Establish a method and timing of payment for this identified fair share responsibility.
 - The County, in cooperation with Caltrans, shall estimate the fair share percentage responsibility.
 - Agree on appropriate mitigation measures associated with identified impacts.
 - Regional and State related mitigation measures shall focus on freeway maintenance (in particular the I-5 Freeway and the SR-74), ramps and interchanges.
- b) Mitigation measures, responsible parties and funding mechanisms for the regional transportation impacts need to be clearly specified (separate from the local transportation impacts) in the DEIR.

Chuck Shoemaker
April 10, 2003
Page 5

- c) If it is found that any project equipment used adjacent to the state ROW or access points exceeds a noise threshold of 62 – 65 dBA, that impact should be addressed in the mitigation plan and reduced to a level of insignificance.
- d) There has been recent legislation regarding how lead agencies provide reports on traffic monitoring to Caltrans. Please see the attached guidelines and checklist. We are including this for your review at this time, though the actual report will not have to be submitted to Caltrans until the Notice of Determination (NOD).
- e) It is likely that impacts to the state right-of-way (and any proposed associated access roads) may occur through the usage by heavy trucks and equipment in order to complete proposed work and move loads. A Transportation Management Plan (TMP) detailing measures to reduce/eliminate impacts to LOS and circulation during peak periods in the project area should be included. This TMP should also include measures to contain all vehicle loads and avoid any tracking of materials that may fall or blow onto Caltrans ROW or facilities. These impacts in the TMP should also be addressed along with mitigation measures to reduce the impact to a level of insignificance.

We recommend that the County contact our District 12 office to schedule a meeting to discuss the scope and details of the Traffic Study, and Traffic Analysis and time frames as soon as possible. Please continue to keep us informed of this project and other future developments, which may potentially impact transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Robert Joseph at (949) 724-2255.

Sincerely,

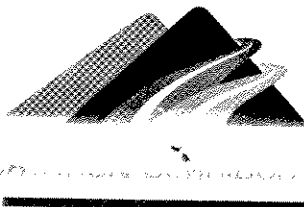


GAIL FARBER
Deputy District Director
Planning
District 12

Attachments:

- i. Guide for the Preparation of Traffic Impact Studies.
- ii. Guidelines for Submitting Transportation Information from a Reporting or Monitoring Program to the California Department of Transportation (Department).

- c: Kia Mortazavi, Orange County Transportation Agency
Rich Macias, Southern California Area Governments
Robert Joseph, IGR/Community Planning
Ron Helgeson, HQ IGR/CEQA
Terry Roberts, OPR



April 21, 2004

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
County of Orange
300 No. Flower Street
Santa Ana, CA 92702

Re: Notice of Intent to Prepare a Draft Environmental Impact Report No. 589

Dear Mr. Shoemaker:

The Transportation Corridor Agencies ("TCA") would like to thank you for the opportunity to review and comment on the March 23, 2004 revised Notice of Preparation for the Rancho Mission Viejo General Plan Amendment/Zone Change. At this time the TCA would like to provide the following comments:

- The current Notice of Preparation ("NOP"), like the original notice issued in 2003, illustrates only one of several possible alignments currently being considered for the extension of SR 241. Please be aware that there are several other alignments subject to environmental review. The TCA anticipates circulating a Draft Environmental Impact Statement/Subsequent Environmental Impact Report (DEIS/SEIR) for the Southern Orange County Transportation Infrastructure Improvement Project ("SOCTIIP") in the very near future. We anticipate that the TCA and the lead federal agency, the Federal Highway Administration, will select a SOCTIIP alternative in early 2005. We suggest that the County's environmental review for the Rancho Mission Viejo General Plan Amendment/Zone Change take into consideration the information on the SOCTIIP alternatives reflected in the SOCTIIP DEIS/SEIR and that any decision on the General Plan Amendment/Zone Change be consistent with the alignment alternative selected by the TCA and FHWA through the NEPA/CEQA process.
- In identifying projected transportation improvements, the NOP appears to anticipate the extension of Crown Valley Parkway only under the "with SR 241 extension" condition. However, extension of Crown Valley Parkway is an entirely separate project from the SR 241 extension. TCA believes these two projects should not be linked during the analysis prepared for EIR 589.
- Pursuant to section 4.4 of the Second Amended and Restated Joint Exercise of Powers Agreement Creating the Foothill/Eastern Transportation Corridor Agency, the County is responsible for the preservation, and acquisition by dedication, of

Walter D. Kreutzen, Chief Executive Officer

125 PACIFICA, SUITE 100, IRVINE CA 92618-3304 • P.O. BOX 53770, IRVINE CA 92619-3770 • 949/754-3400 FAX 949/754-3467
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Mission Viejo • Newport Beach • Orange • Rancho Santa Margarita • Santa Ana • San Clemente • San Juan Capistrano • Tustin • Yorba Linda

rights-of-way and similar property interests necessary for the SR 241 project. Accordingly, any County approval of the Rancho Mission Viejo General Plan Amendment/Zone Change should reserve the alignment of the SR 241 project and should include enforceable conditions on the RMV Project applicant to dedicate the right-of-way for the SR 241 project. In the event that the County fails to acquire the SR 241 right-of-way, it is required to compensate the TCA for "all costs (including attorneys' fees) incurred by the [TCA] in acquiring said rights-of-way and property interests."

The TCA looks forward to reviewing the draft EIR when it becomes available. Should you have any questions regarding the various alternatives currently under review, please feel free to contact me at (949) 754-3483.

Sincerely,

A handwritten signature in cursive script that reads "Macie Cleary-Milan".

Macie Cleary Milan
Deputy Director
Environmental Planning

MCM/AHR/lmb

Chuck Shoemaker

From: Arnau John
Sent: Thursday, April 22, 2004 8:24 AM
To: Chuck Shoemaker
Subject: Revised NOP for the Ranch Plan

Chuck, IWMD has reviewed the Revised Notice of Preparation for General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan) and has no comment.



ORANGE COUNTY FIRE AUTHORITY

P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Chip Prather, Fire Chief

(714) 573-6000

www.ocfa.org

April 8, 2004

County of Orange
Planning and Development Services Department
Environmental Planning Services Division: Chuck Shoemaker
300 N. Flower St.
P. O. Box 4048
Santa Ana, CA 92702-4048

Re: Rancho Mission Viejo "The Ranch Plan" Supplemental NOP

Dear Mr. Shoemaker,

Thank you for the opportunity to comment on the Ranch Plan. The Orange County Fire Authority (OCFA) has considered the potential impacts associated with this proposal and would like to state that our initial comments on March 18, 2003 are still current and need to be addressed in the EIR. For the supplemental NOP we offer the following comments:

Changes to the Project Acreage: No comment

Changes in the Land Use Designations Requested:

Several fire stations are necessary to support the project and we are in discussions with the project coordinators on the topic. We would like to ensure that land use designations for the project allow for Public Facilities/Fire Station in all areas, as locations are not identified at this time. We are working with the developer to insure that the proposed land uses will generate the revenues required to protect these same uses.

Modifications to the Circulation Proposal:

The circulation proposal concerns OCFA. The previous NOP proposed to cancel the extension of Crown Valley Pkwy and the new proposal does not change this decision. OCFA is firmly against the removal of the linkage of Crown Valley Pkwy to the project area and Coto de Caza. We have held discussions with the developer on this issue and they informed us that they would be dropping the request to remove this linkage from the plan. Without this linkage, the project will require more fire stations they can pay for with revenues projected. The elimination of this linkage will reduce the effectiveness of Fire Station #58 by 50% by limiting its response area. This linkage is critical to the effective response of public safety resources.

We would like to add the comment that all traffic signals and gates on public access ways should include the installation of optical preemption devices. This should include the gate at Chiquita Canyon Rd. We additionally request that all divided roads greater than 1000' between turn pockets or breaks be required to install a pass through or curb roll capable of emergency vehicle access. These "crawl-overs" or "median cuts" are necessary when traffic is stacked at the intersection and the preemption unit is not accessible.

Recreation and Resources Element, and Agricultural Preserve Amendment Modifications:

No Comment

A Secured Fire Protection Agreement is required between OCFA and the developer. The OCFA has identified that the project will present significant impacts to existing fire and rescue services. Much of the proposed development is outside of the maximum response times for existing fire facilities. New fire stations are needed to serve the proposed development. As such, the developer will be required to enter into a Secured Fire Protection Agreement with the OCFA for provision of necessary facilities, apparatus, and fire and rescue supplies and equipment. A final determination of fire station needs and locations will be made at a future date when more information is known about phasing, circulation and access, and build-out in adjacent planning areas. Appropriate capital improvements and resources will be required to meet the anticipated fire service delivery requirements. We are currently working with the developer on these issues but would like them to be detailed in the environmental review process as well.

If you have any additional questions, please contact me at (714) 573-6198.

Sincerely,



Gene Begnell

Battalion Chief, Strategic Services

genebegenll@ofca.org

8315 Century Park Court
San Diego, CA 92123



Fax

To: Mr. Chuck Shoemaker	From: Chris Terzich
Fax: (714) 834-4652	Pages: 8
Phone: N/A	Date: 04/23/2004
Re: Revised Notice of Preparation (NOP)	CC: N/A

Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:** Per Mr. Terzich's request, enclosed, please find the following documents.

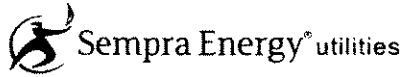
Original to follow by Certified Mail.

Thank you,

Lillian L. Bocaletti
Lillian L. Bocaletti



8315 C-1
1/1/04



April 23, 2004

Mr. Chuck Shoemaker
County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

Re: Revised Notice of Preparation (NOP) for the Mission Viejo Ranch Plan Draft EIR No. 589

Dear Mr. Shoemaker:

SDG&E appreciates the opportunity to provide input on the above-referenced NOP for an Environmental Impact Report. As the natural gas and electricity provider for the study area, SDG&E is committed to providing long-term adequate and reliable energy to the southern Orange County area.

In January of this year SDG&E provided the County and the project applicant an assessment of the project electric and gas infrastructure needs as well as the long-term needs of both the Ranch and Mission Viejo project and the southern Orange County area in terms of future energy requirements. The results of this assessment are provided again as an attachment for your consideration and use. Page 17 of the NOP indicates that the project will require one electrical distribution substation. However, the results of the SDG&E studies indicate that two electrical distribution substations would be required, the general locations of which are included on the attached maps. Natural gas and electrical facilities must be integrated and accommodated into large scale, long-term planning efforts such as this to ensure that land use compatibility, aesthetics and other environmental issues associated with such facilities are addressed as early as possible.

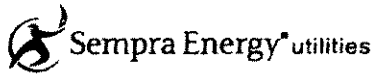
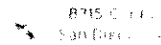
SDG&E will continue to work with the County and the project proponents to ensure that critical electrical and natural gas facilities are provided in a safe and reliable manner for the project site and the region.

Thank you again for the opportunity to assist in the project and the long-term infrastructure planning for this project and the County. If you have any questions or comments, please contact me at (858) 637-3713.

Sincerely,

Christopher P. Terzich, REA
Senior Environmental Specialist, Land Planning

Attachment



January 16, 2004

Mr. Chuck Shoemaker
County of Orange
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

Re: Cumulative Projects for Analysis in the Mission Viejo Ranch Plan Draft EIR No. 589.

Dear Mr. Shoemaker:

SDG&E appreciates the opportunity to provide comments on the above-referenced EIR to ensure a full accounting of cumulative projects is provided in accordance with CEQA. As the natural gas and electricity provider for the study area, SDG&E is committed to providing long-term adequate and reliable energy to the southern Orange County area.

As part of our ongoing transmission and distribution planning efforts, we have assessed the long-term needs of both the Rancho Mission Viejo project and the southern Orange County area in terms of future energy requirements. The results of this assessment are provided in the attached report for your consideration and use.

With regards to the provision of energy facilities within the Rancho Mission Viejo project area, SDG&E will continue to work with the project proponents to ensure that critical electrical and natural gas facilities are provided in a safe and reliable manner for the project site and the region.

Thank you again for the opportunity to assist in the long-term infrastructure planning for this project and the County. If you have any questions or comments, please contact me at (858) 637-3713.

Sincerely,

Christopher P. Terzich, REA
Senior Environmental Specialist, Land Planning

Attachment

SDG&E, Transmission & Distribution
January 16, 2004
Rancho Mission Viejo Proj.

Rancho Mission Viejo

Recommended Gas & Electric Facility Proposal

January 16, 2004

EXISTING GAS AND ELECTRICAL FACILITIES

The attached maps show existing gas facilities of Southern California Gas Company (So Cal Gas) and electrical facilities of San Diego Gas & Electric (SDG&E) within the area of Rancho Mission Viejo's (RMV) development.

Major, existing, high-pressure gas facilities of So Cal Gas include a 30-inch line along I-5. Off of this 30-inch line there is a 12-inch line from Avery Parkway and I-5, which then goes north along Marguerite Parkway and then east along Crown Valley Parkway. This 12-inch line steps down to an 8-inch line, which goes north along Antonio Parkway.

Existing transmission facilities (facilities energized at 50 kV or higher) of SDG&E include a single circuit 138 kV line, which runs approximately north-northwest to south-southeast across the RMV property.

PROPOSED GAS AND ELECTRICAL FACILITIES

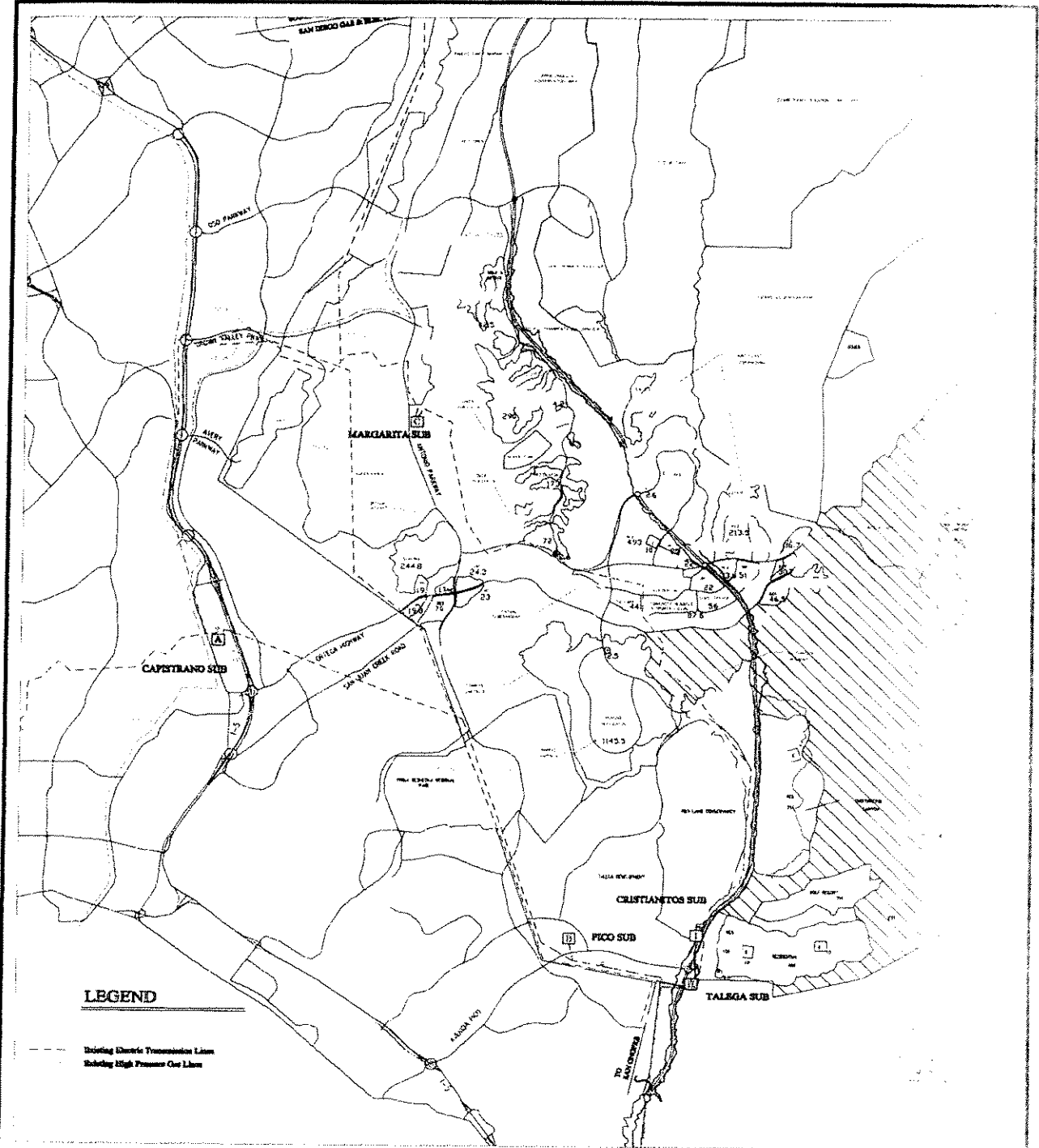
This plan is preliminary based on existing information. The timing and exact locations of facilities are subject to change based on new information, timing of growth, and other variables that could be encountered as the project develops, or during the detailed design or approval process. It is expected that RMV, So Cal Gas and SDG&E will keep each other apprized of changes that could affect this plan.

Proposed gas facilities to primarily serve RMV and secondarily to provide additional capacity to adjacent development areas, (see attached map, Sheet 2 of 3, "Facilities Required to Serve RMV"), include two options for a new, high pressure gas line, which runs along San Juan Creek Rd or Ortega Highway from the existing 30-inch line near I-5 to a proposed Regulator Station near the Ortega Highway and Antonio Parkway. This proposed Regulator Station will require a space 30 ft by 10 ft.

With regard to electrical facilities, this preliminary proposal addresses the need for substations and transmission lines through RMV. It does not address distribution circuits. For convenience and clarity, these proposed electrical facilities are divided into two sections, those facilities required to primarily serve RMV directly and meet CPUC capacity and reliability criteria for RMV and in the immediate project vicinity and those facilities currently anticipated to address regional reliability issues.

Electrical Facilities to Serve RMV

Electrical facilities required to serve RMV include two distribution substations, 138/12 kV and the 138 kV transmission lines to serve these substations. Each distribution

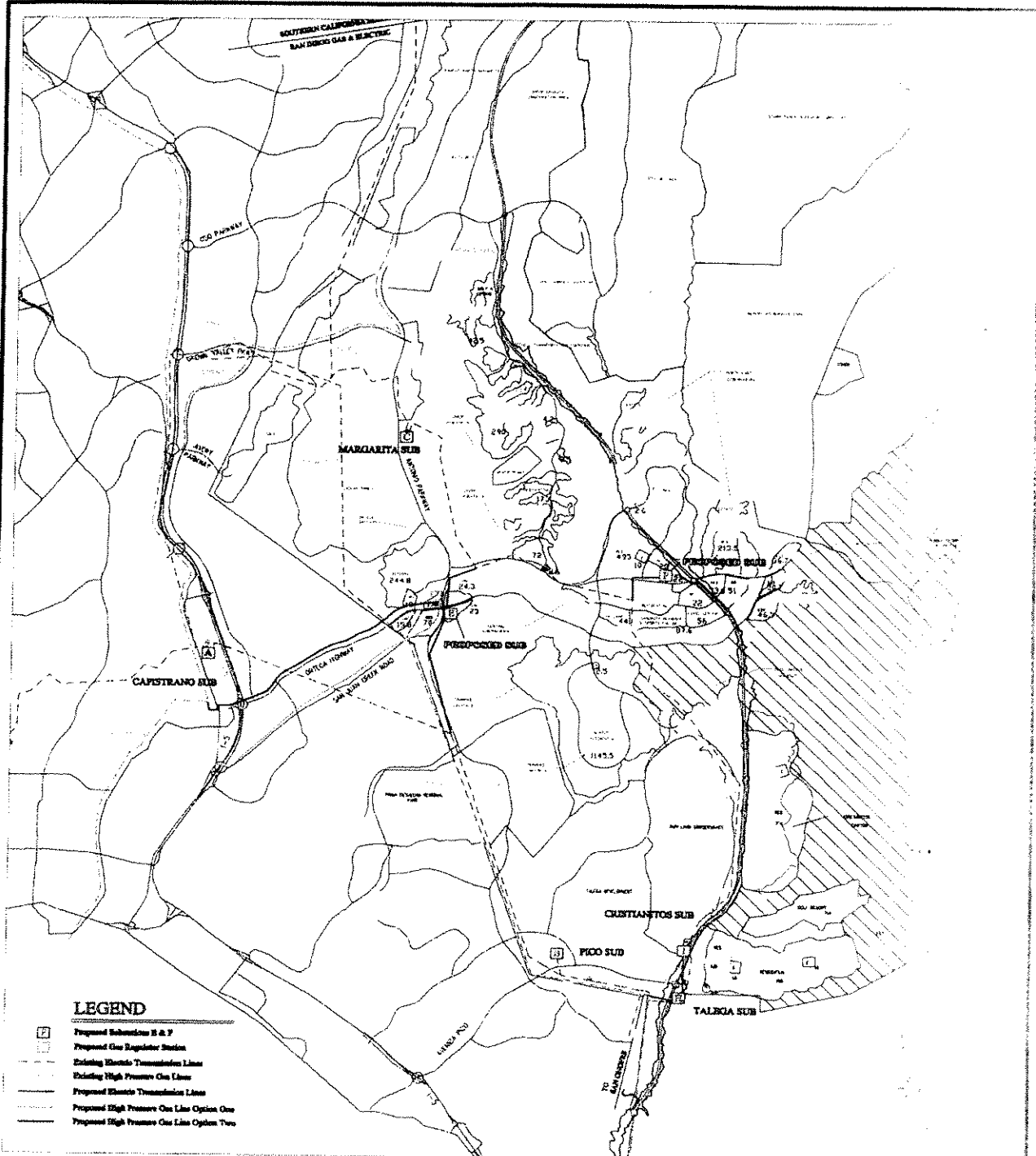


SDGE SAN DIEGO GAS & ELECTRIC
TRANSMISSION ENGINEERING

THE RANCH PLAN
DEVELOPMENT PLAN
RANCHO MISSION VIEJO

Existing Facilities

SCALE	NONE
SHEET	1-OF-3

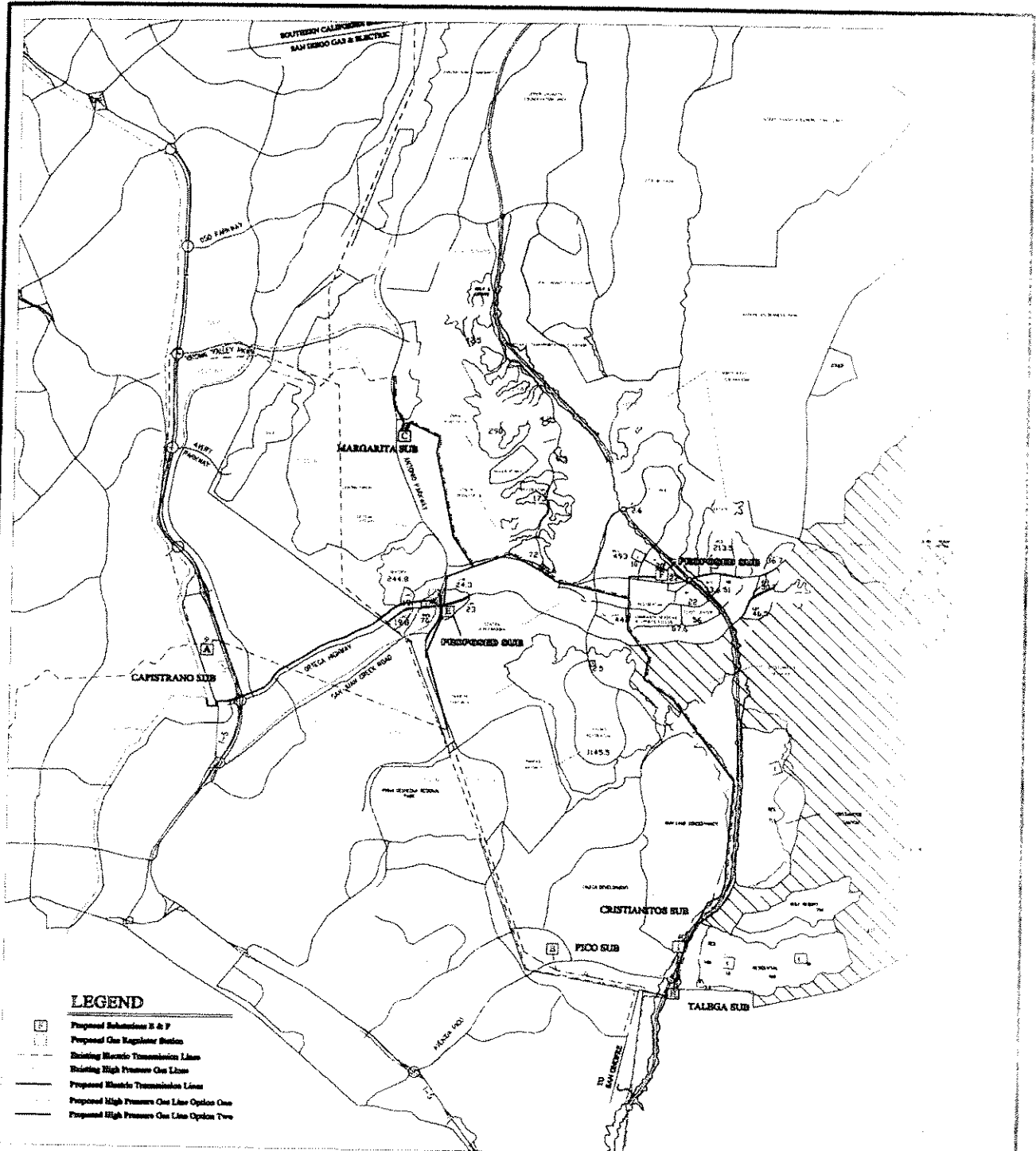


SDGE SAN DIEGO GAS & ELECTRIC
TRANSMISSION ENGINEERING

THE RANCH PLAN
DEVELOPMENT PLAN
RANCHO MISSION VIEJO

Facilities Required to Serve RMV

SCALE NONE
SHEET 2-OF-3



LEGEND

- Proposed Substation R & P
- Proposed Gas Regulator Station
- Existing Electric Transmission Lines
- Existing High Pressure Gas Lines
- Proposed Electric Transmission Lines
- Proposed High Pressure Gas Line Option One
- Proposed High Pressure Gas Line Option Two



SAN DIEGO GAS & ELECTRIC
TRANSMISSION ENGINEERING

THE RANCH PLAN
DEVELOPMENT PLAN
RANCHO MISSION VIEJO

Regional Facilities Required

SCALE	NONE
SHEET	3-OF-3



Terry Tamminen
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

Edwin F. Lowry, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

April 20, 2004

Mr. Chuck Shoemaker
Planning & Development Services Department
Environmental Planning Services Division
County of Orange
300 North Flower Street
Santa Ana, California 92702-4048

REVISED NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT
REPORT FOR THE GENERAL PLAN AMENDMENT/ZONE CHANGE (PA 01-114)
(AKA: THE RANCH PLAN) PROJECT - SCH #200302141

Dear Mr. Shoemaker:

The Department of Toxic Substances Control (DTSC) has reviewed the revised Notice of Preparation (NOP) dated March 24, 2004, which was prepared and presented by your agency for the above-mentioned Project.

It should be noted that DTSC reviewed the original NOP for the subject project and provided its comments on March 14, 2003. DTSC's comments have not been addressed in the currently submitted revised NOP. The draft Environmental Impact Report (EIR) should incorporate DTSC's comments.

If you have any questions regarding this letter, please contact Mr. Johnson P. Abraham, Project Manager at (714) 484-5476.

Sincerely,

Greg Holmes, Unit Chief
Southern California Cleanup Operations Branch
Cypress Office

Mr. Chuck Shoemaker
April 20, 2004
Page 2 of 2

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

TO : CHUCK SHOEMAKER

FROM : JUANENO BAND

2 pages

RE:

TRIBAL AGENCY COMMENT
FOR DEIR NOP #509



Juaneño Band of Mission Indians Acjachemen Nation

Tribal Council

Damien Shilo*Chairman Alice Lopez-Sainz*Vice Chair
Christopher A. Lobo*Secretary/Treasurer
Fran Yorba*Member at Large Andres Cole*Member at Large

Chuck Shoemaker
County of Orange
Planning & Development Services Department
300 N. Flower Street
P.O. Box 4048
Santa Ana, CA 92702-4048

April 21, 2004

RE: Revised Notice of Preparation to Prepare Draft Environmental Impact Report #589, General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan)

The Juaneño Band of Mission Indians, Acjachemen Nation, under the leadership of Chairman Damien Shilo, has reviewed the above-mentioned NOP. The proposed project encompasses 22,815 acres; 11,050 acres are planned for open space. The Environmental Analysis Checklist indicates that the project will have Potential Significant Impacts on archaeological resources, historical resources, and ethnic values.

The Tribe respectfully requests that developers do the following to adequately address project-related impacts on Native American cultural resources:

1. Consult with the Tribe's Governing Council concerning the project archaeological sites and cultural properties.
2. Formulate a Native American monitoring program with the Tribe for all ground-disturbing activities.
3. Formulate provisions for the identification and evaluation of accidentally discovered archaeological resources in consultation with the Tribes cultural resources experts.
4. Formulate a plan with Tribe for treatment and disposition of recovered artifacts and discovered burials.
5. Provide original and thorough research on accurate historical, archaeological, and cultural information associated with the project. In addition, formulate a plan for consultation with the Tribal Council for it's historical, archaeological, and cultural resources.

31411-A La Matanza Street San Juan Capistrano CA 92675-2674 Phone (949)488-3484 Fax (949)488-3294 www.juaneno.com

Revised Notice of Preparation to Prepare Draft Environmental Impact Report #589, General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan)

Page 2

The Juaneño Band of Mission Indians, Acjachemen Nation looks forward to reviewing the DEIR and being an instrumental and integral contributor to this project. Please add the Tribe to the DEIR distribution list and send a copy to our Tribal office upon completion.

If you have any questions, please contact us at our Tribal office at (949) 488-3484.

Sincerely,

The Juaneño Band of Mission Indians, Acjachemen Nation Tribal Council



Damien Shilo
Tribal Chairman
Juaneño Band of Mission Indians
Acjachemen Nation
dshilo@juaneno.com
(949) 254-5421

SHUTE, MIHALY & WEINBERGER LLP

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LAUREL L. IMPETT, AICP
CARMEN J. BORG
URBAN PLANNERS

DAVID NAWI
OF COUNSEL

April 22, 2004

Chuck Shoemaker
Planning and Development Services
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Re: Comments on Revised Notice of Intent to Prepare Draft Environmental Impact Report #589 for the Proposed Ranch Plan

Dear Mr. Shoemaker:

Thank you for the opportunity to provide these comments on the Revised Notice of Preparation ("Revised NOP") of a Draft Environmental Impact Report for the proposed Rancho Mission Viejo Project ("Ranch Plan"). We submit these comments on behalf of the Sierra Club, Endangered Habitats League ("EHL"), the Friends of Harbors, Beaches and Parks ("FHBP"), the Natural Resources Defense Council ("NRDC"), Sea & Sage Audubon, and Audubon California (collectively "the Groups"). The Sierra Club's Friends of the Foothills project represents local residents concerned with environmental protection and innovative, forward-looking planning for growth and transportation in Southern Orange County. EHL is a non-profit organization that advocates sensitive and sustainable land use and the protection of the diverse ecosystems of Southern California. The mission of FHBP is to promote, protect, and enhance the harbors, beaches, parks, trails, open spaces, natural preserves, and historical sites in Orange County. NRDC is a national non-profit organization with more than 550,000 members dedicated to protecting wildlife and wildlife habitat and to ensuring a safe and healthy environment. Sea & Sage Audubon is the Orange County Chapter of the National Audubon Society and is a leader in creating an understanding of nature in Orange County through conservation, research and environmental education programs for children and adults through classes, publications, and volunteer opportunities. Audubon California has a membership of over 60,000 members and is dedicated to the conservation and restoration of California's natural ecosystems. All six organizations are committed to working constructively with the County to ensure that development does not impair the protection of the environment in Southern Orange County or adversely impact the quality of life of the region.

Chuck Shoemaker

April 22, 2004

Page 2

The 22,815-acre project site for the Ranch Plan represents some of the last remnants of open space in Orange County. The proposed Ranch Plan would create up to 14,000 homes on what is currently a globally significant ecological landscape that serves as a refuge for a host of threatened and endangered species. Accordingly, the importance of an integrated planning process and comprehensive environmental impact report ("EIR") for the Ranch Plan cannot be overstated. Regrettably, the County already appears on the verge of undermining the integrity of an effective environmental review process. The Groups support the County's decision to require preparation of an EIR for the proposed Ranch Plan and appreciate the opportunity to comment on the Revised NOP. However, as set forth below, the myopic decision to proceed with the Ranch Plan EIR without the benefit of an NCCP/HCP and SAMP/MSAA will fatally compromise the protection of the project site's invaluable ecological resources.

In addition to concerns regarding the premature preparation of the Ranch Plan EIR, the Groups have additional comments, set forth below, regarding the scope of the EIR as modified by the Revised NOP. Because of the significant changes to the project provided under the Revised NOP, and in light of the enormous scale of project and the fragile and unique ecological resources at stake, we urge the County to hold at least one public scoping meeting to discuss comments on the Revised NOP.

I. The County Must Coordinate Environmental Review of the Ranch Plan with the NCCP/HCP and SAMP/MSAA.

The only effective means to protect the unique environmental character of the project site and to ensure adequate environmental review of the Ranch Plan is to continue the coordinated preparation of the GPA/ZC, NCCP/HCP and SAMP/MSAA as provided under the Original NOP. The County's decision to prepare and approve the Ranch Plan GPA/ZC EIR prior to the completion of the NCCP/HCP and SAMP/MSAA severely compromises the effectiveness of the NCCP/HCP and SAMP/MSAA as essential planning tools for the management of environmental resources in the project site. Without the benefit of these documents, the County has severely impaired its ability to render an informed decision on the fate of one of the County's last remaining ecological treasures. Indeed, the County's decision to proceed with the GPA/ZC without a completed NCCP/HCP and SAMP/MSAA raises serious concerns as to the County's commitment to protecting Orange County's remaining open space and endangered wildlife for the benefit of future generations of Orange County residents.

CEQA requires that environmental problems be considered at a point in the planning process where "genuine flexibility remains." Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, 307. The purpose of an NCCP/HCP and SAMP/MSAA is to thoroughly assess the natural resources of an area so that future land use decisions can avoid development in areas of high environmental value. Information concerning conservation values that will be refined in the NCCP/HCP and SAMP/MSAA processes will provide essential inputs

Chuck Shoemaker

April 22, 2004

Page 3

into the County's GPA/ZC and Ranch Plan EIR process. Here, "the Project applicant has requested that the County move forward with processing of the General Plan Amendment and Zone Change (GPA/ZC) for the Ranch Plan even though the NCCP/HCP and SAMP/MSAA programs may not be complete by the date of County action on the proposed project." Revised NOP at 6. By approving the Ranch Plan EIR and GPA/ZC prior to the development of a comprehensive NCCP/HCP and SAMP/MSAA, and consequently, a full understanding of the biological resources on the project site, the County runs the risk of foreclosing the adoption of environmentally superior and feasible alternatives set forth in the NCCP/HCP and SAMP/MSAA.

The NOP claims that the EIR "can move forward without jeopardizing the preparation of the NCCP/HCP and SAMP/MSAA" because the project and alternatives already "1) provides a plan for development and a framework for conservation that will help achieve the major benefits originally envisioned for those planning programs for the Ranch area, and 2) provides a conservation plan that would be complementary to any such programs that are completed in the future." Revised NOP at 6-7. This statement suggests that the proposed Ranch Plan will anticipate the requirements of the NCCP/HCP and SAMP/MSAA processes without compromising the feasibility of environmentally superior alternatives as required under CEQA. This optimistic presumption has little basis in reality. For example, when the NCCP/HCP process for the Coastal Area of Orange County was initiated, much of the area was already entitled (e.g. the Development Agreement for the Irvine Coast project). In that case, existing entitlements largely prejudged the outcome of the NCCP/HCP process. Vested rights, such as Development Agreements are typically deferred to by NCCPs and consequently foreclose superior NCCP outcomes. Even in the absence of vested rights, *any* level of entitlement will escalate land values and thus severely prejudice if not foreclose NCCP options. Moreover, should the County approve the land use plan, it is difficult if not impossible to make changes, due to the multiplicity of community, traffic, and other disputes that would have to be revisited, involving supplemental environmental documents and additional sets of public hearings. The only way to ensure that the County's process does not foreclose a superior outcome is to reintegrate the coordinated planning processes as proposed in the Original NOP.

CEQA also requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. Consistent with this requirement, information regarding a project's impacts must be "painstakingly ferreted out." Environmental Planning and Information Council v. County of El Dorado (1982) 131 Cal.App.3d 350, 357. By opting to prepare and potentially act on the Ranch Plan EIR prior to the preparation of an NCCP/HCP and SAMP/MSAA, the County has undertaken the burden of ensuring that the biological resource information in the Ranch Plan EIR is on par with an NCCP/HCP and that the project will meet the regulatory requirements of permitting agencies without the benefit of a

Chuck Shoemaker

April 22, 2004

Page 4

coordinated NCCP/HCP and SAMP/MSAA.¹ Here, because virtually all of the critical environmental resources evaluated in the NCCP/HCP and SAMP/MSAA are within the 22,815-acre project site, the Ranch Plan EIR would essentially attempt to duplicate and forecast the assessments of an NCCP/HCP and SAMP/MSAA in their entirety. Without the assistance of the biological analysis of federal agencies, the County is at risk of producing an inadequate assessment of the impacts of the Ranch Plan EIR. Moreover, without the participation of the Fish and Wildlife Service and Army Corps of Engineers, the public may lack confidence in the County's planning process. As many as 300 people have attended each of the joint GPA/ZC, NCCP/HCP and SAMP/MSAA public meetings. Residents were told repeatedly that the County, the Fish and Wildlife Service, and the Army Corps of Engineers were committed to a concurrent process. We urge the County to consider the repercussions for public trust if this commitment is broken.

In light of these significant concerns, we respectfully request the County to reconsider the applicant's request to de-couple the planning processes and work closely with the U.S. Fish and Wildlife Service and the Army Corps of Engineers to determine whether the project can still be processed concurrently with the NCCP/HCP and SAMP/MSAA efforts already underway. One solution would be for the applicant to provide the resources to the public agencies to make it possible for these agencies to fully participate in a concurrent process. This approach has been taken on a number of projects in California and given the extent of the ecological resources in the project site, there is no reason why this approach should not be adopted here.

II. Comments on the Scope of the EIR.

The Revised NOP notes a number of significant changes to the project including: (1) a significant reduction in planned open space (from 13,554 acres down to 11,765 acres); (2) significant new Rural Residential acreage; (3) modifications to the Circulation Proposal; (4) Modifications to Amendments to Elements; and (5) reduction in acres requested from removal from Agricultural Preserves. Our comments on each of these changes are noted below.

A. Open Space

The Revised NOP explains that the smaller open space designation area is due to the large amount of land placed in the 1A Rural Residential designation. The DEIR must describe in detail the potential land use conflicts of these estate lots and casitas with open space values and to what extent natural open space values can be retained with this type of land use. In addition, while the Revised PC-Planned Community reflects more overall open space, the open

¹ This includes permits under the Endangered Species Act, a Section 404 permit, and permits under the Fish and Game Code.

Chuck Shoemaker

April 22, 2004

Page 5

space areas within Planning Areas should be distinguished from "natural" open space areas that maintain conservation values. The project description should provide detailed information concerning the uses and development permitted in each "open space" area and discuss the potential impacts of these uses. Such uses should include utilities, utility corridors, recreational uses, maintenance and emergency access roads, fuel management zones, etc. These seemingly minor or passive uses can have a significant impact on habitat values. Moreover, the impacts associated with equestrian uses on natural open space should be disclosed. In addition, permitted uses and development should be evaluated in terms of their impacts to species, including impacts associated with lighting, noise, water quality, among other direct and indirect impacts. Evidence should also be provided that wildlife corridors connecting natural and active open space areas are sufficient for all species of concern.

Finally, the DEIR should clearly identify and distinguish those areas that are defined as Open Space in the Ranch Plan between those that will be given into the public domain, those that will be retained by for unspecified use, and those that will be retained under a formal conservation agreement.

B. Circulation Proposal Changes

The DEIR must identify all proposed circulation improvements in the Project Description, including the Foothill Corridor South. While the applicant has argued that the Foothill Corridor South is not an essential circulation system component to serve the project, no evidence has been provided to demonstrate that the Ranch Plan and Corridor are not interrelated. The DEIR should disclose the planning, environmental, traffic and financial relationships between these projects. As toll roads are financed through development impact fees and toll revenue, the 14,000 development units contemplated under the Ranch Plan would appear to be critical to the financial viability of the Foothill South toll road, as would the extensive use of the toll road by Ranch Plan development. Conversely, the viability of the Ranch Plan would appear equally compromised absent the construction of a major thoroughfare such as the Foothill South toll road. In its current configuration and absent improved arterials and public transit, I-5 is already at LOS F in this region. This, it is unclear where the added traffic generated by the project could be directed without the construction of the Corridor. Because these projects are codependent, a more thorough disclosure of the impacts of the Corridor must be included in the Ranch Plan DEIR than typical under a cumulative analysis. Indeed, as each project is dependent on the success of the other, rather than segment the analysis of each project through the preparation of separate EIRs, the County should analyze the impacts of each project in the same environmental document.

The DEIR should also include the results of a study of the additional fire hazards that will result if the Foothill South tollroad is built through the planned project site and the

means by which potential development on the project site will be protected in the event of a fire incident.

Finally, the DEIR should also conduct an area-wide traffic study with public input into the impact of the proposed Ranch Plan on surrounding communities. Because of the scale of the proposed Ranch Plan, the geographic study areas for the traffic analysis at a minimum should include western Riverside and western San Bernardino Counties, Orange County, Los Angeles County except northern sections, and San Diego County.

C. General Plan Element Amendments

The NOP notes that the project contemplates numerous modifications to the General Plan Elements. The DEIR should specify each requested amendment in the Project Description, clarify why the amendment is required and disclose any impacts associated with each amendment. Text and map changes should also be included in the DEIR.

D. Removal of Agricultural Preserve Lands from the Williamson Act

It is not clear from the NOP why the request for removal of acreage from the Agricultural Preserve has been reduced to only 1,900 acres. The DEIR should include maps that show the locations of Agricultural Preserve land and overlay permitted uses. The discussion should also clarify how those uses continue to be consistent with the intent of the Williamson Act.

E. Additional Information

The following studies should also be completed and included within or in conjunction with the DEIR for the Ranch Plan:

1. The DEIR should reflect, incorporate and, to the extent warranted, analyze the findings and public input into the SCORE process initiated by Supervisor Wilson that was promised by the County Planning Board at the Original NOP hearing.
2. The DEIR should identify the source(s) and written contracts for the water supply necessary to satisfy the needs of the planned Ranch Plan development as well as all development considered in the cumulative impacts analysis.

3. The DEIR should include a study of the encroachment danger as a result of development in areas of the project site adjoining Camp Pendleton Marine Base and set forth appropriate mitigation.

III. To Properly Facilitate Public Comment, the County Should Recirculate a Revised NOP Which Incorporates and Accounts for Comments on the Original NOP.

CEQA recognizes that early consultation with the public often solves potential problems with a project that would arise in more serious forms later in the review process. CEQA Guidelines § 15083. In circulating the Revised NOP, the County distributed the Original and Revised NOPs and instructed commentators to comment only on those changes to the project described in the Revised NOP. Revised NOP Cover Page. The County did not indicate what, if any, of the comments on the Original NOP were incorporated into the preparation of the Revised NOP. As is typical with preparation of a Final EIR, to properly prepare a Revised NOP, the County should have made revisions to the Original NOP in underline and strikeout and included any other changes to scope of the DEIR that may have resulted from comments on the Original NOP. This method would facilitate the ability of the public to fully comment on the adequacy of the scope of the DEIR.

Under the County's current approach, it is unclear whether the County was at all receptive to previous public comment on the content and scope of the DEIR. For example, in comments on the Original NOP, EHL raised concerns regarding the County's designation of impacts, yet the County does not appear to have altered any of these designations prior to the preparation of the Revised NOP. Accordingly, to properly account for public input in the NOP process and facilitate the ability of the public to provide comments on the revised scope of the NOP, the County should recirculate a comprehensive combined NOP.

IV. Changes in the Revised NOP are Significant and Merit at Least One Additional Public Scoping Meeting.

As already discussed, the decision in the Revised NOP to fragment the NCCP/HCP, SAMP/MsAA, and GPA/ZC review processes has significant ramifications for the environmental review of the Ranch Plan. CEQA requires at least one public scoping meeting for a project of regional significance. Pub. Res. Code § 21083.9(a)(2); CEQA Guidelines § 15206(b). Although a scoping meeting was held to consider the Original NOP, the Revised NOP is significantly changed from the Original NOP. Accordingly, we urge the County to hold at least one additional public scoping meeting so that revisions to the NOP may be fully discussed.

Chuck Shoemaker
April 22, 2004
Page 8

CONCLUSION

We appreciate the opportunity to comment on the NOP. Please send this firm a copy of the draft EIR once it becomes available. Given the preliminary nature of the environmental review that has been made available to the public, the issues identified in this letter are not intended to be exhaustive. The Groups may raise other issues during the full environmental review process.

Should you have any questions regarding the content of this letter, please do not hesitate to contact us.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Matthew Vespa

TERRELL WATT, AICP



Terrell Watt

cc: U.S. Fish & Wildlife Service
U.S. Army Corps of Engineers
California Department of Fish & Game
Bill Corcoran, Sierra Club --
Dan Silver, Endangered Habitats League
Joel Reynolds, Natural Resources Defense Council
Jean Watt, Friends of Harbors, Beaches and Parks
Pete DeSimone, Sea & Sage Audubon --
Julia Levin, Audubon California

Chuck Shoemaker

From: tagielow [tagielow@comcast.net]
Sent: Friday, April 23, 2004 9:44 AM
To: Chuck Shoemaker
Cc: Riddle, Joan; Bryden, Mary Evelyn; Barbara Rosenbaum; Lucey, Christina; Wilson Thomas
Subject: Date: April 23, 2004

Date: April 23, 2004

To: Mr. Chuck Shoemaker

Planning and Development Services Department

Environmental Planning Services Division

300 North Flower Street

Santa Ana, California 92702-4048

Fr: Judith M. Gielow, Co-Chair, St. Mark Presbyterian Church (U.S.A.) Ecophilians Environmental Group, and Co-President, League of Women Voters of Orange Coast (including cities from Seal Beach to Laguna Beach and inland to Laguna Woods, Lake Forest, Mission Viejo and Rancho Santa Margarita)

Re: Proposed Zoning Changes and General Plan Amendments for the Rancho Mission Viejo property without consideration of full reports concerning the Environment from Resource Agencies.

Dear Mr. Shoemaker,

On March 28, 2003, our letter to you began, "The proposal to proceed with development of the Rancho Mission Viejo property while that same property is in the "good faith" process of NCCP program development seems premature and "unfaithful", and disrespectful to Supervisor Wilson. "

"We have been following the NCCP process and Supervisor Wilson's task force on land use and water issues. We are very interested in the Rancho Mission Viejo Development Plan."

As before, we feel that, "The proposed NOP contains 17 areas of important community impacts that the EIR must address. We are concerned with survival of the biological treasures of unique plant and animal species found on the property. We are especially concerned with the assurance of an adequate, reliable, exclusive,

4/23/2004

safe, affordable and high quality drinking water supply that can be guaranteed (in perpetuity and/or certain for at least, say, 40 years). Likewise we are concerned about affordable housing, utilities, and services such as sewer and refuse – re-use and /or disposal – as they might impact the health of the environment and the people expected to live there.”

As you know, the League of Women Voters places a very high priority on availability of information and citizen participation in local and regional land use decisions. While the resource agencies work to complete their scientific studies of the proposed Rancho Mission Viejo Plan, it is not in the best interest of the public to change the zoning or to amend the General Plans. We urge you to continue the public process! Please let the Resource Agencies finish their study and make public their recommendations. Then, we hope that you will consider their advice before changing zones or changing the General Plan!

Date: April 23, 2004

To: Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

Fr: Judith M. Gielow, Co-Chair, St. Mark Presbyterian Church (U.S.A.) Ecophilians Environmental Group, and Co-President, League of Women Voters of Orange Coast (including cities from Seal Beach to Laguna Beach and inland to Laguna Woods, Lake Forest, Mission Viejo and Rancho Santa Margarita)

Re: Proposed Zoning Changes and General Plan Amendments for the Rancho Mission Viejo property without consideration of full reports concerning the Environment from Resource Agencies.

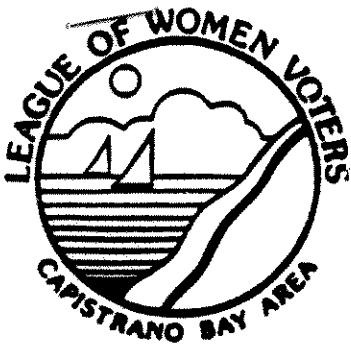
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As you know, the League of Women Voters places a very high priority on availability of information and citizen participation in local and regional land use decisions. While the resource agencies work to complete their scientific studies of the proposed Rancho Mission Viejo Plan, it is not in the best interest of the public to change the zoning or to amend the General Plans. We urge you to continue the public process! Please let the Resource Agencies finish their study and make public their recommendations. Then, we hope that you will consider their advice before changing zones or the General Plan!



LEAGUE OF WOMEN VOTERS of the CAPISTRANO BAY AREA

Cities of Dana Point, Laguna Niguel, San Clemente and San Juan Capistrano

P. O. Box 2174, Capistrano Beach, California 92624-0174

714-249-4477

To:

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

From:

Capistrano Bay Area League of Women Voters
Cities of Dana Point, Laguna Niguel, San Clemente, San Juan Capistrano
P.O. Box 2174 Capistrano Beach, California 92624-0174
Land Use Committee
Mary Brooks, Lyn Harris-Hicks, Mary La Husen, Diane Thomas, Barbara Rosenbaum

Date: April 15, 2004

Mr. Chuck Shoemaker,

It has come to the attention of our Capistrano Bay Area League that the Orange County Planning and Development Services Department is allowing the Rancho Mission Viejo Company to submit a request for General Plan Amendments and Zoning Changes for their proposed development , PA 01-114/ Ranch Plan.

Even though the reasons for presenting this Revised NOP is understandable; the stretching of the resource agencies' resources with the fires and Riverside County needs, the League strongly feels that it is more important for the timing of the N.C.C.P. and the SCORE processes to be allowed to continue as agreed upon by all involved.

The League of Women Voters feels very strongly that the public be given the opportunity to hear the scientific recommendations of the resource agencies in order to be informed of the impacts of the proposed Ranch Plan locally and regionally. This process is more important than any hurried General Plan Amendments or Zone Changes at this time.

Even more important is the public's perception that the N.C.C.P. and S.C.O.R.E processes are working as promised. Thank you keeping us informed.

Please send any reply to the Land Use Committee Chair,
Barbara Rosenbaum, 15 Fontaine Coto de Caza, California 92679
(949)635-0760 Fax-(949)635-0307 barbrosey@aol.com

To: Mr. Chuck Shoemaker 20/4/2004


Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702

From: Paul Carlton, Member of SCORE
3280 Paseo Gallita
San Clemente, CA 92672

Mr. Shoemaker,

As a member of SCORE, I devoted many hours in research, study and discussion of the many issues connected with the Ranch Plan as presented by the Rancho Mission Viejo Co(RMVCo). The basic charge of the SCORE process was that the County submission for a draft EIR and request for a General Plan Amendment(GPA)/Zone Change(ZC)would be put forth simultaneously with the land use evaluations of the Natural Communities Conservation Plan(NCCP), the Special Area Management Plan(SAMP), and the California Environmental Quality Act(CEQA), regarding the portion of the Ranch which should be set aside for endangered species, necessary stream protection, consideration of fire danger, recreational use, avoidance of urban sprawl, increased traffic and many other factors. These critical issues have to be considered before, repeat before, the County considers a General Plan Amendment/Zone Change. The County is permitting the Revised Notice of Preparation to go forward alone without following the process laid out by Supervisor Wilson. It is unfortunate that the Resource Agencies have not been able to complete their work due to other work priorities. This Project, and its implications for the future of South Orange County, are too important to abandon the process and allow the RMVCo. to obtain a GPA/ZC which would increase the value of the property immensely and make it impossible for possible reimbursement to the Company for lands which the Resource Agencies, the surrounding cities(which should be consulted in detail), and SCORE deem not appropriate for development.

Therefore, I ask that you consult with your superiors in the County Government and ask them to put a moratorium on this Revised Notice of Preparation until such time as the process outlined above is followed.

Paul Carlton 
Member of SCORE

CC: Supervisor Tom Wilson

April 3, 2004

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker,

The Revised Notice of Preparation of March 23, 2004 shows that in just over one year The Ranch has decided it can ignore all state and federal laws about environmental protection and public planning of our county's last precious wilderness areas.

Not only does this plan ignore the Federal Endangered Species Act by not even pretending to create contiguous wildlife corridors connecting O'neil and Caspers parks, the Cleveland National Forest with Camp Pendleton, but it ignores California laws protecting current inhabitants from the exorbitant price of increase in county infrastructure demands we can't afford! This plan ignores SB 610 and SB221. We don't have enough water in Orange County to keep expanding homes into our wilderness. The state has lost 20% of its Colorado River water resource. We must adjust to that change. Drinking water and fire protection water are essentials for existence in Southern California. All five desalinization projects, if they come on line in the next ten years do not begin to make up for what we have lost let alone address expanding infrastructure. See the Metropolitan Water District Report of March 25, 2003.

The Ranch Plan still demands 14,000 homes, a new city, five golf courses, and all the roads that connect them instead of leaving as wilderness Orange County's last clean watershed of San Mateo with the wildlife, plants and animals, running free to Trestles.

Chiquita Canyon the entire Planning Area 2 must be preserved for public trails in the wilderness.

Golf courses are not open space. They are a gigantic pollution and death trap for wildlife. Our latest mountain lion kill was because a man stumbled on to one while looking for his golf ball.

The Revised NOP ignores eight threatened and endangered species. The public approved Propositions 40 and 50, showing Californians' concern to preserve our last wilderness areas for future generations.

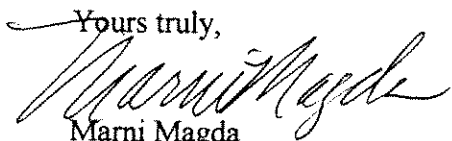
The Open Space acres of this Revised NOP show the Ranch has no need to listen to the public. There is no provision for wilderness. This is a full urbanization of 22,815 acres. This plan includes 2,000 less acres of open space. It pretends that five golf courses are open space. Area 13 pretends a regional park whose acres set aside are basically a creek

with a path at its side. Nothing can be developed in Area 11, but it is surrounded by development, so it doesn't create the open habitat of contiguous corridors that our wild life needs. Its area included in the open space is a bogus gift. Two hundred homes in the top of Area 9 would kill all chance for wildlife corridors connecting Cleveland Forest to Camp Pendleton.

The Ranch Plan also breaks the intent of SB1468 that demands local planners must prohibit encroachment on airports and military bases that will end up in lawsuits. Camp Pendleton must have a conservation easement that protects the military in two ways. Planning area 8 cannot have houses or a golf course that would bring residents into close contact with military training. The second protection is about diminishing wilderness habitat, leaving the military base as the only area left to preserve the threatened and endangered species of Orange County. Camp Pendleton officials have made it clear that any further development of the county's wilderness works against the base's primary purpose, military training. We need a conservation easement. Anyone looking at contiguous corridors understands that Areas 4, 7, 8, and all of 9 must be open wilderness habitat, not open space, but wilderness.

In conclusion, the Ranch Plan is a full destruction of 22,815 acres of the most beautiful wilderness southern California has to offer. We have watched Orange County in the last decade of the developers greed lose its mountain contours that are replaced by deadening plateaus of houses. We have seen the wildlife vanish. We have watched our beaches close from urban development pollution and the ecosystems go dead. We are just beginning to face the future of Orange County without water supply. The Revised Ranch Plan shows no concern for the wilderness or the law. The zoning changes must be stopped in order for public institutions to seek methods to preserve this wilderness. The family has benefited for over a hundred years from the tax basis of the Williamson Act when they saw themselves as stewards of the land. The people of California do not owe that family the right to a zoning change to make billions of dollars. Obey the law. Keep Rancho Mission Viejo's 22,000 acres wild.

Yours truly,

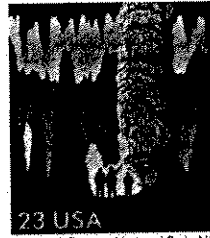


Marni Magda
460 Oak Street
Laguna Beach, CA 92651
(949) 494-1373



Greg Koch
525 W La Palma Ave # 302
Anaheim CA 92801-2432

www.marinemammalcenter.org



Carlsbad Caverns National Park, NM

APR 12 2004

Mr. Chuck Shoemaker
Planning and Development Services
Environmental Planning and Services
300 North Flower Street
Santa Ana, Ca. 92702-4048

Dear Mr. Shoemaker -

Please do not allow the
Rancho to ditch the NCCP.

Yours in Christ Jesus,

Lee Lee

PHONE MEMO	TO	Kelsyen Leedom	DATE	4-14	TIME	2:45	AM PM
	FROM	27587 Via Sequoia	PHONE ()				
	OF	San Juan Capó.	CELL ()				
			FAX ()				
MESSAGE	This lady's daughter received a NOP daughters name spelled above. Wants her daughters name taken off the mailing list.						
	E-MAIL ADDRESS				SIGNED		
PHONED <input type="checkbox"/>		CALL BACK <input type="checkbox"/>	RETURNED CALL <input type="checkbox"/>	WANTS TO SEE YOU <input type="checkbox"/>	WILL CALL AGAIN <input type="checkbox"/>	WAS IN <input type="checkbox"/>	URGENT <input checked="" type="checkbox"/>

PHONE MEMO	TO	Bob Chuck	DATE	4-13	TIME	2:53	AM PM
	FROM	Shay Sumter Sumter	PHONE ()				
	OF	NOP for General	CELL ()				
			FAX ()				
MESSAGE	Plan. Strongly disagree with plan request his name be deleted from mailing list						
	E-MAIL ADDRESS				SIGNED		
PHONED <input type="checkbox"/>		CALL BACK <input type="checkbox"/>	RETURNED CALL <input type="checkbox"/>	WANTS TO SEE YOU <input type="checkbox"/>	WILL CALL AGAIN <input type="checkbox"/>	WAS IN <input type="checkbox"/>	URGENT <input checked="" type="checkbox"/>



California Trails & Greenways Foundation

April 9, 2004

Richard Bishop
San Carlos

Iise M. Byrnes
San Juan Cap.

Mary Cahill
Newcastle

Jeannie Gillen
Murietta

Jim Hasenauer
Woodland Hills

Kathleen Hayden
Santa Ysabel

Joe Inch
Santa Clarita

Nancy Schaefer
Sacramento

Susan Williams
Oakland

Tony Look, Emeritus
Davis

Dick Trudeau, Emeritus
Lafayette

Mr. Chuck Shoemaker
Planning and Development Services Dept.
Environmental Planning Services Division
300 North Flower St.
Santa Ana, CA 92702-4048

Re: G.P. Amendment/Zone Change (PA 01-114) aka The Ranch Plan

We have reviewed the Ranch Plan of February 24, 2004 and the revised plan of March 23, 2004.

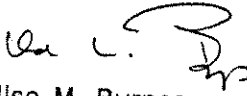
We offer the following comments:
The proposed development plans will have a very negative impact on the last open space in South Orange County. The area involved does very little to protect the existing wilderness areas.

Planning areas # 3 and # 4 are in the immediate vicinity of Caspers Wilderness Park and Riley Wilderness Park. Again this will have a severe impact on this area.

Planning area # 9 states that it will be "open space" yet on page 3 of the revised plan it states that the plan is for "estate housing, a golf course plus 120 casitas" this is not open space or habitat preservation.

In conclusion, we feel that this project is a bad plan for future generations of South Orange County. An alternative plan is needed such as keeping it as permanent open space and habitat conservation. Funding sources are available and should be explored that would allow for purchase of the property.

Sincerely yours


Iise M. Byrnes
Vice President

Fax

To: Mr. Chuck Shoemaker **From:** Dawn Montano
Fax: 714-834-4652 **Pages:** 2
Phone: 714-834-2552 **Date:** 04/23/04
Re: Revised NOP for Rancho Mission Viejo **CC:** [Click here and type name]

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Attached are my comments on the Revised NOP for the General Plan Amendment/Zone Change for Ranch Mission Viejo

Sincerely,

Dawn Montano

April 23, 2004

Dawn Montano
35 Leeds Lane
Aliso Viejo, CA 92656

RE: Comments on the Revised Notice of Preparation for the Ranch Plan/ General Plan Amendment/ Zone Change

Dear Mr. Shoemaker:

I have received the Revised Notice of Preparation for the above mentioned project and appreciate the opportunity to comment on the project. I offer the following comments or concerns:

1. Due to the highly sensitive area and the extreme public controversy associated with the project allowing the project applicant to move forward with the processing of the general plan amendment without completed analysis of the entire project area is poor planning. Doing so would lead me to believe that regardless of the resource agencies results Rancho Mission Viejo (RMV) would be granted the amendment and RMV would be developed without having all the facts. Allowing this would make me doubt the credibility of the County of Orange. If such an action is allowed under CEQA guidelines why was it not referenced in the NOP? Please refer to the section of CEQA guidelines which state an agency is allowed to issue permits in an environmentally sensitive area which has not been fully analyzed by the appropriate resource agencies. Allowing the permits to be issued on such a controversial project would be a poor decision. Especially since this project continually draws hundreds of people in opposition to every public meeting about the Ranch plan. It would not make the County of Orange look plausible.
2. RMV is also seeking to expedite this process because it encountered some delays attributed to the recent major wildfires of 2003. The process has been competing for the attention of the resource agencies, which are already overburdened. That is not justification to expedite a project. Resource agencies as well as public agencies are always understaffed and have huge workloads. RMV should not be granted an expedited process. They need to wait along with the rest of the applicants.
3. Existing infrastructure does not support the current traffic demands in the area and the NOP clearly identifies the completion of the 241 South as its most viable solution. How can you base a project of this magnitude on a project that has yet to be approved, funded or even reviewed by the public? In addition, that project is also highly controversial and will definitely be a heated battle for years to come.
4. The proposed project indirectly impacts many communities along the I-5 corridor and many of these communities were not considered in the NOP. Communities such as Laguna Niguel, Aliso Viejo, and Laguna Hills, will be competing for usage of the off-ramps of the I-5. As it now stands most travel lanes on the ramps are dedicated to cars traveling east. Residents of Laguna Hills, Laguna Niguel and Aliso Viejo must wait in long lines while cars travel

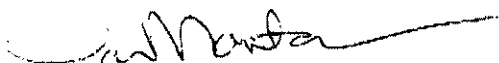
eastbound sometimes have 3 or 4 lanes dedicated to them while westbound traffic has one lane. This situation is only going to degrade with the addition of 14,000 homes. The state budget crisis has delayed and even postponed many transportation projects in the aforementioned areas. RMV will come in and build out the area and allow Caltrans and taxpayers to pay for the necessary improvements due to RMV development. This happens repeatedly and developers always do little to correct the situation. It is imperative that financial contributions are considered necessary. These financial contributions must be described and allocated to the "public" freeway system and clearly identified in the EIR. This means placement of a dollar amount to RMV's contributions.

5. The proposed development would also put added pressure on the watersheds in the area. With a development of this magnitude area streams will be even more polluted. As it is now it is very common to open the Orange County Register and notice a warning for high levels of pollutants in our oceans and this is all primarily due to the large-scale developments that have occurred in southeastern Orange County. A development of this size will surely add significantly to this growing phenomenon. The watershed area needs to be fully analyzed before any part of this process is to move forward.
6. Endangered and threatened species are abundant in the project area and provide a vital linkage to other critical habitats in the county. Part of the area proposed for development has been called a globally significant hotspot. This process separates planning for development from planning for preservation of endangered species. Put science first. The resource agencies should have adequately planned to preserve endangered species BEFORE the county or RMV plans where the development should go. The processes should remain "concurrent."

In closing, the RMV family is not interested in being good stewards to the land but rather wealthy land destroyers. As a 30-year resident of the County of Orange I understand the importance of growth and the need to have strong tax revenue. However, I feel the County of Orange is dangerously close to becoming an unhealthy and an unpleasant environment filled with smog, cars and more strip malls than the residents want. We can still maintain a strong and stable county without the need to develop every bit of open space. Set a precedent and put the residents' desires before the desires of developers. After all, the residents of South County have to live with RMV's development plans and clean up their messes once they have developed and left the area. Let's stop that while we can and leave the land, as it is, so generations to come can enjoy the beauty of the area. Leave the General Plan as it stands and do not allow any amendment or zone changes.

Thank you for the opportunity to comment on this project. I look forward to receiving project updates on this project.

Sincerely,



Dawn Montano
Aliso Viejo Resident

Marianna H. Handler

P.O.Box 3124
Sewanee, TN 37375
Tel. 423-837-3936,
or cell 423-605-5568
e-mail: mariannah@earthlink.net

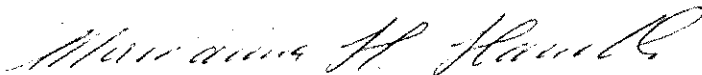
April 5, 2004

Planning and Development Services Dept.
P.O.Box 4048
Santa Anna, CA 92702-4048

To Whom it may concern:

I have left California and am no longer interested in receiving information about plans for the Rancho Mission Viejo or other planned changes in the area. Please take me off your mailing list.

Thank you,
Sincerely



Marianna H. Handler

Marianne Handler
26000 Aeropuerto Ave. #41
San Juan Capistrano CA 92675



PLANNING & DEVELOPMENT SERVICES
DEPARTMENT
300 N. FLOWER STREET
P.O. BOX 4048
SANTA ANA, CALIFORNIA 92702-4048

REVISED NOTICE OF PREPARATION

DATE: March 23, 2004
SUBJECT: Notice of Intent to Prepare Draft Environmental Impact Report #589

Project Title: General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan)
Applicant: Rancho Mission Viejo
Contact: Chuck Shoemaker

Phone: (714) 834-2552

On February 24, 2003, the Orange County Planning & Development Services Department (County) prepared an Initial Study for the Project and determined that an Environmental Impact Report (EIR) is necessary. The Notice of Preparation (NOP), which included a copy of the Initial Study, was distributed for a 30-day review period. Since the NOP was distributed, certain modifications to the Project have been made. The County has elected to prepare a Revised NOP that outlines those changes and solicit input from Responsible and Trustee agencies regarding those changes. To facilitate your review, a copy of the NOP that was previously distributed is attached for your reference.

The County of Orange is the lead agency for the Project and will prepare the EIR under the terms and requirements of the California Environmental Quality Act (CEQA) and the implementing Guidelines for the California Environmental Quality Act (Guidelines). In order for the concerns of your agency to be incorporated into the Draft EIR, we need to know the views of your agency as to the modifications to the Project relevant to your agency's statutory responsibilities in connection with the proposed project. Prior comments provided to the County by your agency on the scope and content of the Draft EIR will be addressed and need not be repeated. Responsible and Trustee agencies must consider the EIR prepared by the County of Orange when considering a permit or approval of the project. The project description, location, and an analysis indicating the probable environmental effects of the proposed action are contained in the attached materials.

The purpose of this notice is: (1) to serve as the Notice of Preparation to potential Responsible and Trustee Agencies required by Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues from interested parties other than potential Responsible and Trustee Agencies, including interested or affected members of the public. The County requests that any potential Responsible or Trustee Agency responding to this notice respond in a manner consistent with Guidelines Section 15082(b).

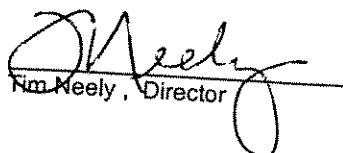
Because an NOP for the Project was previously distributed and comments have already been submitted to the County regarding the Project, any comments submitted in response to this Revised NOP should be limited to address only those changes to the Project as described in this Revised NOP. There is no need to resubmit the comments previously provided on the original NOP for those aspects of the Project that have not changed.

Pursuant to CEQA Section 21080.4, Responsible and Trustee Agencies must submit any comments in response to this notice no later than **30 days after receipt of this notice**. The County will accept comments from these Agencies and others regarding this notice through the close of business, **April 23, 2004**.

All comments or other responses to this notice must be submitted in writing to:

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, California 92702-4048

Submitted by:


Jim Neely, Director

Attachment: 2003 NOP

Local Agencies (County, City, Special Agencies)

City of Huntington Beach
City of San Juan Capistrano
City of San Juan Capistrano

South Coast Water District

Jason Kelley, Assistant Planner
George Scarborough, City Manager
William A. Ramsey, AICP,
Principal Planner
Joseph A. Sovella

Individuals and Businesses

Adrian J. Peters, AICP
Nossaman, Guthner, Knox & Elliott

Residing City/Group Represented

Talega Associates
Gregory W. Sanders

TALEGA
ASSOCIATES, LLC

April 23, 2004

Mr. Chuck Shoemaker
COUNTY OF ORANGE
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street, Third Floor
Santa Ana, CA 92702-4048

Subject: Comments on Revised NOP for GPA/Zone Change PA 01-114 (aka the Ranch Plan)

Dear Chuck,


We have reviewed the Revised Notice of Preparation (NOP) prepared by the County of Orange for General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch plan) dated March 23, 2004. After careful review of the Revised NOP, we have determined that it does not deviate in any substantial way from the NOP originally circulated on February 24, 2003 and as a result we believe there is no reason to provide further comments at this time.

For your convenience we have attached another copy of the March 26, 2003 letter our legal counsel, Greg Sanders, submitted to your attention on behalf of Talega Associates, LLC providing comments on the original NOP. We ask that these comments remain in effect.

We appreciate the opportunity to review the Revised NOP and look forward to continued participation in the review of EIR #589 and the other entitlements for The Ranch Plan.

If you have any questions please feel free to call me at (949) 498-1366.

Sincerely,


Adrian J. Peters, AICP
Senior Project Manager

cc: Pat Hayes, Talega Associates, LLC

attachments

LAW OFFICES
NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

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(1888-1984)

WILLIAM E. GUTHNER, JR.
(1932-1999)

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SACRAMENTO, CA 95814-3705
(916) 442-8888

March 26, 2003

REFER TO FILE NUMBER
200340-0001

VIA MESSENGER

Planning and Development Services
Department
Environmental Planning Services Division
County of Orange
300 North Flower Street
Santa Ana, CA 92702-4048
Attn: Chuck Shoemaker

Re: Comments of Talega Associates, LLC - Notice of Intent to Prepare Draft
Environmental Impact Report No. 589 (The Ranch Plan)

Dear Mr. Shoemaker:

We represent Talega Associates, LLC ("Talega Associates"), owner of the Talega master planned community ("Talega Project") located in and adjacent to the City of San Clemente and the real property that is the subject of the Notice of Intent to Prepare Draft Environmental Impact Report No. 589 (The Ranch Plan) ("Notice of Preparation"), dated February 24, 2003. The purpose of this letter is to comment on the Notice of Preparation.

The Talega Project is a mixed-use, master planned community consisting of approximately 4,000 residential units, 13.2 acres of commercial uses and 67.8 acres of business park space. The Talega Project is the subject of a comprehensive First Amended and Restated Development Agreement by and between Talega Associates, LLC and City of San Clemente, dated February 27, 2002 ("Development Agreement"). The Development Agreement grants to Talega Associates and its successors the vested right to develop the Talega Project in accordance with the Development Agreement and certain land use entitlements set forth in the Development Agreement. To date, approximately fifty-five percent (55%) of the Talega Project has been developed or is under development. Vesting tentative tract maps have been approved for the remainder of the Talega Project. Talega Associates is concerned that the proximity of the area encompassed by The Ranch Plan to the Talega Project may compromise the delicate balance achieved with regard to infrastructure required to accommodate the Talega Project and other

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

Planning and Development Services Department
March 26, 2003
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issues, resulting in significant unavoidable environmental impacts that cannot be mitigated to a level of insignificance.

The specific comments of Talega Associates on the Notice of Preparation are set forth below:

A. Construction of SR-241. The Notice of Preparation contemplates construction of the extension of SR-241 through the area encompassed by The Ranch Plan. For example, in the discussion of Infrastructure Improvements, the Notice of Preparation at page 10 provides that, "The Project reflects the extension of the SR-241 toll road because it is depicted on the master Plan of Arterial Highways." The Ranch Plan also proposes a new interchange at the junction of the proposed Christianitos Road and SR-241 and deletion of the proposed Crown Valley Parkway/SR-241 interchange. It is clear from the Notice of Preparation that construction of the SR-241 extension and Christianitos Road/SR-241 interchange are integral infrastructure improvements necessary to accommodate demands on the traffic circulation system posed by The Ranch Plan. The capacity of the planned SR-241 extension is unknown. Preparation of a federal environmental impact statement assessing the impacts of the proposed SR-241 extension is underway. Preparation of an environmental impact report on The Ranch Plan should be held in abeyance until the environmental impact statement on the proposed SR-241 extension has been completed and the size, location, capacity and environmental impacts of the extension are known.

B. Christianitos Road. The Ranch Plan includes the addition of Christianitos Road to the Master Plan of Arterial Highways to extend from Avenida Pico northerly through Christianitos and Trampas Canyons and connecting at an interchange with the proposed extension of SR-241. This new road will provide a convenient route to Interstate 5 via Avenida Pico. The interchange at Avenida Pico and Interstate 5 is heavily impacted. The environmental impact report for The Ranch Plan should assess traffic impacts on Avenida Pico, particularly as such traffic impacts affect the Avenida Pico/Interstate 5 interchange. Reconstruction of the Avenida Pico/Interstate 5 interchange to increase the capacity of the interchange may be necessary to accommodate the traffic impacts associated with The Ranch Plan.

C. Avenida Talega. It is not clear whether the reference to reclassification of Avenida Talega from a secondary arterial highway to a collector road "within unincorporated Orange County" at page 11 of the Notice of Preparation refers to that portion of Avenida Talega within the Talega Project or The Ranch Plan. Given that Avenida Talega will provide a direct link between the area encompassed by The Ranch Plan and the Talega Project (and City of San Clemente), the impact of traffic generated by The Ranch Plan on the Talega Project and other areas of the City of San Clemente may be very severe. The environmental impact report for The Ranch Plan should thoroughly assess the impacts associated with such traffic and the mitigation measures to address such impacts should include construction of traffic improvements by the proponents of The Ranch Plan.

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

Planning and Development Services Department

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D. Local Circulation Network. The Notice of Preparation at page 14 provides that "much of the local circulation network would be defined at the time tentative tract maps are processed." This approach invites bifurcation of the environmental issues related to traffic impacts, creating a piecemeal approach to assessment of the totality of such impacts in contravention of the California Environmental Quality Act (Pub. Res. Code § 21000, et seq.). To the degree known, assessment of the traffic impacts associated with the local circulation network should be undertaken in the context of the environmental impact report for The Ranch Plan with all other potential traffic impacts.

E. Regional Circulation Plan. The Notice of Preparation proposes deletion of two arterial highways from the Master Plan of Arterial Highways. The Notice of Preparation further provides at page 17 that deletion of the Avery Parkway/Trabuco Creek Road connection will not require an amendment to the County Circulation Plan (presumably, the Circulation Element of the Orange County General Plan) because that facility is located within the City of Mission Viejo. Assessment of the impacts to the regional traffic circulation system, however, must be addressed in The Ranch Plan environmental impact report.

F. Utilities. The Notice of Preparation at page 14 proposes deferring assessment of the size of water and sewer utilities until tentative tract maps are processed. The Notice of Preparation contains sufficient information regarding development of The Ranch Plan to assess the size and measure the impacts of such facilities. In particular, the size of such facilities must be reasonably forecast in order to assess the growth-inducing impacts associated with such facilities.

G. Open Space Designation. The Notice of Preparation at page 17 erroneously characterizes the Orange County General Plan Land Use Element "Open Space" designation as a "holding zone." If true, the 13,544 acres of open space provided for in The Ranch Plan would be available for future land use entitlement and development, requiring that the proponents of The Ranch Plan make reasonable assumptions regarding such future development and analyze such future development in The Ranch Plan environmental impact report. The open space condition of the area encompassed by The Ranch Plan should be used as the base line for assessment of the environmental impacts associated with The Ranch Plan.

H. Prime Farmland. The Notice of Preparation at page 18 proposes amendment of the State's Prime Farmland designation for the area encompassed by The Ranch Plan. The environmental impact report for The Ranch Plan must assess the environmental impacts associated with such an amendment, including the cumulative impacts associated with removal of additional prime farmland from the State's inventory. X

I. Surrounding Land Uses. At page 19, the Notice of Preparation sets forth an inventory of land uses surrounding the area encompassed by The Ranch Plan. The inventory of land uses includes the "Talega Valley" project, (presumably, the Talega Project). The

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

Planning and Development Services Department

March 26, 2003

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discussion, however, distinguishes between such surrounding uses and existing land uses "within the study area." The Ranch Plan will generate environmental impacts including, but not limited to, traffic impacts on most, if not all, surrounding uses. Accordingly, the study area for The Ranch Plan environmental impact report must include all of the identified surrounding land uses. Additionally, the environmental impact report should address environmental impacts associated with proximity of the area encompassing The Ranch Plan to the Camp Pendleton Marine Base and activities performed at the base. Finally, no mention is made of the Donna O'Niell Land Conservancy area. Please see the comments under Paragraph L below regarding proximity of the Donna O'Niell Land Conservancy area to the area encompassed by The Ranch Plan.

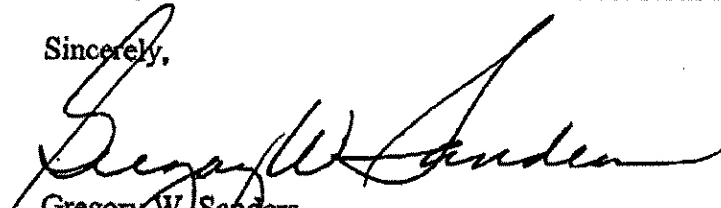
J. Williamson Act Contract Cancellation. The Ranch Plan includes cancellation of the Williamson Act contracts that encumber the area encompassed by The Ranch Plan. The potential growth inducing and other environmental impacts associated with cancellation of the Williamson Act contracts must be assessed in The Ranch Plan environmental impact report.

K. Environmental Analysis Checklist Responses - Transportation/Circulation. The Environmental Analysis Checklist Responses accompanying the Notice of Preparation at Section 7 (Transportation/Circulation) provides that "The segment of Interstate 5 that is parallel to the project site operates at a deficient level of service." As discussed above, The Ranch Plan may produce significant traffic impacts on Interstate 5 and at least one Interstate 5 interchange (Avenida Pico) that is presently operating at a level of service that is less than optimum. The Ranch Plan must assess the traffic impacts such plan will generate with regard to Interstate 5 and interchanges that future residents and commuters of the area encompassed by The Ranch Plan will use.

L. Donna O'Niell Land Conservancy (Talega Reserve Area). Environmental impacts on the Donna O'Niell Land Conservancy area (Talega Reserve Area) associated with development of The Ranch Plan should be assessed. Among other things, traffic circulation and development setback mitigation measures should be analyzed as a means of protecting this pristine wilderness area.

Thank you for the opportunity to review the Notice of Preparation. We look forward to reviewing a revised Notice of Preparation that reflects the comments set forth above.

Sincerely,



Gregory W. Sanders
of NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP

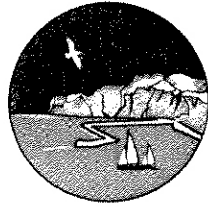
Planning and Development Services Department

March 26, 2003

Page 5

bcc: Pat Hayes (via fax)
Adrian Peters (via fax)

SOUTH COAST



WATER DISTRICT

Providing Quality Water and Wastewater Services to the Coastal Communities

April 27, 2004

Mr. Chuck Shoemaker
Planning and Development Services Dept.
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Shoemaker:

Subject: Notice of Intent to Prepare Draft Environmental Impact Report #589

Metropolitan Water District and Santa Margarita Water District are owners/operators of the South County Pipeline, which is within this project's area. It conveys water further south of South Coast Water District. Please protect all facilities associated with this pipeline. We would appreciate your contacting the operator of this transmission main, Santa Margarita Water District, in this regard.

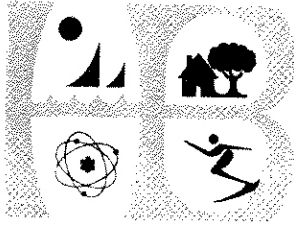
Sincerely,

A handwritten signature in cursive script, appearing to read 'J. Sovella'.

Joseph A. Sovella
Director of Engineering for

Michael P. Dunbar
General Manager

MPD:JAS;jm



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540
374-1648

April 29, 2004

Mr. Chuck Shoemaker
Planning and Development Services Department
Environmental Planning Services Division
300 North Flower Street
Santa Ana, CA 92702-4048

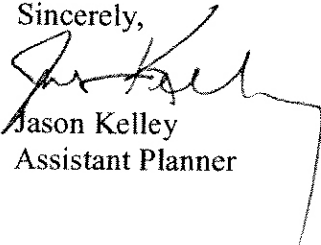
Subject: Notice of Intent to Prepare Draft Environmental Impact report #589

Dear Mr. Shoemaker:

The City of Huntington Beach has reviewed the Notice of Intent to Prepare Draft EIR #589 for General Plan Amendment/Zone Change (PA 01-114) (aka The Ranch Plan) Rancho Mission Viejo. The City of Huntington Beach does not have any comments; however, we would like to review the Draft Environmental Impact Report when available.

Thank you for the opportunity to comment on the proposed project and the City of Huntington Beach looks forward to reviewing the Draft Environmental Impact Report.

Sincerely,



Jason Kelley
Assistant Planner

APR 28 2000 9:38AM CITY OF SAN JUAN CAP/PLAN 949 661 5451



32400 PASO ADELANTO
SAN JUAN CAPISTRANO, CA 92675
(949) 493-1171
(949) 493-1053 (FAX)
WWW.SANJUANCAPISTRANO.ORG

MEMBERS OF THE CITY COUNCIL
DANIEL BATHICATI
JOHN S. GELFF
WYATT HART
JOE SOTO
DAVID M. SWERTZIN
CITY MANAGER
GEORGE SCAMORUKA

March 26, 2003

Planning and Development Services Department
Environmental Planning Services Division
Attention: Chuck Shoemaker
300 North Flower Street
Santa Ana, California 92702-4048

Subject: Response to the Notice of Preparation of Draft Environmental Impact Report 589 for "The Ranch Plan" (PA 01-0114) SCH#2003021141 (our file: Inter-jurisdictional Project Review 2001-03, Rancho Mission Viejo)

Dear Mr. Shoemaker:

We appreciate the opportunity to comment on the Notice of Preparation (NOP) for the proposed Environmental Impact Report (EIR). The significant magnitude of this proposed project coupled with its close proximity to our City could result in potentially significant impacts which we believe need to be thoughtfully considered.

We understand that the County of Orange is preparing an Environmental Impact Report for Rancho Mission Viejo's "The Ranch Plan" which would result in the development of up to 14,000 dwelling units, 130 acres of urban activity center uses, 258 acres of business park uses, 39 acres of neighborhood retail uses, up to four golf courses, a proposed 1,079 acre regional park, and about 13,161 acres of open space area. A 420-acre portion of the proposed open space would include up to 100 home sites, a private golf course with a limited number of associated attached dwelling units and equestrian facilities. Development is planned to occur over approximately 30 years. We understand those ranching activities would also be retained within a portion of the proposed open space area. The infrastructure would be constructed to support all of these uses, including road improvements, utility improvements and schools. The number and locations of the schools will be further refined during the entitlement review processes. Existing agricultural uses may also be expanded as a result of project implementation.

We understand development would occur over a period of 30 years. However, a phasing plan has evidently not been developed for the property. In order to conduct the environmental impact report analysis, a phasing plan will be necessary and the applicant should be requested to submit the same. The phasing plan could depict relative as opposed to actual time frames of development.



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Planning and Development Services Dept.
Environmental Planning Services Division

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While this project will require preparation of a full environmental impact report covering all topical areas under California Environmental Quality Act, areas of particular concern to the City include the following:

Aesthetics. Given the intensity and location of proposed development directly adjacent to the City to the east, especially Planning Areas 1 and 11, aesthetic impacts on the City of San Juan Capistrano may be potentially significant. The environmental impact report needs to study and address potentially significant aesthetic impacts considering the following

- Views of the project from arterial streets within the City including Ortega Highway and San Juan Creek Road.
- Views from Ortega Highway approaching the City, as well as views of the City edge from La Pata Avenue northbound and Antonio Parkway southbound.
- Views of major ridgeline and slope grading within Planning Areas 1 and 11
- Views of the project with respect to removal of the existing agricultural citrus groves located in Planning Area 1, on the hillside north of Ortega Highway
- Views along Ortega Highway and alterations to the roads scenic corridor value which reflects the City's rural, agricultural heritage.
- Views of project areas in Planning Area 1 resulting in the removal of existing groves adjacent to Ortega Highway.

Aesthetic impacts should be assessed using digitized photographic simulation and indicate "before" and "after" views. Such analysis needs to consider the fact that Ortega Highway is a designated "scenic drive" under the City's General Plan Conservation and Open Space Element. Also, the impact analysis needs to consider the provisions of the City's General Plan Community Design Element with respect to hillside development and ridgeline preservation. Finally, the City's major trail system provides public vistas which would be significantly impacted by the proposed development. The environmental impact report consulting contract needs to include adequate provision for extensive view impact analysis.

The environmental impact report consulting contract should include provisions for the preparation and analysis of up to fifteen (15) view locations, using "digitized photographic simulations" in order to determine potentially significant aesthetic impacts on the City of San Juan Capistrano. The view locations should be selected in consultation with City staff. The environmental impact report aesthetic impact analysis should evaluate view impacts in the context of the City's General Plan Conservation and Open Space Element and Community Design Element

In addition, mass grading of Planning Area 1 could be more extensive than now envisioned in order to provide slope stabilization. Planned soils and geological testing of the project site may reveal existing conditions requiring remedial geological stabilization which could involve more extensive grading and landform alteration than that assessed solely as part of the aesthetic analysis.

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Planning and Development Services Dept.
Environmental Planning Services Division

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Consequently, the soils and geology testing needs to be concluded prior to completing the aesthetic impact analysis, in particular for those views of the ridgelines and hillsides forming Planning Area 1 so as to assess the limits of grading based on any potential geological remedial grading.

Air Quality. Short-term air quality impacts in the form of respirable particulate matter (PM10) associated with the substantial project grading, could result in potentially significant impacts to residents in the area. The environmental impact report needs to address potentially significant short-term air quality impacts related to site grading and construction. The City is particularly interested in the grading and development of Planning Area 1, where such development has the potential to directly affect existing residents in the City. Diurnal winds and air movement will transport airborne particulate matter into the City affecting residents and their property.

The environmental impact report air quality analysis needs to use a methodology which assesses construction-related air quality impacts by considering the extent and duration of grading, the micro climatic conditions, especially prevailing winds, and the proximity of grading to existing residential neighborhoods in the City of San Juan Capistrano. Also, the City has established a written policy for mitigating grading impacts through City Council Policy 422, Standards for Grading Projects to Minimize Impacts which the County should impose on grading activity in Planning Area 1.

Biological Resources. The project site includes extensive arroyos, stream corridors, rangelands, and canyons which provide habitat for State and Federally-protected plant and animal species. San Juan Creek, in particular, is of interest to the City and has the potential to provide enhanced habitat for multiple species, especially those listed as "endangered" or "threatened." On December 16, 1994, the United States Fish and Wildlife Service (USFWS) designated the Arroyo toad (*Bufo californicus*) as an "endangered" species. We also understand that previous field work conducted in the context of the Natural Communities Conservation Program (NCCP) San Juan Creek provides important habitat information.

The environmental impact report needs to include provisions for extensive field testing to determine the habitat range and presence of the Arroyo toad (*Bufo californicus*) and other listed riparian flora and fauna, consistent with all current United States Fish and Wildlife Service (USFWS) protocols. Field testing should be supplemented with Spring 2000 stream corridor surveys to provide updated and relevant information to determine potentially significant biological impacts and to identify alternative land planning concepts which would mitigate impacts to these species.

The Natural Communities Conservation Program (NCCP) establishes the concept of connectivity to maintain biological diversity between open space reserve areas. While Planning Area 11 provides the opportunity for an important habitat linkage between the City's extensive open space (almost 1000 acres of natural open space located between

APR 28 2000 9:39AM CITY OF SAN JUAN CAP/PLAN 949 661 5451

Planning and Development Services Dept.
Environmental Planning Services Division

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San Juan Creek Road and San Clemente) and the San Juan Creek corridor, Planning Area 1 establishes a barrier between San Juan Creek and the Ladera Open Space conservancy lands which extend along the westerly edge of Ladera south of Trabuco Creek. A substantial buffer of between two-thousand and two-thousand five-hundred feet in width along the easterly City limit would create an important and beneficial habitat linkage connecting the City's open space, the San Juan Creek corridor, the Ladera Conservancy, and Trabuco Creek.

The environmental impact report needs to assess an alternative which would provide a habitat linkage in the form of a substantial buffer area, between two-thousand and two thousand five-hundred in width along the easterly City limit connecting the City's open space, the San Juan Creek corridor, the Ladera Conservancy lands, and the Trabuco Creek corridor.

Cultural Resources. The San Juan Creek corridor and adjoining lands represent areas with relatively high potential for pre-historic (pre-European occupation) Native American habitation. Along Trabuco Creek within the City of San Juan Capistrano, evidence of pre-historic villages and encampments has been discovered. The ancient village of Putuideni, a relatively large Juaneño village, was likely located along Trabuco Creek near the present day intersection of Camino Capistrano and Junipero Serra Road. It's likely that similar Native American habitation occurred along portions of San Juan Creek.

The environmental impact report needs to include provisions for extensive field testing to determine the location, extent, and nature of pre-historic Native American habitation, in particular, villages and encampments. The City asks that cultural resource reports be prepared consistent with City Council Policy 601, Historic, Archaeological and Paleontological Resource Management.

In addition, pre-historic human burials have been uncovered during grading activity and may exist on the project site. Archeologic and paleologic monitoring should be performed on all grading operations on the project site.

Geology And Soils. The Capistrano Formation, the dominant geological formation of the coastal hillsides of South Orange County, likely extends into the coastal hills east of and adjacent to the City. This geological formation is most notable for its lack of geological stability and the presence of both surficial landslides as well as deep, ancient landslides. There have been several instances where properties in both San Clemente and San Juan Capistrano have experienced mass land movement and subsidence where development on the Capistrano Formation occurred prior to the current state of knowledge. We are particularly interested in the proposed development of Planning Area 1 which directly adjoins the City to the east, where grading and landform alteration have the potential to directly and indirectly affect existing residential neighborhoods in our City. Grading and development in Planning Area 1, if not conducted in recognition of existing geologic

APR 28 2000 9:39AM CITY OF SAN JUAN CAP/PLAN 949 661 5451

Planning and Development Services Dept.
Environmental Planning Services Division

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March 26, 2003

conditions, could potentially precipitate land movement and subsidence along the easterly City boundary.

The environmental impact report consulting contract should include provisions for extensive soils and geological testing beginning with the preparation of a research design which evaluates existing geological maps of the area, recent and historic aerial photographs of the area, and topographic maps to determine likely areas of geological instability. The purpose of the research design effort would be to establish a program for field testing that identifies the location of test trenches, auger-bucket borings and hollow-stem borings. The research design and proposed field testing program, for those development areas situated directly east of the City (Planning Area 1), should be subject to review and comment by the City of San Juan Capistrano.

Hydrology And Water Quality. The environmental impact report will need to address the potential stormwater drainage and water quality impacts of the proposed development. The U.S. Army Corps of Engineers are presently completing preparation of a flood management report on the San Juan Creek Watershed. Presently, the City of San Juan Capistrano and other local agencies are evaluating local design options that would preclude significant modifications to present flood control improvements. While the project will need to incorporate extensive use of water retention and detention basins to minimize drainage impacts and improve water quality, the project site also presents a unique opportunity to incorporate design features that will create significant benefits, in terms of both water quality management and flood control, to the project and adjacent jurisdictions.

The environmental impact report should evaluate design features which mitigate not only the project's drainage and water quality impacts, but addresses 100 year flood conditions on downstream improvements and any existing deficiencies in existing flood control. Storm drainage and water quality improvements in excess of those necessary to address the project's impacts would likely require funding by public agencies including the Orange County Flood Control District and/or the U.S. Army Corps of Engineers.

Mass grading and the location of development along stream corridors has the potential to exacerbate drainage and flooding problems on downstream properties in the City of San Juan Capistrano. The project needs to prepare and submit a conceptual storm drainage plan and a conceptual water quality management plan.

The environmental impact report consulting contract should include provisions for the analysis of the proposed project's conceptual storm drainage plan and conceptual water quality management plan. The conceptual stormwater drainage plan and accompanying hydrology analysis should assume worst-case scenario baseline conditions for the 100 year flood within the San Juan Creek watershed and identify appropriate improvements at a conceptual level to mitigate the potential drainage and flood impacts of the proposed project. The conceptual water quality management plan should be analyzed with respect to the standards and conditions established by the San Diego Regional Water Quality

APR 28 2000 9:40AM CITY OF SAN JUAN CAP/PLAN 949 661 5451

Planning and Development Services Dept.
Environmental Planning Services Division

6

March 26, 2001

Control Board's applicable National Pollution Discharge Elimination System Requirements (NPDES) regional permit.

Land Use And Planning. The City's historical growth pattern has resulted in a defined community core bordered by employment and moderate density housing which is bordered by low-density residential development.

The environmental impact report needs to include an assessment of land use compatibility of Planning Area 1 based on the City's current development pattern and the pre-dominant low density residential development along the easterly City limit in the context of the City's historical development pattern.

As part of the alternatives analysis, the environmental impact report should analyze an alternative development plan which designates Planning Area 1 for transitional open space and low density residential use, consistent with development within the City so as to establish distinct community identities between The Ranch and the City of San Juan Capistrano. The alternative plan should create a defined "core" in Planning Area 3 which reinforces the identity of the ultimate incorporated City that will evolve from The Ranch Plan.

Public Services. The proposed project must ultimately meet the Local Agency Formation Commission objective of providing a full compliment of urban services and possess the long-term fiscal viability to support incorporation. Planning Areas 1 and 11 directly adjoin the City of San Juan Capistrano and may be more effectively serviced by San Juan Capistrano.

The environmental impact report needs to evaluate the potential fiscal viability of The Ranch Plan to support incorporation. In addition, the environmental impact report needs to assess an alternative which would involve annexation of Planning Areas 1 and 11 into the City of San Juan Capistrano.

As the Ranch is aware, the City is presently constructing a groundwater recovery plant within the City to increase our independence and rely more on locally produced water. The environmental impact report needs to assess the development plan with respect to potential impact on groundwater recharge in the basin. To the extent the project incorporates detention basins and holding ponds for landscape irrigation and related purposes, the project would provide opportunities to recharge the San Juan groundwater basin.

Noise. Ortega Highway has long been a source of noise impacts to existing residential neighborhoods which border Ortega. Those neighborhoods existed long before a policy of suburban development governed County land use planning. The proposed project will increase traffic volumes substantially along Ortega with associated noise impacts.

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March 26, 2003

The environmental impact report needs to include a comprehensive noise impact analysis of mobile noise sources along the Ortega Highway between the easterly City limit and Interstate 5. To the extent the project may result in significant noise impacts, the project needs to provide appropriate mitigation. Providing alternative road connections to the project outside the City so as to minimize traffic volume increases on Ortega Highway should be an alternative that is discussed in assessing noise impacts.

In addition, the environmental impact report needs to assess the potential impact of construction-related noise on residential neighborhoods in San Juan Capistrano, in particular, from grading and construction activity in Planning Area 1. Staging areas for grading equipment and construction should be located as far as possible from existing neighborhoods.

Transportation. The project will result in potentially significant traffic impacts on arterial street intersections and links within the City of San Juan Capistrano which will need to be analyzed in the project traffic impact analysis. Given the magnitude of the proposed project and its potential impact on the City's arterial street, the traffic impact study needs to include the City's "Master Plan of Streets and Highways" street system within the project's traffic impact analysis study area.

The traffic impact analysis, for those arterial links and intersections within our City, should comply with City Administrative Policy #310.

The environmental impact report's traffic impact study should include the City's "Master Plan of Streets and Highways" street system within the project study area in compliance with City Administrative Policy #310, Preparation & Use of Traffic Studies. Prior to inclusion in the draft environmental impact report, the County will solicit review and comment on the draft traffic impact analysis from the City of San Juan Capistrano for that portion of the project study area situated within the City's corporate limits.

Where the project would significantly impact existing arterial streets, the project will have to construct necessary street improvements or pay circulation program fees to mitigate those impacts. We endorse a collaborative process working with Orange County Transportation Authority (OCTA) in formulating a mitigation plan which will maximize the effectiveness of mitigating improvements and circulation fee funding.

We strongly support the concept of a realigned Ortega Highway through the proposed project which will preserve the scenic corridor value of that road east of the City while potentially minimizing traffic impacts.

As a circulation alternative, we recommend that the environmental impact report evaluate the potential extension of Avery Parkway from its current terminus to existing Ortega Highway/realigned Ortega Highway. Avery Parkway has the potential to provide needed

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capacity now being accommodated by Crown Valley Parkway in Mission Viejo, and Ortega Highway.

Again, we appreciate the opportunity to comment on the Notice of Preparation for this project. When available, coordinate your technical report preparation with Thomas Tomlinson, Planning Director and Bill Ramsey, Principal Planner in the Planning Department. Please add the following staff to your public notice mailing list for this project

George Scarborough, City Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

Thomas Tomlinson, Planning Director
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

William Ramsey, AICP, Principal Planner
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

We've also established a public notice mailing list to supplement the County's list and will forward that list to you in MS Word format. We ask that supplement your project public notice mailing list so that property owners within the City potentially affected by this project have the opportunity to participate in the public decision-making process.

We look forward to working with you and your staff on this significant project.

Sincerely,



George Scarborough
City Manager

Enclosures: City Council Policy 422, Standards for Grading Projects to Minimize Impacts
Administrative Policy 310, Preparation and Use of Traffic Studies.

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cc: Tom Tomlinson, Planning Director
William Ramsey, AICP, Principal Planner
Douglas Dumhart, Principal Management Analyst
William Huber, Engineering & Building Director
Sam Shoucair, Senior Engineer
Alan Oswald, Senior Engineer-Traffic

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MEMBERS OF THE CITY COUNCIL

SAM ALLEN
DIANE BAKER
WYATT
JOE SAGE
DAVID M. SWANSON

April 23, 2004

Planning and Development Services Department
Environmental Planning Services Division
Attention: Chuck Shoemaker
300 North Flower Street
Santa Ana, California 92702-4048

Subject: Response to the Notice of Preparation of Draft Environmental Impact Report 589 for "The Ranch Plan" (PA 01-0114) SCH#2003021141 (our file: Inter-jurisdictional Project Review 2001-03, Rancho Mission Viejo)

Dear Mr. Shoemaker:

We appreciate the opportunity to comment on the Notice of Preparation (NOP) for the proposed Environmental Impact Report (EIR). As you know, the City has previously prepared extensive comments on previous Notices of Preparation for this project. The significant magnitude of this proposed project coupled with its close proximity to our City could result in potentially significant impacts which we believe need to be thoughtfully considered in the environmental impact report.

We incorporate our earlier comments on the Notice of Preparation, specifically those NOP comments included in our March 26, 2003 letter, a copy of which is attached. As we've previously stated, transportation impacts of this project and how Rancho Mission Viejo proposes to mitigate those impacts are of primary importance to our City. It is crucial that Rancho Mission Viejo establish a phased development plan which clearly indicates those arterial street improvements that will need to be constructed in conjunction with specific phases of development. The traffic impact analysis must not only identify the required necessary arterial street improvements, but the specific timing of such improvements with respect to development phasing. The City of San Juan Capistrano will expect that the project fully mitigate direct project impacts through physical street improvements and mitigate indirect project impacts through payment of transportation mitigation funds.

In addition, the EIR should address all indirect impacts from offsite roadway improvements needed to support the project. Specifically, the EIR should fully address the indirect impacts of any street improvements proposed on Ortega Highway and other roadways within City limits, including but not limited to aesthetics and view impacts to City-designated scenic roads, traffic noise and air quality impacts on adjacent residential uses, cultural resource impacts from road grading and excavation, and other related affects. A Statement

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Chuck Shoemaker
Notice of Preparation (NOP) Response
EIR 589, The Ranch Plan

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April 23, 2004

of Overriding Considerations will not be considered an acceptable method by the City to address the project's direct and indirect transportation impacts on the City.

In addition, the environmental impact report needs to address water resource issues. With respect to water resources, the City's basic interest is that this project does not adversely impact the amount or quality of historic runoff conveyed by San Juan Creek and its tributaries, so as to adversely impact the quality or quantity of San Juan Basin surface water or ground water.

- 1) Any planned groundwater extraction from the San Juan Basin needs to be addressed, in particular with respect to other users allocations from the San Juan Basin.
- 2) The impact of the project on groundwater recharge, and maintaining minimal flow volumes within San Juan Creek so as to provide adequate recharge of the groundwater basin needs to be addressed.

The City requests a copy of the Santa Margarita Water District's water supply assessment study which is to be prepared. In addition, we request the opportunity to review the proposed mass grading concept and evaluate how drainage patterns would be affected by this project.

Again, we appreciate the opportunity to comment on the Notice of Preparation for this project. When available, please provide copies of technical reports to our Planning Department. Also, please add the following staff to your public notice mailing list for this project:

Dave Adams, City Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

Molly Bogh, Planning Director
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

William Ramsey, AICP, Principal Planner
City of San Juan Capistrano
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San Juan Capistrano, CA 92675

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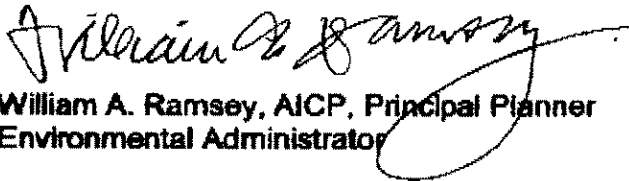
Chuck Shoemaker
Notice of Preparation (NOP) Response
EIR 589, The Ranch Plan

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We are preparing a public notice mailing list to supplement the County's list and will forward that list to you in MS Word format. We ask that supplement your project public notice mailing list so that property owners within the City potentially affected by this project have the opportunity to participate in the public decision-making process. We look forward to working with you and your staff on this significant project.

Sincerely,



William A. Ramsey, AICP, Principal Planner
Environmental Administrator

Enclosures: March 26, 2003 Notice of Preparation (NOP) Comment Letter on EIR 589
The Ranch Plan

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cc: Dave Adams, City Manager
William Huber, Assistant City Manager
Douglas Dumhart, Principal Management Analyst
Molly Bogh, Planning Director
Ray Holland, Interim Engineering & Building Director
Dan McFarland, Development Services Manager
Alan Oswald, Senior Engineer-Traffic
Ziad Mazboudi, Senior Civil Engineer-Water Quality