



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)
<b>Project Total (22,850 acres)</b>	<b>Project Total (22,815 acres)</b>

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:

<b>Original PC-Planned Community</b>	<b>Revised PC-Planned Community</b>
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
<b>Project Total: 22,850 acres</b>	<b>Project Total: 22,815 acres</b>

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.

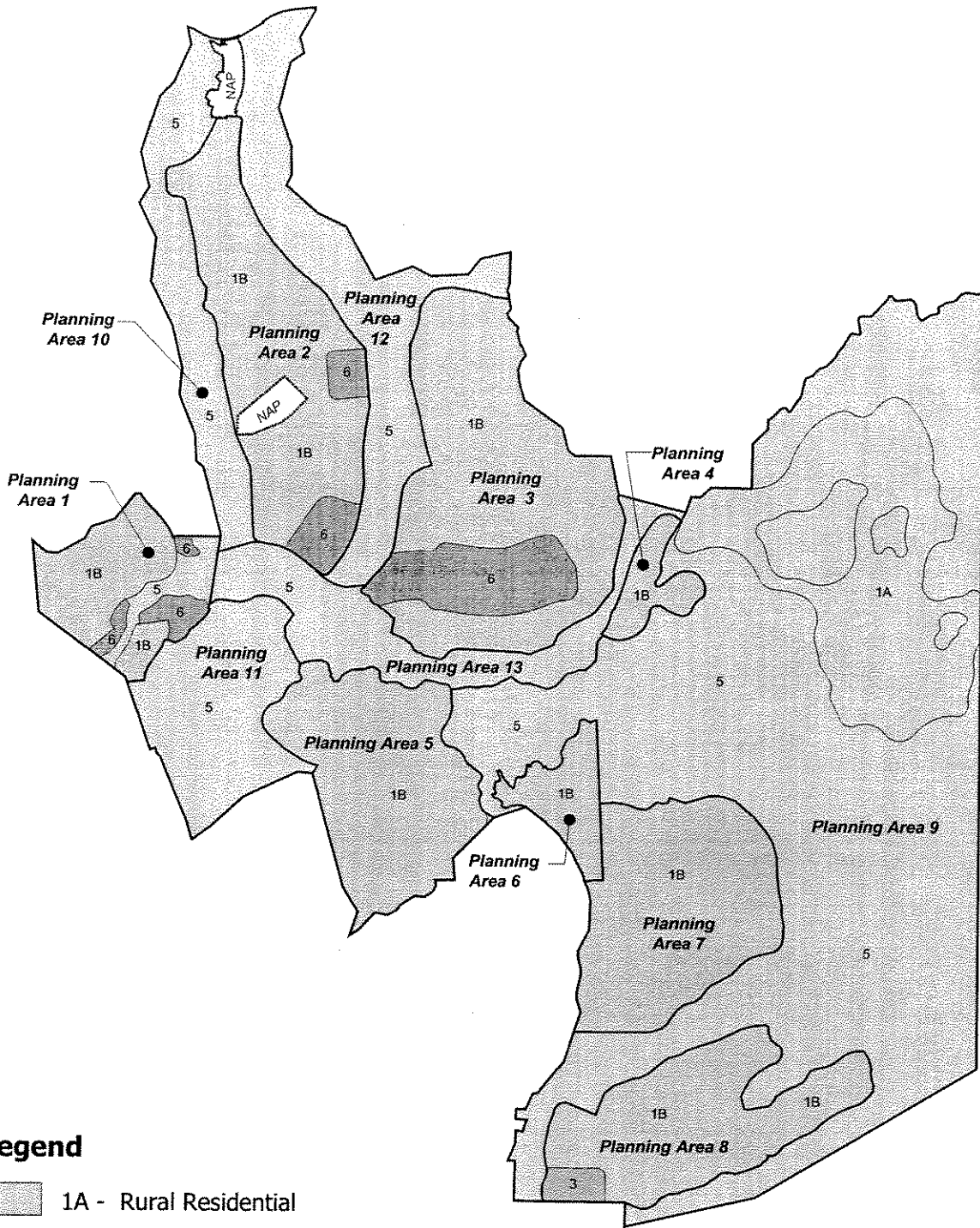
Meanwhile, plans for the proposed Ranch Plan project have been refined and preparation of the Ranch Plan EIR has moved forward, utilizing the baseline environmental data that has already been gathered, and the framework for environmental analysis that has been established, pursuant to the NCCP/HCP and 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.

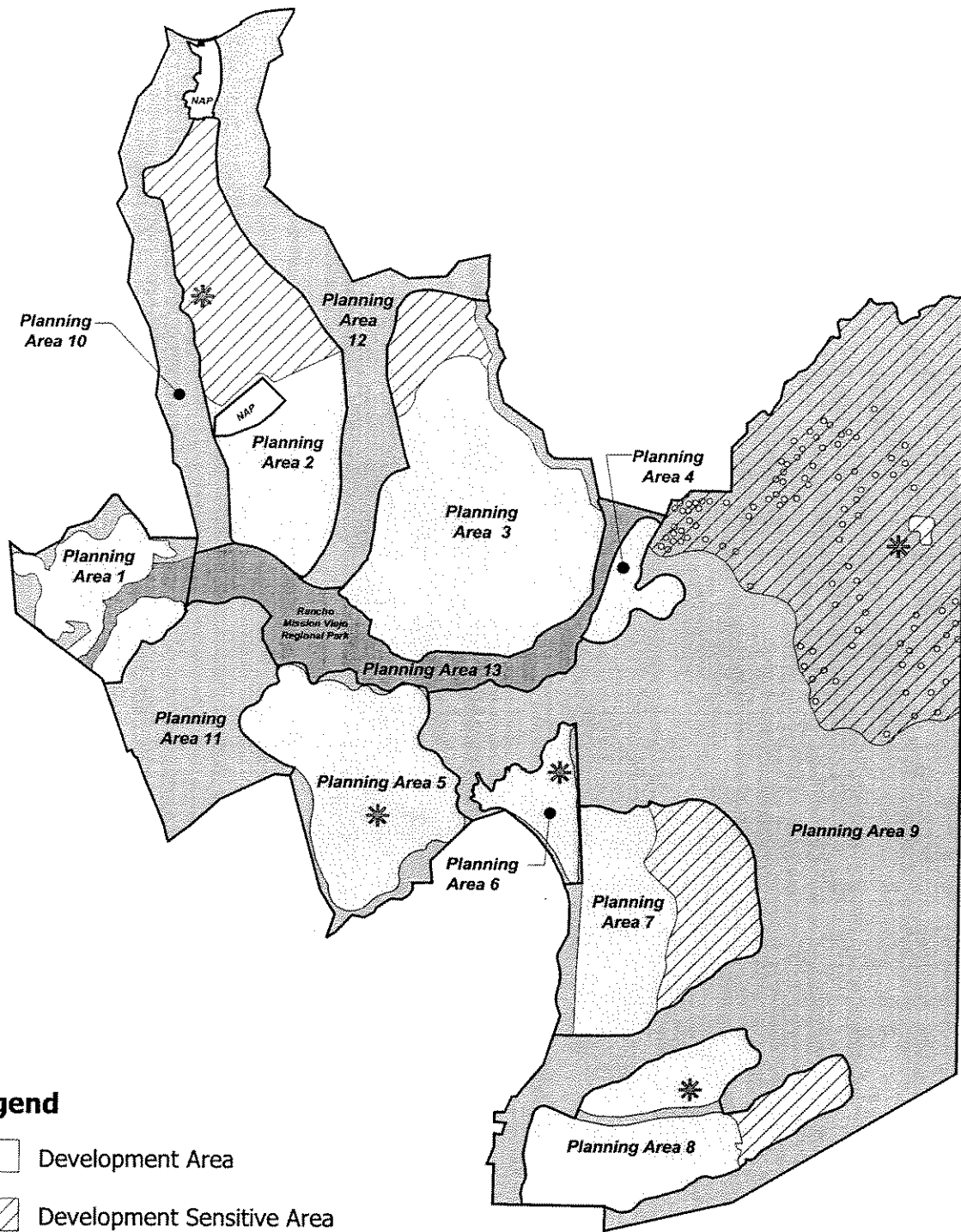
**Length for Implementation**

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	
<b>Total**</b>	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. Tippetts, 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-I-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

5816 CORPORATE AVE.  
SUITE 200  
CYPRESS  
CALIFORNIA  
90630-4731

PHONE  
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INTERNET  
[consrv.ca.gov](http://consrv.ca.gov)

ARNOLD  
SCHWARZENEGGER  
GOVERNOR

**Mr. Chuck Shoemaker – Orange County Planning and Development Services**

**Department**

April 19, 2004

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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.<sup>1</sup> 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).

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<sup>1</sup> 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.

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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

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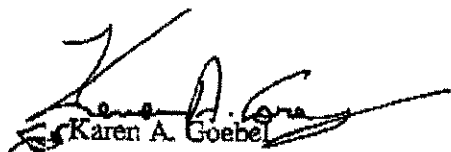
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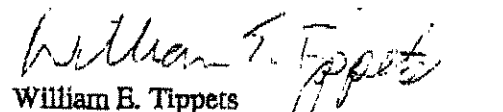
SAA notification form may be obtained by writing to the Department of Fish and Game, 4949 Viewridge Avenue, San Diego, California 92123-1662, or by calling (858) 636-3160, or by accessing the Department's web site at [www.dfg.ca.gov/1600](http://www.dfg.ca.gov/1600). The Department's SAA Program holds 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

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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  
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 Carlsbad, California 92009  
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CA Dept. of Fish & Game  
 4949 Viewridge Avenue  
 San Diego, California 92123-1662  
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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,

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 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](http://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/](http://www.dhs.ca.gov/ps/ddwem/)

The Ranch Plan (State Clearinghouse No.: 2003021141)

Page 2

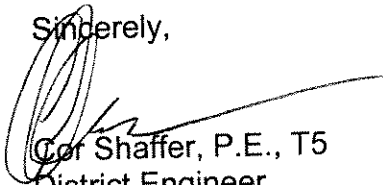
April 19, 2004

**§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,



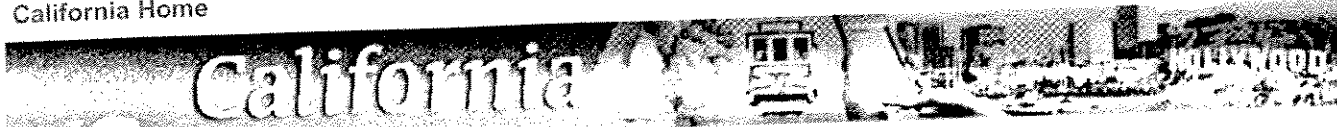
Cor Shaffer, P.E., T5  
District Engineer  
Santa Ana District

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		<b>Notice of Preparation</b>	<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>
East of the City of San Juan Capistrano in the Vicinity of Ortega Highway E-of Antonio Parkway		<b>Notice of Preparation</b>	<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>

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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.

Resources Agency  
 Resources Agency  
Nadell Gayou

Dept. of Boating & Waterways  
Suzi Betzler

California Coastal Commission  
Elizabeth A. Fuchs

Colorado River Board  
Gerald R. Zimmerman

Dept. of Conservation  
Roseanne Taylor

California Energy Commission  
Environmental Office

Dept. of Forestry & Fire Protection  
Allen Robertson

Office of Historic Preservation  
Hans Kreutzberg

Dept. of Parks & Recreation  
B. Noah Tilghman

Environmental Stewardship Section

Reclamation Board  
Lori Buford

Santa Monica Mountains Conservancy  
Paul Edelman

S.F. Bay Conservation & Dev'L Comm.  
Steve McAdam

Dept. of Water Resources  
Nadell Gayou

Fish and Game  
 Dept. of Fish & Game  
Scott Flint

Environmental Services Division

Dept. of Fish & Game 1  
Donald Koch

Region 1

Dept. of Fish & Game 2  
Banky Curtis

Region 2

Public Utilities Commission  
Ken Lewis

State Lands Commission  
Jean Sarino

Tahoe Regional Planning Agency (TRPA)  
Cherry Jacques

Business, Trans & Housing

Caltrans - Division of Aeronautics  
Sandy Hesnard

Caltrans - Planning  
Ron Helgeson

California Highway Patrol  
John Olejnik

Office of Special Projects  
John Olejnik

Housing & Community Development  
Cathy Creswell

Housing Policy Division

Dept. of Transportation

Dept. of Transportation 1  
Mike Eagan

District 1

Dept. of Transportation 2  
Don Anderson

District 2

Dept. of Transportation 3  
Jeff Pulverman

District 3

Dept. of Transportation 4  
Tim Sable

District 4

Dept. of Transportation 5  
David Murray

District 5

Dept. of Transportation 6  
Marc Blimbaum

District 6

Dept. of Transportation 7  
Stephen J. Buswell

Dept. of Transportation 8  
Linda Grimes

District 8

Dept. of Transportation 9  
Gayle Rosander

District 9

Dept. of Transportation 10  
Tom Dumas

District 10

Dept. of Transportation 11  
Bill Figge

District 11

Dept. of Transportation 12  
Bob Joseph

District 12

Cal EPA

Air Resources Board

Airport Projects  
Jim Lerner

Transportation Projects  
Kurt Karperos

Industrial Projects  
Mike Tolstrup

California Integrated Waste Management Board  
Sue O'Leary

State Water Resources Control Board  
Jim Hockenberry

Division of Financial Assistance

State Water Resources Control Board  
Steven Herrera

Student Intern, 401 Water Quality Certification Unit  
Division of Water Quality

State Water Resources Control Board  
Steven Herrera

Division of Water Rights

Dept. of Toxic Substances Control  
CEQA Tracking Center

RWQCB 1  
Cathleen Hudson

North Coast Region (1)

RWQCB 2  
Environmental Document Coordinator

San Francisco Bay Region (2)

RWQCB 3  
Central Coast Region (3)

RWQCB 4  
Jonathan Bishop

Los Angeles Region (4)

RWQCB 5S  
Central Valley Region (5)

RWQCB 5F  
Central Valley Region (5)

Fresno Branch Office

RWQCB 5R  
Central Valley Region (5)

Redding Branch Office

RWQCB 6  
Lahontan Region (6)

RWQCB 6V  
Lahontan Region (6)

Victorville Branch Office

RWQCB 7  
Colorado River Basin Region (7)

RWQCB 8  
Santa Ana Region (8)

RWQCB 9  
San Diego Region (9)

Other

Last Updated on 01/12/04



# 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?

Chuck Shoemaker  
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  
Page 4

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

Page 7

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

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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.

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**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.*

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**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

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**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 3<sup>rd</sup> 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

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**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

**F A X**

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**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 &amp; 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.

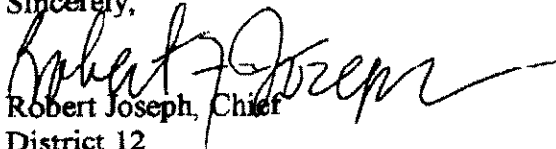
**Caltrans District 12 is a responsible agency on this project and has the following comments**

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](http://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 them 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,

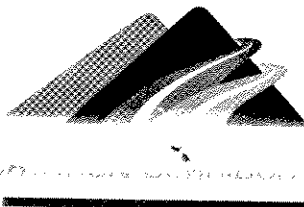
*Gail Farber*

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  
[www.thefollroads.com](http://www.thefollroads.com)

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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](mailto:genebegenll@ofca.org)

8315 Century Park Court  
San Diego, CA 92123



# Fax

<b>To:</b> Mr. Chuck Shoemaker	<b>From:</b> Chris Terzich
<b>Fax:</b> (714) 834-4652	<b>Pages:</b> 8
<b>Phone:</b> N/A	<b>Date:</b> 04/23/2004
<b>Re:</b> Revised Notice of Preparation (NOP)	<b>CC:</b> N/A

Urgent     For Review     Please Comment     Please Reply     Please Recycle

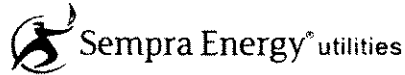
• **Comments:** Per Mr. Terzich's request, enclosed, please find the following documents.

Original to follow by Certified Mail.

Thank you,

*Lillian L. Bocaletti*  
Lillian L. Bocaletti





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. 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.

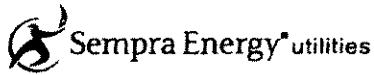
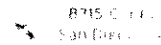
SDG&E will continue to work with the County and the project proponents to ensure that critical electrical and natural gas facilities are provided in a safe and reliable manner for the project site and the region.

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**

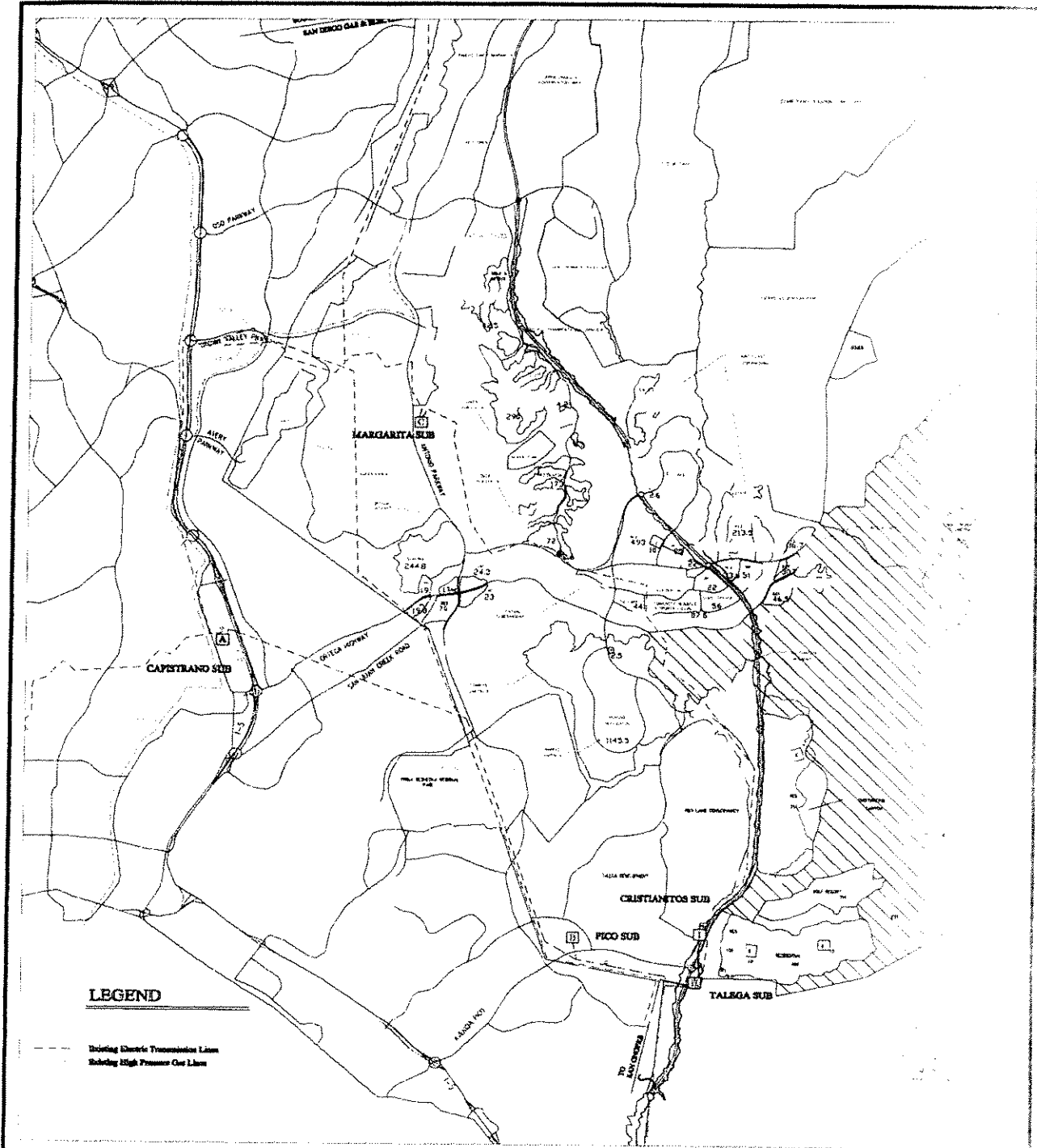
This plan is preliminary based on existing information. The timing and exact locations of facilities are subject to change based on new information, timing of growth, and other variables that could be encountered as the project develops, or during the detailed design or approval process. It is expected 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**

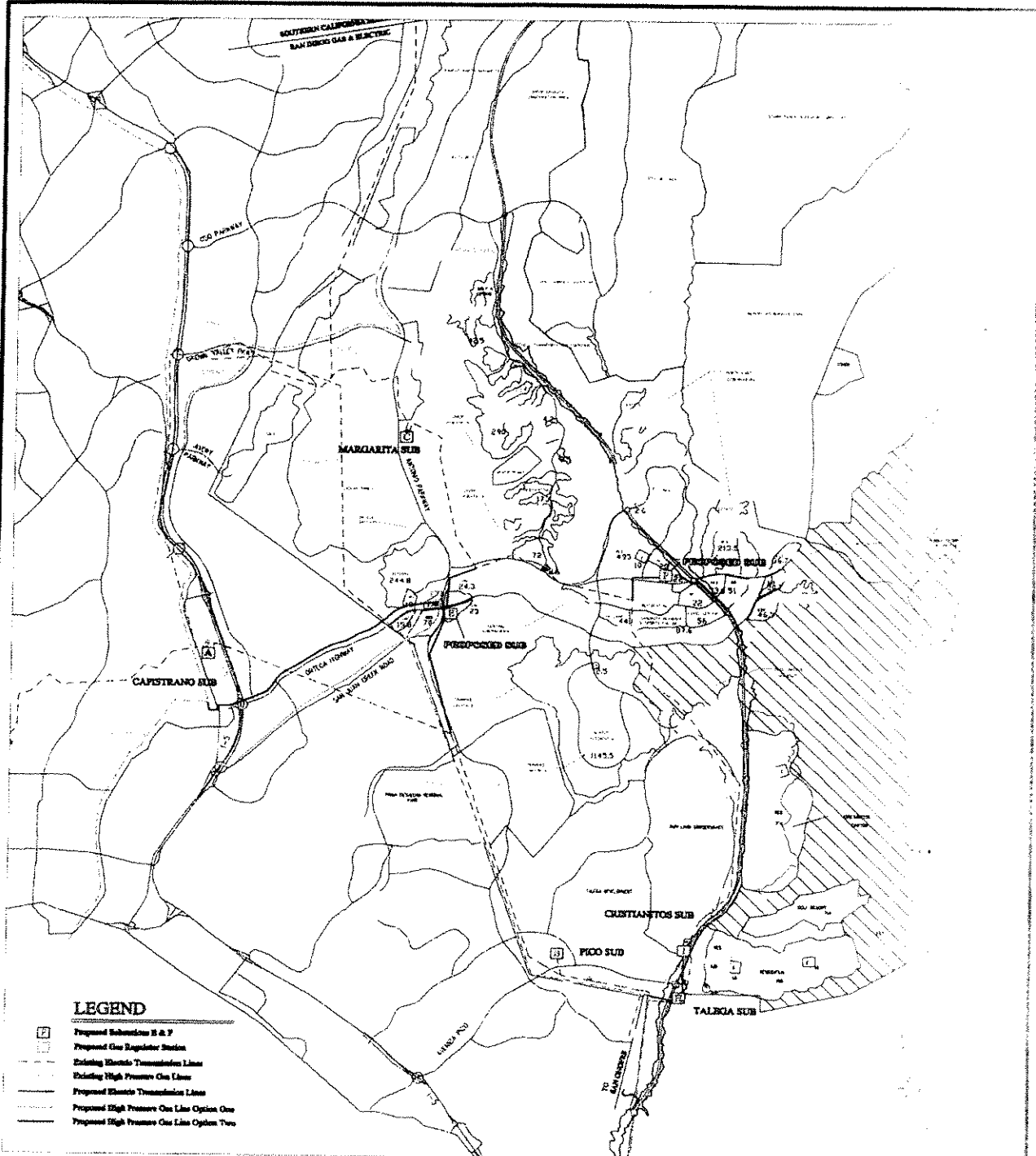
Electrical facilities required to serve RMV include two distribution substations, 138/12 kV and the 138 kV transmission lines to serve these substations. Each distribution



**SDGE** SAN DIEGO GAS & ELECTRIC  
TRANSMISSION ENGINEERING

THE RANCH PLAN  
DEVELOPMENT PLAN  
RANCHO MISSION VIEJO

Existing Facilities	SCALE	NONE
	SHEET	1-OF-3

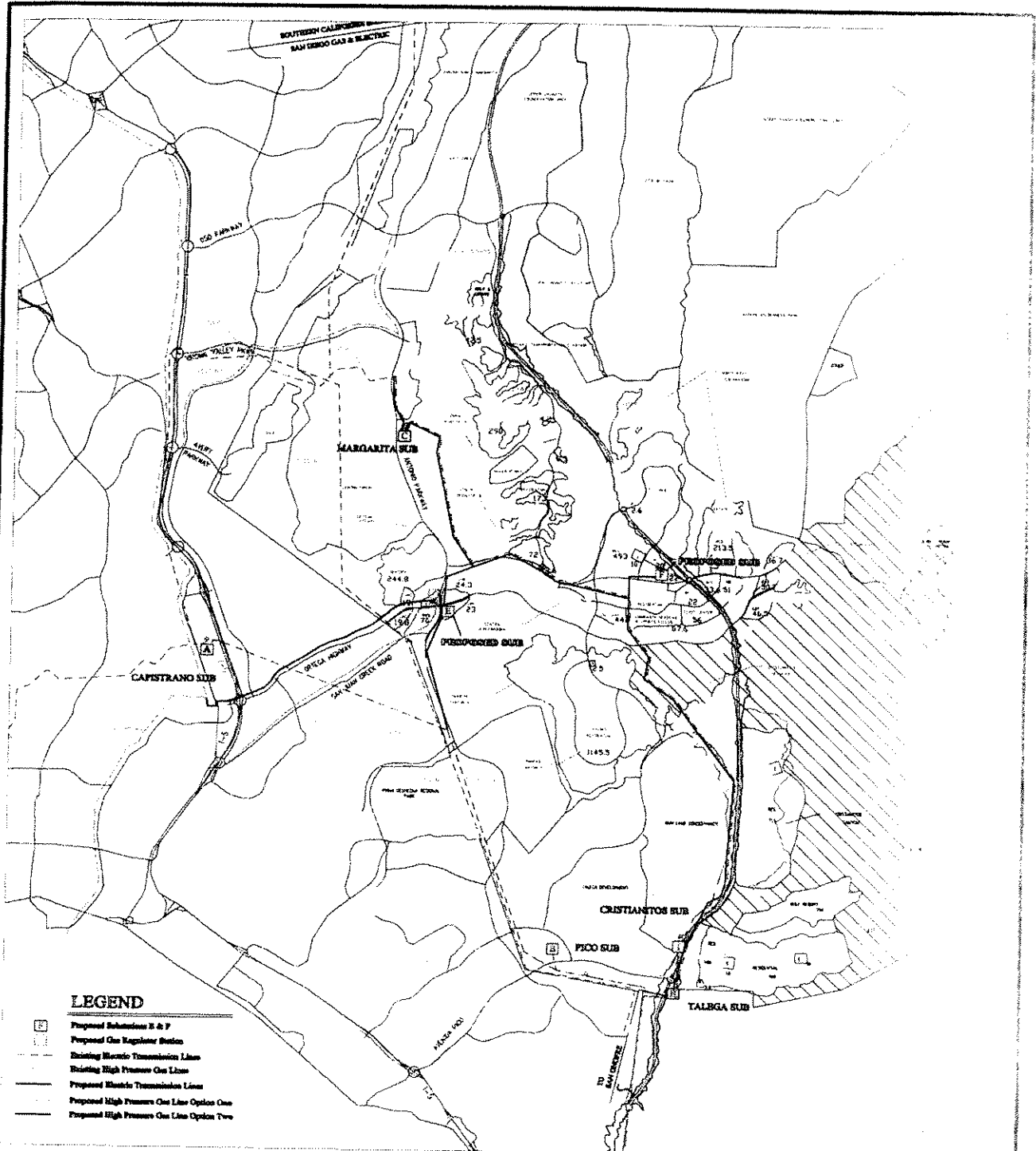


**SDGE** SAN DIEGO GAS & ELECTRIC  
TRANSMISSION ENGINEERING

THE RANCH PLAN  
DEVELOPMENT PLAN  
RANCHO MISSION VIEJO

Facilities Required to Serve RMV

SCALE NONE  
SHEET 2-OF-3



**LEGEND**

- Proposed Substation E & 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.juaneño.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](mailto: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

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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

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coordinated NCCP/HCP and SAMP/MSAA.<sup>1</sup> 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

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<sup>1</sup> This includes permits under the Endangered Species Act, a Section 404 permit, and permits under the Fish and Game Code.

Chuck Shoemaker

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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  
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## 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**

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**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,

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)

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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, 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."

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**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.

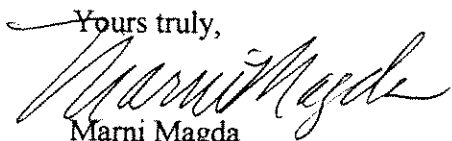
The Open Space acres of this Revised NOP show the Ranch has no need to listen to the public. There is no provision for wilderness. This is a full urbanization of 22,815 acres. This plan includes 2,000 less acres of open space. It pretends that five golf courses are open space. Area 13 pretends a regional 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,

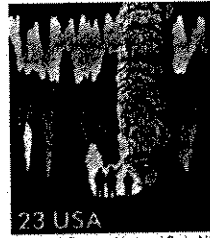


Marni Magda  
460 Oak Street  
Laguna Beach, CA 92651  
(949) 494-1373



Greg Koch  
525 W La Palma Ave # 302  
Anaheim CA 92801-2432

[www.marinemammalcenter.org](http://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	Shag 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.

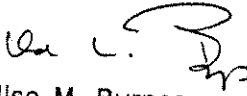
We offer the following comments:  
The proposed development plans will have a very negative impact on the last open space in South Orange County. The area involved does very little to protect the existing wilderness areas.

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 of 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



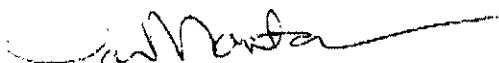
eastbound sometimes have 3 or 4 lanes dedicated to them while westbound traffic has one lane. This situation is only going to degrade with the addition of 14,000 homes. The state budget crisis has delayed and even postponed many transportation projects in the aforementioned areas. RMV will come in and 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](mailto:mariannah@earthlink.net)

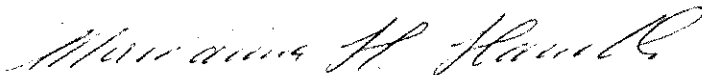
April 5, 2004

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).

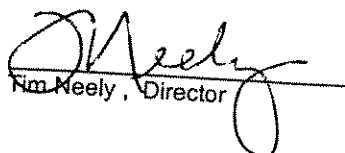
Because an NOP for the Project was previously distributed and comments have already been submitted to the County regarding the Project, any comments submitted in response to this Revised NOP should be limited to address only those changes to the Project as described in this Revised NOP. There is no need 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

To Chuck Shoemaker,

I am writing in response to the changes of the zone change asked for by the Rancho (AKA J.B. Ranch Dev.)

"They say they are changing areas, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

I walk the creeks in Lake Forest and Mission Viejo. I see kids throwing rocks at animals, digging holes in the shores; all kinds of garbage; cats and dogs. When you have housing close enough to these areas to give kids easy access without parental guidance these areas can not be protected properly.

Another problem with having houses this close to sensitive areas is introduction of foreign plants. This is the last area in Orange County whose habitat has a chance to be saved.

Another change is in circulation system. Ortega Highway should remain the way it is. The road they want has more turns and that always causes more accidents.

Having all NCCP/HCP and SAMP/MSAA reports done and studied is a must before any decision is able to be made. The public must have a chance to comment on all of them.

I remember when workers cleared the land West of the 5 freeway between La Paz and Oso. They did not have an environmental report or permits. They did it because they knew no one would do anything about it. This should never happen again!

Sincerely  
The Rodgers family

**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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GREGORY W. SANDERS  
EMAIL gsanders@nossamen.com

JOHN T. KNOX  
WARREN G. ELLIOTT  
OF COUNSEL

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(202) 783-7272

SACRAMENTO  
SUITE 1000  
918 L STREET  
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

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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**

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Page 3

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 &amp; ELLIOTT, LLP

Planning and Development Services Department

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Page 4

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.

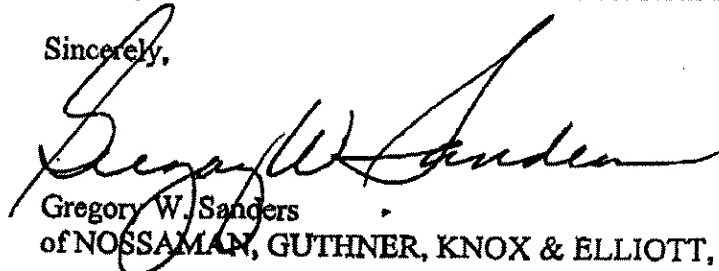
J. Williamson Act Contract Cancellation. The Ranch Plan includes cancellation of the Williamson Act contracts that encumber the area encompassed by The Ranch Plan. The potential growth inducing and other environmental impacts associated with cancellation of the Williamson Act contracts must be assessed 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**

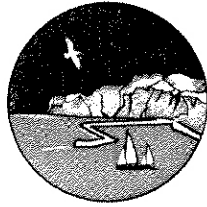
**Planning and Development Services Department**

**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*

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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.

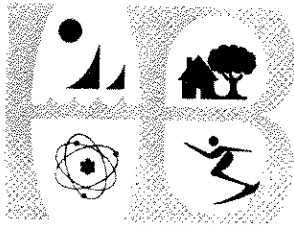
Sincerely,

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

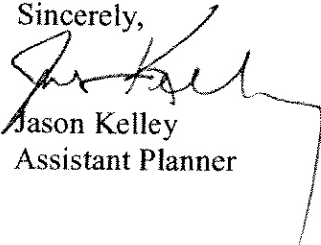
Subject: Notice of Intent to Prepare Draft Environmental Impact report #589

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  
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(949) 493-1171  
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MEMBERS OF THE CITY COUNCIL  
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WYATT HART  
JOE SOTO  
DAVID M. SWERTIN  
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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March 26, 2001

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



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Planning and Development Services Dept.  
Environmental Planning Services Division

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March 26, 2003

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

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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

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Planning and Development Services Dept.  
Environmental Planning Services Division

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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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Planning and Development Services Dept.  
Environmental Planning Services Division

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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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Planning and Development Services Dept.  
Environmental Planning Services Division

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March 26, 2000

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

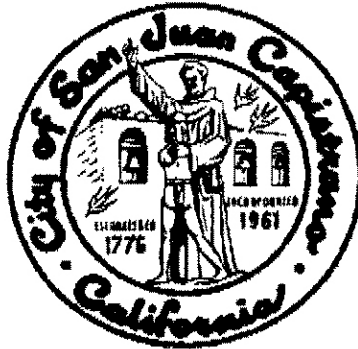
Enclosures: City Council Policy 422, Standards for Grading Projects to Minimize Impacts  
Administrative Policy 310, Preparation and Use of Traffic Studies.

60103mmv-tcfrov.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

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MEMBERS OF THE CITY COUNCIL

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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  
32400 Paseo Adelanto  
San Juan Capistrano, CA 92675

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Chuck Shoemaker  
Notice of Preparation (NOP) Response  
EIR 589, The Ranch Plan

3

April 23, 2004

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

90103mrv-45-rev.wpd

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