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Comment Letter L17
City of Yorba Linda
February 3, 2014



CITY OF YORBA LINDA

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COMMUNITY DEVELOPMENT

February 3, 2014

Mr. Ron Tippetts, Planner
Current & Environmental Planning Section
County of Orange
OC Planning Services
P.O. Box 4048
Santa Ana, California 92702-4048

Subject: Comments on the November 2013 Esperanza Hills Draft Environmental Impact
Report (Project No. PA120037)

Dear Mr. Tippetts:

The City of Yorba Linda has reviewed the County's November 2013 Esperanza Hills Draft Environmental Impact Report (EIR). Given the site's proximity to the City of Yorba Linda, and the potential for the Project to affect our communities, residents, and infrastructure, we have identified concerns related to the adequacy of the analysis under the California Environmental Quality Act (CEQA).

The City's comments on the Draft EIR are attached for your consideration and review. The City requests that the County revise the Draft EIR to fully address the attached comments and recirculate the document for public review to ensure compliance with CEQA.

We appreciate the opportunity to review the Draft EIR for the Esperanza Hills Project, and request to be included on any future CEQA distribution pertaining to the Project. Should you have any questions, please do not hesitate to contact me at 714.961.7130, or at sharris@yorba-linda.org.

Sincerely,

Steven K. Harris, AICP
Director of Community Development
City of Yorba Linda

cc: Mayor and Members of the Yorba Linda City Council
Mark Pulone, Yorba Linda City Manager
Todd Litfin, Yorba Linda City Attorney

BIRTHPLACE OF RICHARD NIXON-37TH PRESIDENT OF THE UNITED STATES

L17-1

**Response to
Comment Letter L17
City of Yorba Linda
February 3, 2014**

L17-1 The County acknowledges receipt of a letter from Steven Harris at the City of Yorba Linda on February 3, 2014, and the comments attached thereto.

A significant number of the comments are related to style and formatting of the DEIR rather than substance and do not alter the analysis or conclusions contained within the DEIR. Non-substantive comments that do not raise an environmental issue will be noted as such. Minor changes in terminology suggested in such comments will be reflected, if determined appropriate and necessary for clarification, in the Final EIR and/or the Errata.

Comments related to environmental issues and concerns are fully addressed.

County of Orange
Esperanza Hills Project
Draft EIR (December 2013)

GENERAL COMMENTS ON THE DRAFT EIR

1. The Draft EIR concludes that no significant unavoidable impacts involving air quality and aesthetics (scenic vistas and visual character) would occur as part of the proposed Project. The EIR's methodologies in analyzing these environmental issues appear to utilize aggressive assumptions to reach less than significant conclusions. For a project that includes as much as 16 million cubic yards of grading and substantial landform alteration, it is typical to see significant unavoidable adverse impacts related to short-term construction-related pollutant emissions and aesthetics. L17-2
2. The Esperanza Hills Draft EIR evaluates two options for site access, both of which propose primary and/or emergency access across the Cielo Vista property. Primary and emergency access are key aspects and environmental concerns associated with the proposed Esperanza Hills Project. The EIR acknowledges that an agreement between property owners must be entered into for the offsite improvements, prior to issuance of permits. However, the EIR does not propose alternative primary and/or emergency access that would not cross the Cielo Vista property, in the event an agreement is not successfully reached. L17-3
3. Given the potential for cumulative impacts when considering Cielo Vista combined with Esperanza Hills, the cumulative analyses for each project must address the other as a related project within their respective cumulative analyses. The Esperanza Hills EIR is unclear/inconsistent in its treatment of Bridal Hills (and other related projects) in the EIR's cumulative impact analyses. The Project Description Section (Page 4-2, Section 4.2, Paragraph 5) states that "Bridal Hills has been included in the Project analysis." This statement can be interpreted as Bridal Hills being assumed part of the Project. However, the author could be trying to communicate that Bridal Hills was assumed as part of the baseline condition, since the statement is included in the Existing Conditions Section. For greater confusion, the Summary of Cumulative Impacts Section (Page 7-1) states that Bridal Hills has been considered in the air quality, transportation/traffic, and population/housing cumulative analyses; however, Bridal Hills is not listed in Table 7-1-1, *Description of Related Projects*. Clarification regarding whether Bridal Hills is part of the baseline condition, with Project condition, or cumulative condition (a related cumulative project) is required. It is concerning that certain aspects of Bridal Hills (and other related projects) are assumed under different conditions rather than only the cumulative condition. This could invalidate the Project and cumulative impact analyses and findings of significance. L17-4
4. As noted within the City's NOP comment letter regarding the Project, the City of Yorba Linda would have discretionary approval authority over the proposed Project. As such, the City should be considered a responsible agency for the Project under CEQA Guidelines Section 15381. L17-5
5. The document often does not cite sources. L17-6

- L17-2 The Project site is an extension of an existing urban edge. The site was contemplated for development in the County of Orange General Plan (OCGP) and the City of Yorba Linda General Plan (YLGP). While the visual character of the site will change by including development of residential housing, landscaping and a significant amount of open space will provide a continuation of the existing aesthetics quality of the area. The development of the site will be consistent with the OCGP and the YLGP by providing low density, clustered residential units, significant open space, and protection of prominent ridgelines. As related to air quality, the Proposed Project will result in significant impacts to greenhouse gas emissions as discussed in Subsection 5.6.5.2 (Long Term Impacts (GHG) on pages 5-272 and 5-5273 in the DEIR). Construction emissions have been mitigated to a less than significant level with daily emissions remaining below SCAQMD thresholds.
- L17-3 Primary access to the site that does not cross the Cielo Vista property has been analyzed as Option 1. The Orange County Fire Authority will be instrumental in determining what emergency access is required for either project, and determination of an access option will be considered in the final approval process. The DEIR for the Proposed Project has provided analysis of four options.
- L17-4 The commenter is correct that Bridal Hills has been included in the pertinent analysis sections of the DEIR as a potential development. However, as indicated in Topical Response 5 - Segmentation/Piecemealing, the Project Applicant approached the Bridal Hills landowners, but they declined to participate in development at this time. Therefore, Bridal Hills is included in analysis for environmental impact purposes but is not considered a related project for purposes of Table 7-1-1 since no development has yet been proposed as has been with the 18 projects identified in the table.
- L17-5 Depending on the access option selected, discretionary approvals may be required from the City, making the City a responsible agency for the following actions as described on page 4-28 of the DEIR: encroachment permits under Options 1 and 2, discretionary authority over access through City open space associated with Alternative Option 2A, potential annexation.
- L17-6 Comment does not raise an environmental issue or concern.

County of Orange
Esperanza Hills Project
Draft EIR (December 2013)

1.0 INTRODUCTION

Page/Section - Specific Comments

- | | | |
|--|---|--------|
| 1. <u>Page 1-1, Section 1.1, Bullet 2</u> : "Zoning designation" is incorrect. Unincorporated OC is divided into zones or districts (per Orange County Municipal Code (OCMC) Section 7-9-49). Land use designations pertain to General Plan land use, while zones/districts pertain to zoning. Change "zoning designations" to "zoning districts." This change is global throughout EIR. |] | L17-7 |
| 2. <u>Page 1-1, Section 1.1, Bullet 3</u> : Regarding reference to "Map," should be specific, since VTTM number is known. Revise to "proposed VTTM 17522." This change is global throughout EIR. |] | L17-8 |
| 3. <u>Page 1-2, Section 1.3, Last Sentence</u> : The primary purpose of the Notice of Preparation (Section 21092) is to provide notice to the public. Please revise. |] | L17-9 |
| 4. <u>Page 1-3, Section 1.3, Line 1</u> : Regarding reference to "The Comment letters," revise as "NOP comment letters received during the NOP review period" to avoid confusion with future Draft EIR comment letters. |] | L17-10 |
| 5. <u>Page 1-3, Table 1-3-1</u> : The summary of main comments received in response to NOP public review period is missing. Please add. |] | L17-11 |
| 6. <u>Page 1-4, Section 1.3, Sentence 1</u> : Revise/update to reflect the actual number of days (60?) in the Draft EIR public review period. |] | L17-12 |
| 7. <u>Page 1-4, Section 1.4, Bullet 2</u> : The entire OC Code, not only the OC Zoning Code should be incorporated by reference. The correct title is "Codified Ordinances of the County of Orange." Please add. |] | L17-13 |
| 8. <u>Page 1-4, Section 1.4, Bullet 2</u> : The entire City of Yorba Linda Municipal Code should be incorporated by reference. Please add. |] | L17-14 |
| 9. <u>Page 1-4, Section 1.4, Bullet 8</u> : Regarding reference to OC 7A - Ready, Set, Go! It is a Program, not a document. Please revise/state the Program's pertinent documents. |] | L17-15 |

2.0 EXECUTIVE SUMMARY

Global Comments

- | | | |
|---|---|--------|
| 1. This Section must be revised/updated for consistency with the comments presented in Section 4 and Sections 5.1 through 5.15 below. |] | L17-16 |
| 2. A summary of the Alternatives is not included in this section. |] | L17-17 |

- L17-7 Comment does not raise an environmental issue or concern.
- L17-8 Comment does not raise an environmental issue or concern.
- L17-9 Comment does not raise an environmental issue or concern.
- L17-10 Comment does not raise an environmental issue or concern.
- L17-11 Contrary to the comment, page 1-5 includes a summary of public comments and areas of controversy identified during the public scoping meeting and the IS/NOP review period.
- L17-12 Comment does not raise an environmental issue or concern.
- L17-13 Comment does not raise an environmental issue or concern.
- L17-14 Comment does not raise an environmental issue or concern.
- L17-15 Comment noted. The Ready, Set, Go Program is further described on page 5-289 of the DEIR.
- L17-16 Comment does not raise an environmental issue or concern.
- L17-17 Comment does not raise an environmental issue or concern.

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3.0 PROJECT HISTORY AND BACKGROUND

Page/Section - Specific Comments

- | | | |
|--|---|--------|
| 1. <u>Page 3-1, Section 3, Paragraph 1</u> : The statement "substantially undeveloped" regarding the site is misleading. The site is undeveloped, except for various utilities/easements. Cielo Vista is introduced; discuss Bridal Hills, as well. | } | L17-18 |
| 2. <u>Page 3-1, Section 3, Paragraph 2</u> : Need to clarify acreage for Murdock "larger parcel" (547 plus 469 equals 1,016?). Specify anticipated residential uses (? dwelling units). | } | L17-19 |
| 3. <u>Page 3-1, Section 3, Paragraph 4</u> : Reference to "been designed to..." is out of place, since this is Background and History. Move to Project Description. | } | L17-20 |
| 4. <u>Page 3-1, Section 3, Paragraphs 2-5</u> : Given the project site is unincorporated OC, discussions relevant to OC (i.e., paragraphs 4/5) should be before and separate from the Yorba Linda discussion (paragraph 2, line 5). Please add a discussion of the OC General Plan growth assumption. Please consolidate the Yorba Linda discussion (2005). Both are needed, but separate. | } | L17-21 |
| 5. <u>Page 3-1, Section 3, Paragraph 5</u> : The reference to "381 structures" is not relevant to the Project. Add a discussion describing the Project site's post fire condition. | } | L17-22 |

4.0 PROJECT DESCRIPTION

Global Comments

- | | | |
|---|---|--------|
| 1. This Section doesn't provide sufficient detail pertaining to various Project components, including the Specific Plan, Vesting Tentative Tract Map (VTTM), and construction phasing/schedule. | } | L17-23 |
| 2. This Section fails to describe the Pre-Annexation/Municipal Services Agreement and Preliminary Grading Plan. | } | L17-24 |
| 3. All roadway sections or street improvements that are not of a public agency standard shall be deemed private streets and privately maintained. | } | L17-25 |

Page/Section - Specific Comments

- | | | |
|--|---|--------|
| 1. <u>Page 4-1, Section 4.1, Paragraph 2, Line 5</u> : Capitalize "Family." | } | L17-26 |
| 2. <u>Page 4-1, Section 4.1, Paragraph 2</u> : Statement "Chino Hills State Park, which lies between developed land in Orange, San Bernardino, and Riverside counties," is not entirely accurate, since park is also surrounded by more open space/undeveloped lands. Please omit "developed land in." | } | L17-27 |
| 3. <u>Page 4-1, Section 4.2, Paragraph 1</u> : The sentence "The property supports a mix of habitats, including..." is misleading. For consistency with Table 5.3-2, identify all | } | L17-28 |

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- L17-18 Commenter does not acknowledge the presence of oil drilling equipment as well as the utilities/easements. Therefore, the term “substantially undeveloped” is appropriate because a small number of man-made structures are present on the site. Also see Table 4-2-1 - Surrounding Land Uses. No environmental issues or concerns are raised.
- L17-19 This chapter is titled “Project History and Background” and does not include the information noted. The City’s comments are addressed in Chapter 4 - Project Description and Section 5.9 – Land Use and Planning.
- L17-20 Comment does not raise an environmental issue or concern.
- L17-21 It is unclear what commenter is requesting regarding a discussion of the OCGP growth assumption. Consistency with the OCGP Growth Management Element is included in Section 5.9 — Land Use and Planning, page 5-427. Additional comments do not raise an environmental issue or concern.
- L17-22 Comment does not raise an environmental issue or concern and no response is warranted. Discussion regarding the Project site post-fire condition is included in Section 5.7 - Hazards and Hazardous Materials.
- L17-23 The Project description includes all of the elements required by and is consistent with CEQA Guidelines §15124 - Project Description.
- L17-24 Grading plans will vary somewhat depending on the access option approved. However, grading plans are included in the DEIR as Exhibits 5-3, 5-4, and 6-3. The potential annexation process is described in Section 5.9 - Land Use and Planning, beginning on page 5-452. Annexation has been identified as a potential occurrence and was listed on page 4-28 of the DEIR.
- L17-25 Comment does not raise an environmental issue or concern.
- L17-26 Comment does not raise an environmental issue or concern.
- L17-27 Comment does not raise an environmental issue or concern.
- L17-28 The referenced paragraph in the Project Description is intended only to provide an overview of the existing site conditions. A complete description and analysis of habitats and impacts from the 2008 Freeway Complex Fire is included in Section 5.3 - Biological Resources in the DEIR.

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habitats and use areas. List according to predominance. Also note they were affected to varying degrees, as a result of the 2008 Freeway Complex Fire, and refer to *Fire* discussion below.

L17-28
cont'd

4. Page 4-1, Section 4.2, Paragraph 2: The sentence "Four intermittent drainages are..." combines discussions on drainages with canyons, per Exhibit 4-8. However, there are seven drainages on or near the site; see Exhibit 5-24 and Table 5-3-3. As a result, identifying four canyons and four drainages in Exhibit 4-8 is confusing. For clarification and consistency, revise Exhibit 4-8 to show all seven drainages, and revise/replace discussions.

L17-29

5. Page 4-2, Section 4.2, Paragraph 1: Canyon A is not described. Canyon B crosses more than just the western portion of site and multiple properties. Canyon C is not described. Revise/add discussions. Describe existing hiking and equestrian trails.

L17-30

6. Page 4-2, Section 4.2, Paragraph 2: Add "Zone" to "Whittier Fault" and clarify that it is an Alquist-Priolo Earthquake Fault Zone (A-P Zone).

L17-31

7. Page 4-2, Section 4.2, Paragraph 2: The term "used for" is misleading and overstates the functions of the water and energy utility easements on the site. Revise discussion; consider using "traversed by."

L17-32

8. Page 4-2, Section 4.2, Paragraph 2: The sentence "Oil production is anticipated to continue on the Project Site at existing locations" is out of place, since this is Existing Conditions. Move to *Project Characteristics* and discuss what is proposed.

L17-33

9. Page 4-2, Section 4.2, Paragraph 4: The sentence "Because of the potential fire hazard..." is out of place, since this is Existing Conditions. Move to *Project Characteristics*.

L17-34

10. Page 4-2, Section 4.2, Paragraph 5: The sentence "Therefore, Bridal Hills has been included in the Project analysis" is confusing, as it can be construed as being part of the Project. It is assumed the author is trying to communicate that Bridal Hills has been assumed as part of the baseline condition, since the statement is included in the *Existing Conditions* Section. Refer to General Comments on the Draft EIR Comment #3.

L17-35

11. Page 4-2, Section 4.2, Table 4-2-1: Lists surrounding property owners not surrounding land uses. Please revise and add a discussion detailing the surrounding land uses.

L17-36

12. Page 4-11, Section 4.3: Sections 4.3 and 4.0 are both named *Project Description*. To avoid confusion, rename Section 4.3 to "Project Characteristics."

L17-37

13. Page 4-11, Section 4.3, Paragraph 1: The two options are introduced here in the second sentence referring to exhibits. However, there is no nexus to the approach taken in the EIR. To clarify, a sentence should be added following the exhibit references briefly explaining that the EIR addresses two options equally and that they vary primarily with respect to the primary connection and secondary emergency access roadway alignments, as further described below.

L17-38

- L17-29 Exhibit 4-8 is part of the Project Description and, therefore, includes only drainages that traverse the Project site. Expanded discussion about drainages on *and* near the Project site is contained in Section 5.3 - Biological Resources.
- L17-30 Canyons and drainages are fully discussed in Section 5.3 - Biological Resources. See response to Comment L17-29 above. With regards to existing hiking and equestrian trails, the trails are described in Section 5.13 - Recreation. A map of existing County trails is included. Conceptual trails plans for Option 1 and 2 are depicted on Exhibits 5-123 and 5-124, respectively, which show existing trails.
- L17-31 Comment does not raise an environmental issue or concern.
- L17-32 Comment does not raise an environmental issue or concern.
- L17-33 Comment does not raise an environmental issue or concern.
- L17-34 Comment does not raise an environmental issue or concern.
- L17-35 Comment does not raise an environmental issue or concern. The DEIR references the chapter analyses where the estimated Bridal Hills residential units have been included in the baseline analysis, such as biology, hazards and hazardous materials, hydrology, traffic/transportation, and water systems.
- L17-36 Surrounding land uses are further described in Section 5.9 - Land Use and Planning. See Exhibit 5-94 - Surrounding Land Uses also.
- L17-37 Comment does not raise an environmental issue or concern.
- L17-38 Comment does not raise an environmental issue or concern.

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14. Page 4-11, Section 4.3: The primary Project components, as identified in Section 1.1, *Purpose of the DEIR*, are: Specific Plan; Vesting Tentative Tract Maps; and Pre-Annexation/Municipal Services Agreement. Additional entitlements (General Plan Amendment and Zone Change) are also identified. Although, the Specific Plan is a primary Project component that will serve the planning and regulatory functions of development of the Project site, this function is obscure in Section 4.3 and the Specific Plan is only mentioned in passing. To better communicate the Specific Plan's role, this section would benefit by introducing the Specific Plan in first paragraph and organize the balance of the section consistent with the Specific Plan document.

L17-39

 - a. Two additional Project components, the VTTM and Construction/Phasing are not discussed in sufficient detail. The purposes of Vesting Tentative Tract Map (VTTM) No. 17522 are included in Section 4.7.3, but no description (number of parcels, acreages, etc.) or Exhibit is provided. Please describe VTTM and Construction/Phasing in greater detail. Two additional Project components are not mentioned at all in this section: Pre-Annexation/Municipal Services Agreement; and Preliminary Grading Plan. Each Project component/action should be discussed in sufficient detail in Section 4.3 to support the impact analyses and conclusions.
15. Page 4-11, Section 4.3, Paragraph 4: Given an agreement between property owners would be key to providing adequate site and emergency access to the Project, it should not be mentioned merely in passing. This agreement should be discussed in greater detail and added to the list of "permits and other approvals."

L17-40
16. Page 4-12, Section 4.3, Access: The descriptions of Options 1 and 2 included in this *Access* Section are essentially the same as descriptions included in the *Project Entry* Section (page 4-19) below. Additionally, the acreage descriptions provided here pertain to the VTTM/grading discussions, but not access. The *Project Entry* Section below is a misnomer; it should be renamed "Access and Circulation" and the discussion from Page 4-12 moved/consolidated with the Page 4-19 discussion. The acreages, etc. should be included in the VTTM Section, per comment above.

L17-41
17. Page 4-18, Section 4.3, Trails, Paragraph 1: Esperanza Hills Homeowners' Association is misspelled.

L17-42
18. Page 4-18, Section 4.3, Trails, Paragraph 2: Three trail systems are introduced, but only one (equestrian) is described. Add descriptions of other (multi-use and pedestrian) trail systems.

L17-43
19. Page 4-18 Trails: Will these trails be available to the adjacent public access or only privately to the Esperanza Hills HOA?

L17-44
20. Page 4-18 Parks/Open Space: There is reference to off-leash dog areas. Are these areas enclosed with a fence? If not, there may be a conflict with the City's municipal code regarding off-leash dogs.

L17-45

L17-39 Section 4.5 in the DEIR (page 4-25) provides general information about the purpose of a Specific Plan. The Specific Plan is again discussed on page 4-26, where it is noted that the adoption of the Specific Plan will require approval in conjunction with Project implementation. Consistency with the Project Specific Plan is discussed in Section 5.9 - Land Use and Planning, beginning on page 5-429. There are two sections within the Project Description and a consistency discussion in Chapter 5.9. This is certainly more than the “passing reference” asserted by the City’s comment. In addition, the Specific Plan has been provided on the County website at https://cms.ocgov.com/gov/pw/cd/planning/land/projects/esperanza_hills.asp along with the DEIR in its entirety. With respect to the Vesting Tentative Tract Map and Construction/Phasing, the following information is provided.

The Vesting Tentative Tract Map (VTTM) discussion in Subsection 4.7.3 - Approval of a Vesting Tentative Tract Map (page 4-26) of the Project Description provides the components that are included in the VTTM, including acreages, number of lots, and proposed lot layout. Until the County has approved a specific option for ingress/egress, a final site plan and layout cannot be identified at this writing. For that reason, the DEIR includes conceptual site plans for all four options in Exhibits 4-9, 4-10, 6-1, and 6-19. Preliminary grading plans are depicted on Exhibits 5-3, 5-4 and 6-3.

With respect to Construction/Phasing, Section 4.6 - Construction Schedule (page 4-25) contains adequate information to explain the phasing and duration of grading/construction. A more specific schedule cannot be determined until Project entitlements have been secured.

The Pre-Annexation agreement is discussed on pages 1-1, 2-3, 5-316, 5-409, 5-453, and 5-455 of the DEIR. Grading associated with the project is discussed in Section 2.2 (page 2-1) and Section 4.6 (page 4-25 and 4-25, which includes detail on the grading quantity and duration of grading, respectively. Further, grading is analyzed in extensive detail throughout the DEIR and specifically in the following sections of the DEIR: Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Utilities and Service Systems, Alternatives Analysis, and Cumulative Impacts. Grading Plans are provided as Exhibits 5-3, 5-4, and 6-3.

L17-40 Four access options have been analyzed in the DEIR. Because an access option has not been selected, it is not known at this time if an agreement will be required between property owners or what the terms of that agreement could be. This does not fall into the category of “permits and other approvals” as they relate to the environmental analysis. However, the potential requirement for an agreement has been disclosed for information purposes in the approval process.

L17-41 Comment does not raise an environmental issue or concern.

L17-42 Comment does not raise an environmental issue or concern.

L17-43 Refer to response to Comment L17-30 above.

L17-44 As noted on page 5-520 of the DEIR, non-vehicular public access to the parks will exist via equestrian, hiking, and biking trails. The trails will be available for public use.

L17-45 The Project is within the jurisdiction of the County of Orange Municipal Code. Details regarding fencing of off-leash dog park areas will be determined through the County’s permitting process, and all requirements will be adhered to. Comment does not raise an environmental issue or concern.

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|---|---|--------|
| <p>21. <u>Page 4-19, Section 4.3, Fuel Modification:</u> This Section references a "Fuel Modification/Fire Protection Plan," which is assumed to be the "Fire Protection and Emergency Evacuation Plan" (Appendix J). Please refer to Plan according to its actual title and consistently throughout EIR. Please refer reader to Appendix J in this paragraph. References to other plan/documents throughout the EIR should similarly be consistent with their actual and throughout EIR.</p> | } | L17-46 |
| <p>22. <u>Page 4-19, Section 4.3, Project Entry:</u> Rename to Access and Circulation and discuss circulation per Exhibit 4-12.</p> | } | L17-47 |
| <p>23. <u>Page 4-20 Section 4.3 Infrastructure:</u> The last paragraph refers to 3 cell towers on-site will the City of Yorba Linda have opportunity to view and approve the camouflage type(s) presented?</p> | } | L17-48 |
| <p>24. <u>Pages 4-21 and 4-23, Section 4.3, Exhibits 4-12 and 4-13:</u> Traffic calming features shall be considered for all downhill streets.</p> | } | L17-49 |
| <p>25. <u>Page 4-25, Section 4.4:</u> Is this Environmental Features discussion trying to communicate the Project "design features" (PDF)? If so, this should be clarified. Also, include a statement that the PDF would be required as conditions of approval (COA). If PDFs, then the section is incomplete, since many are discussed throughout impact analyses.</p> | } | L17-50 |
| <p>26. <u>Page 4-25, Section 4.5:</u> Refer to Section 4.3 discussion above regarding Specific Plan not being discussed in sufficient detail.</p> | } | L17-51 |
| <p>27. <u>Page 4-25, Section 4.6, Construction Schedule:</u> The <i>Construction Schedule</i> is described in paragraph form and difficult to follow. The commencement and completion dates are not specified/discussed. Paragraph 1 in Section 4.3 and Table 4-3-1 discuss two phases. No discussion is provided in the construction schedule. This lack of detail creates potential for inconsistencies in assumptions, etc., and could invalidate impact analyses and conclusions. The section states grading would take up to two years and that it would be balanced onsite. However, the grading/estimated earthwork for the Project (for each option) is not discussed in the Project Description; instead, it's included in the Air Quality Section; see also Table 5-2-6. A new Preliminary Grading Plan section is needed, as well as the Preliminary Grading Plan Exhibits for each option. It is noted, a Preliminary Grading Plan is provided for Alternative Option 2A.</p> | } | L17-52 |
| <p>28. <u>Page 4-26, Section 4.6, Paragraph 1:</u> Best management practices are intended to minimize construction-related impacts on water quality; surrounding uses is too broad.</p> | } | L17-53 |
| <p>29. <u>Page 4-26, Section 4.7:</u> Pre-Annexation/Municipal Services Agreement, DOGGR Permit, agreement between property owners (for offsite improvements), and resource agency permits should be added to this Section.</p> | } | L17-54 |
| <p>30. <u>Section 4.7.3:</u> VTTM 17522 is a proposed Project component - not future. Replace "will include preparation of" with "proposes." See comment above regarding need for additional detail on VTTM 17522.</p> | } | L17-55 |

- L17-46 Comment does not raise an environmental issue or concern.
- L17-47 Comment does not raise an environmental issue or concern.
- L17-48 Comment does not raise an environmental issue or concern.
- L17-49 Comment does not raise an environmental issue or concern.
- L17-50 Project Design Features (PDFs) have been incorporated into the Project to minimize potential impacts. PDFs are not mandated as mitigation but provide support to the mitigation measures and conditions of approval by further defining features that will be part of the Project.
- L17-51 Comment does not raise an environmental issue or concern.
- L17-52 No entitlement has been received from which a construction date/schedule can be determined. Please refer to Exhibit 6-19 for a Conceptual Site Plan/Grading Study for Option 2B.
- L17-53 Commenter provides no supporting data as the basis for the comment. Comment does not raise an environmental issue or concern.
- L17-54 Comment does not raise an environmental issue or concern.
- L17-55 Per commenter's suggestion, Subsection 4.7.3 - Approval of a Vesting Tentative Tract Map - is hereby revised to read:
- The Proposed Project ~~will include preparation of~~ proposes a Vesting Tentative Tract Map (VTTM 17222).
- See response to Comment L17-39 above.

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31. Page 4-26, Section 4.8: Add a drainage and water quality objective that addresses protection of drainage facilities, sustainable/low impact development (LID), and the Clean Water Act.

L17-56

5.1 AESTHETICS

Global Comments

1. The analysis does not adequately describe the resultant wall features (e.g., retaining walls or secondary soundwalls), which descriptions of the locations, lengths, and maximum wall heights. This analysis needs to clearly identify these structures, which would have views to them, how would they change the character of the community, if they are consistent with the regulatory requirements regarding these structures, and if any additional mitigation measures are necessary.
2. The Aesthetics Section does not mention the proposed Specific Plan. With regard to Aesthetics, this regulatory tool proposed is important because it regulates the proposed character of the project. The analysis should identify what regulations would be imposed on the project and that the project is consistent. Then an analysis should be presented on how these imposed regulations impact the character of the surrounding community.
3. The impact analysis identifies measures that the Applicant would be required to implement measures. However, it is not clear what the regulatory implementing tool (e.g., the existing Municipal Code, which no longer applies, or the proposed specific plan) is being referred to, or if this is referring to a proposed mitigation measure.
4. A methodology for the preparation of the photosimulations should be summarized. Also, project feature assumptions should be discussed. The Draft EIR should clearly identify which build options were simulated and why. In addition to the proposed structures, the Draft EIR should identify what landscaping was simulated, including whether or not the managed vegetation was included, whether or not 5-year, 10-year, or mature vegetation growth was assumed. Other assumptions would include wall features (such as retaining walls, soundwalls, or the proposed fire wall noted in Section 5.7).
5. The View analysis should be broken up between scenic vistas/views and general views that represent a potential change in character/quality at the site and in the surrounding area. With regard to scenic vistas/views, the Regulatory Framework should be pulled in to identify the community's intent for the view and whether or not project implementation maintains those community goals and objectives. For those views pertaining to the character/quality, it should be clearly identified how the project is changing the character and whether or not those changes are consistent with the existing character and if those changes result in landscape quality degradation.

L17-57

L17-58

L17-59

L17-60

L17-61

Page/Section - Specific Comments

1. Page 5-1, 1st Paragraph, 3rd Sentence: Delete the word "logically".

L17-62

- L17-56 Drainage facilities are fully discussed in Section 5.8 - Hydrology and Water Quality. The regulatory setting is included in Section 5.8 beginning on page 5-348. Low Impact Development Features are included beginning on page 5-376. Mitigation has been included to protect water quality and is presented as a requirement of the Project rather than a goal or objective.
- L17-57 A description of the intended use of retaining walls for stability is provided in Geology and Soils (Section 5.5) on page 5-238 of the DEIR. The DEIR states that the purpose of the more significant retaining walls is to support the access road (Option 1) within Blue Mud Canyon or accommodate changes in grade along the western Project boundary. A description of the design guidelines concerning walls, fences, and retaining walls is found on page 5-15 Aesthetics (Section 5.1) of the DEIR. The significant walls are shown on Exhibit 5.5, Esperanza Hills - Option 1, page 5-17 and Exhibit 5.6, Esperanza Hills - Option 2, page 5-19 of the DEIR. The significant retaining walls are depicted on Exhibit 5.5 for Option 1 and are shown along the access road in Blue Mud Canyon and along the western Project boundary with the proposed Cielo Vista project (the Cielo Vista site plan is outlined in white). The retaining walls are made of Verdura (refer to Exhibit 5.9, Wall Examples on page 5-25). An alternative to Verdura in steep areas would be a Shotcrete retaining wall, also shown on Exhibit 5.9 that will mimic naturally occurring rock and provide planting pockets for vegetation to complement the natural landscape. There are no significant retaining walls associated with Option 2, and the Project does not have any sound walls (refer to Section 5.10 – Noise, starting on page 5-459 of the DEIR).

The secondary retaining walls that may be incorporated into the Proposed Project pursuant to the conceptual design plans for stability due to unstable natural slopes or underlain by landslides are discussed in Geology and Soils (Section 5.5, page 5-238). The secondary retaining walls are subject to the standards in the Walls and Fences subsection of Section 11.3, The Guidelines, in the Esperanza Hills Specific Plan. In addition to retaining walls, the Project includes community theme wall and fences. Depending on location and view opportunity, the community theme walls are constructed of stone, masonry, or wrought iron. Refer to Exhibit 49, Conceptual Wall and Fences - Option 1 located on page 143 of the Esperanza Hills Specific Plan and Exhibit 50, Conceptual Wall and Fence Plan-Option 2 on page 145. Split rail fences will accent the riding, hiking, and pedestrian paths that wind through the community and adjacent to streets between sidewalk and pathway. As discussed on pages 5-307 through 5-312 in Hazard and Hazardous Materials (Section 5.7) of the DEIR, fire-resistant walls are provided as an alternative to fuel modification for three lots bordering the proposed Cielo Vista project. The retaining walls are depicted on Exhibit 5-74 on page 5-311 and page 5-75 on page 5-312 of the DEIR.

Off-site views of the significant retaining walls located in Blue Mud Canyon (Option 1) are limited because of the steep walls of the canyon, and the limited portion that is seen will blend with the background landscaping because of the use of the Verdura greenwall or the plantings and natural stone of the Shotcrete walls. The retaining walls located on the western Project boundary again will blend with the background plantings, and therefore are not distinguishable as seen from off-site views as depicted on Views 6, 7 and 8.

- L17-58 The Esperanza Hills Specific Plan is described in Project Description (Section 4.5) on page 4-25 of the DEIR to provide policies and regulation for the development of a low-density master planned community. A complete discussion of the Esperanza Hills Specific Plan is found on pages 5-429 and 5-430 of Land Use and Planning (Section 5.9) of the DEIR. The Specific Plan's project design and design features are described on pages 5-9 through 5-25

in Aesthetics (Section 5.1) of the DEIR and included as Project Design Features PDF 1 through PDF 10 on pages 5-60 and 5-61 of the DEIR. The Project as viewed from the surrounding community is described on pages 5-26 through 5-58. The Specific Plan will become the regulations that apply to the Project, once adopted. The Proposed Project as designed is consistent with the Specific Plan, since the project design features are incorporated into the Specific Plan. Refer to page 5-430 concerning Specific Plan consistency with the County of Orange General Plan and the existing development with the Project Area. The visual impact of the Project is discussed in Visual Character on page 5-57 in Aesthetics (Section 5.1) of the DEIR. The Project as described therein is consistent with the existing surrounding low-density residential community, which consists of single-family one- and two-story homes on large lots.

- L17-59 The DEIR includes Project Design Features, Conditions of Approval, and Mitigation Measures. Project Design Features are specific design and/or operational characteristics proposed by the Project Applicant that are incorporated into the Project to avoid or reduce its potential environmental effects. Because PDFs are incorporated into the Project, they do not constitute mitigation measures. Conditions of Approval are requirements and are standard conditions that based on local, state, or federal regulations or laws that are required independently of CEQA review and serve to offset or prevent specific impacts. Mitigation Measures are project-specific actions to lessen project significant environmental impacts. The regulatory instrument for the Project will be the Specific Plan, once adopted.
- L17-60 Please refer to page 5-26 of the DEIR where the view simulation methodology is discussed. The four options analyzed have basically the same neighborhood configurations. Proposed development was layered onto existing site/view photographs. The landscaping was included in the simulations. Vegetation depicted assumes approximately 5-year to 10-year maturity. Refer to page 5-310 (Section 5.7) where it is noted that the fuel modification zone could include a heat-deflecting landscape wall as opposed to the fire wall noted by commenter. Such wall would be of hardened materials and buffered by landscaping in accordance with the Specific Plan design guidelines for walls and fences.
- L17-61 The DEIR discusses the view simulation methodology on page 5-26 in Aesthetics (Section 5.1) to provide near and distant viewpoints to represent the change in visual quality of the site. Each of the 12 viewpoints provides a view of the existing condition and with the Project. The existing condition is described on page 5-1 and depicted with each view simulation for comparison. An analysis of project aesthetics impact to each view is discussed on pages 5-27 through 5-58 of the DEIR. A discussion of Project consistency with County of Orange General Plan-Scenic Highway, City of Yorba Linda General Plan, and City of Yorba Linda Zoning Ordinance is found on pages 5-58 through 5-60 in Aesthetics (Section 5.1) of the DEIR. The City of Yorba Linda's intent for the Project Site is discussed in Land Use and Planning (Section 5.9) of the DEIR starting on page 5-431. As discussed, the City's vision for this area is low-density residential that averages one dwelling unit per acre. The Project is low-density residential that averages .73 dwelling units per acre, which is less density than the City's vision for the site.
- L17-62 Comment does not raise an environmental issue or concern.

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2. Page 5-2, 3rd Paragraph: This discussion should also clarify whether or not City of Yorba Linda Parks (e.g., XX) have views toward the project site. L17-63
3. Page 5-4, 1st Paragraph: This discussion should be included in the existing conditions rather than the regulatory framework. L17-64
4. Page 5-9, Last Paragraph: This discussion references two existing oil wells, whereas there is actually three existing operating oil wells. These wells are also noted to possibly be relocated to the Cielo Vista Project. The Cielo Vista Draft EIR does not mention taking on new oil operations at this site. The analysis should clarify that no impacts to the future Cielo Vista residents would occur. L17-65
5. Page 5-27, Long-Term Impacts Analysis: This analysis needs to be revised to clearly state what changes to the character of the view result. A discussion of the project's consistency with a particular Regulatory Framework goals and objects for particular views need to be clearly identified in order to come to a conclusion if the project impacts particular views in the City/County. L17-66
6. Page 5-27, Long-Term Impacts Analysis: Throughout this section, the Draft EIR states that the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, but the analysis does not specify why for each particular View. L17-67
7. Page 5-57, 2nd Paragraph: This discussion should reference whether or not the proposed grading and Specific Plan Regulatory Framework pertaining to grading are consistent with the City of Yorba Linda's Hillside Ordinance. As this City ordinance is key in maintaining the existing character/quality of the surrounding area, it is important to note if this project is changing that established landscape. L17-68
8. Page 5-59, Last Paragraph: This discussion should include the City's Hillside Development Ordinance (particularly with respect to grading activities). L17-69
9. Page 5-62, 5.1.7, Level of Significance After Mitigation: This section needs to be updated accordingly. Specific ways that PDFs and Mitigation Measure reduce impacts to particular designated scenic views/vistas (including those from City of Yorba Linda Parks, the State Park, and scenic view corridors such as SR-91) and the overall character/quality of the site and the area needs to be clearly identified. With regard to the character quality, the Draft EIR should specifically identify City/County goals and objectives for both scenic vistas and character quality, the PDFs and Mitigation Measures need to clearly identify how those are being achieved, and the project and proposed Specific Plan need to clearly identify consistency with the City of Yorba Linda's Hillside Grading Ordinance. L17-70
10. Page 5-64, 2. Long Term: This discussion needs to be revised, no mitigation measures were recommended. L17-71

- L17-63 Project views from San Antonio Park on San Antonio Road are represented in View 7 on page 5-43, although views from the San Antonio Park would have intervening homes and landscaping that would in some locations block views of the Project.
- L17-64 The description in regulatory setting provides relevant information about the Project as it relates to the County of Orange General Plan.
- L17-65 The description of the oil wells is correct as presented in the DEIR. For additional information concerning the oil wells, refer to Hazards and Hazardous Materials (Section 5.7) on page 5-290 and pages 5-331 and 5-332 of the DEIR. As discussed in the DEIR, future relocation of two existing wells is subject to agreements between the owners of the proposed Cielo Vista project and the well operator, Santa Ana Canyon Development. The DEIR provides analysis of well operations and abandonment/changes on the Proposed Project and includes mitigation measures to lessen Project impact during grading operations. The environmental impact of existing and future well operations in the proposed Cielo Vista project should be included in the Cielo Vista EIR.
- L17-66 A complete discussion of the Project's impacts on aesthetics is provided for each of the 12 views starting on page 5-27 of Aesthetics (Section 5.1) of the DEIR. A complete analysis of visual quality impact is found on page 5-57. Project consistency with regulatory documents is found in Land Use and Planning (Section 5.9) of the DEIR and on pages 5-59 and 5-60 of Aesthetics (Section 5.1) of the DEIR. A discussion of Project consistency with the Orange County General Plan begins on page 5-413. A discussion of Project consistency with the Yorba Linda General Plan begins on page 5-431. Project consistency to Yorba Linda General Plan Land Use Element Policy 8.2 and Policy 8.6 has been added to Table 5-9-11 beginning on page 5-434 of the DEIR; the intent of the analysis in the DEIR remains the same.

Table 5-9-11 Yorba Linda General Plan Land Use Element Consistency	
Policy	Analysis
Policy 8.2 – Respect the natural landform as a part of site planning and architectural design to minimize grading and visual impact.	The Proposed Project would be consistent with Policy 8.2 of the General Plan because the existing landform of upward-trending slopes is preserved in the grading design. The northern ridgeline and Blue Mud Canyon is preserved from development. Housing is clustered into two planning areas to preserve natural slopes and vegetation habitats. For additional information, refer to Section 5.1, Aesthetics, Section 5.3, Biological Resources and Section 5.8, Geology and Soils of this DEIR.
Policy 8.6 – Require analysis of visual quality impact of proposed developments on a project-by-project basis.	The Proposed Project has prepared an analysis of visual quality impact. For additional information, refer to Section 5.1, Aesthetics of this DEIR.

- L17-67 A complete analysis of Proposed Project's impacts on the visual character of the Proposed Project is found on page 5-57 of Aesthetics (Section 5.1) of the DEIR. This analysis, which identifies the nature and extent of the design considerations and physical characteristics within the viewshed that minimize potential visual impacts, is applicable for each view simulation that identifies a view of the Project Site. In accordance with CEQA policies, the DEIR is organized to reduce repetition of the same information.
- L17-68 A complete discussion of Project consistency with the Yorba Linda Hillside Ordinance (Yorba Linda Zoning Code Chapter 18.30) is found in Land Use and Planning (Section 5.9) on pages 5-445 through 5-447 of the DEIR.

- L17-69 Refer to response to Comment L17-68 above.
- L17-70 The analysis of the level of significance after mitigation is provided starting on page 5-62 of Aesthetics (Section 5.1) and provides specific information on how the Project Design Features PDF 1 through PDF 10 and Mitigation Measure AE-1 reduce project aesthetic impacts. A complete analysis of Project consistency with regulatory documents is provided in Land Use and Planning (Section 5.9) beginning on page 5-395 of the DEIR.
- L17-71 The DEIR includes Mitigation Measure AE-1 concerning exterior lighting to lessen Project nighttime light impacts, including long-term aesthetics impacts within the viewshed. In addition, Project Design Features (PDFs) have been incorporated to reduce visual impacts (pages 5-60 and 5-61). Therefore, the statements concerning long-term unavoidable adverse impact are consistent with the analysis and conclusions of the DEIR.

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5.2 AIR QUALITY

Global Comments

1. The analysis uses an outdated version of the CalEEMod program. The analysis should be updated with the latest version (version 2013.2.2). L17-72
2. The analysis should address the project's consistency with the SCAQMD 2012 Air Quality Management Plan. L17-73
3. The analysis should address any emissions or potential impacts to the proposed residences from the on-site oil wells that will remain in operation and their potential impact to the proposed residential uses. L17-74
4. Pursuant to guidance issued by the Office of Planning and Research, the construction analysis should address Naturally Occurring Asbestos. Refer to: http://opr.ca.gov/planning/publications/asbestos_advisory.pdf. L17-75

Air Quality Technical Study Comments

In addition to the applicable comments to Section 5.2 of the Draft EIR, the following comments apply to the technical study: L17-76

1. The technical study should include a project description to clearly define what is being analyzed in the study. L17-76
2. Health Risk Assessment Outputs: Based on the reported annual emissions of 0.96 tons, the source emissions rate of 0.34×10^{-2} grams per second appears too small (by a factor of 10). Please provide additional description of the methodology including the source treatment. L17-77
3. Health Risk Assessment Outputs: Please provide the CalEEMod outputs that were utilized for the health risk analysis. The analysis indicates that CalEEMod 2013.2.2 was used. However, only CalEEMod 2011.1.1 model outputs are included with the document. L17-78
4. Page 2 of the Health Risk Assessment: Please fix the typo for " $0.0.009 \mu\text{g}/\text{m}^3$ ", which is the value associated with the Annual Average $\text{PM}_{2.5}$ (one-hour x 0.1). L17-79
5. Page 2 of the Health Risk Assessment (table footnotes): Please include text to explain why the 70 year exposure was used considering that construction activities would last approximately 8 years. L17-80

Page/Section - Specific Comments

1. Table 5.2-1, Air Quality Monitoring Summary (2006-2011): This table should include the monitoring data for year 2012. L17-81

L17-72 The Air Quality and Greenhouse Gas Emissions Impact Analysis was updated (April 14, 2014) using the CalEEMod2013.2.2 program. The updated analysis is included herein as Appendix B. No change to the conclusions in the DEIR resulted from the update, and in many cases the emissions are less than originally reported using CALEEMod201.1.1. Therefore, the DEIR remains adequate and complete.

For this analysis, it was assumed that the Proposed Project would be developed at one time in two phases. Phase 1 would grade the entire site and construct 218 homes. Phase 2 would construct 160 homes. At a build rate of 80 homes per year, the duration of Phase 1 would be 2.7 years and approximately 2 years for Phase 2. The assumed total period of disturbance was six years from early 2015 to late 2020.

Because grading quantities in Project Option 1 are the largest, and therefore represent the worst case scenario, only Option 1 was analyzed. If the emissions from Option 1 do not exceed SCAQMD construction emissions thresholds, the remaining development options would also meet the thresholds. The table below depicts the differences between the modeling results using CalEEMod 2011.1.1 and CalEEMod2013.2.2. As shown, there are no significant differences and the totals remain well below the identified thresholds.

**Table 1 – Option 1 Phase 1
Construction Activity Emissions
Maximum Daily Emissions (pounds/day)**

Maximal Construction Emissions	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2015 2014						
Unmitigated	13.8 15.6	150.9 128.2	118.2 69.7	0.1	21.4 21.1	12.8 12.4
Mitigated	9.1 12.2	62.6 59.6	94.3 81.9	0.1	8.8 12.8	5.4 6.3
2016 2015						
Unmitigated	9.7 14.8	33.4 118.4	28.8 66.5	0.0 0.1	3.4 20.6	2.4 8.2
Mitigated	8.7 12.1	33.4 58.5	28.8 80.6	0.0 0.1	3.4 12.7	2.4 2.8
2017 2016						
Unmitigated	8.4 3.9	30.8 24.0	27.7 25.9	0.0 0.1	3.2 3.5	2.2 1.4
Mitigated	8.3 3.9	30.8 24.0	27.7 25.9	0.0 0.1	3.2 3.5	2.2 1.4
2018 2017						
Unmitigated	7.8 3.6	27.3 21.9	26.5 25.0	0.0 0.1	2.9 3.3	1.9 1.2
Mitigated	7.8 3.6	27.3 21.9	26.5 25.0	0.0 0.1	2.9 3.3	1.9 1.2
2018						
Unmitigated	3.3	20.0	24.2	0.1	3.2	1.1
Mitigated	3.3	20.0	24.2	0.1	3.2	1.1
2019						
Unmitigated	3.1	18.3	23.5	0.1	3.1	0.9
Mitigated	3.1	18.3	23.5	0.1	3.1	0.9
2020						
Unmitigated	44.7	16.7	22.9	0.1	2.9	1.1
Mitigated	44.7	16.7	22.9	0.1	2.9	1.1
SCAQMD Thresholds	75	100	550	150	150	55

**Table 2 -- Option 1 Phase 2
Construction Activity Emissions
Maximum Daily Emissions (pounds/day)**

<u>Maximal Construction Emissions</u>	<u>ROG</u>	<u>NOX</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>
<u>2018</u>						
<u>Unmitigated</u>	<u>7.8</u>	<u>26.7</u>	<u>24.1</u>	<u>0.0</u>	<u>2.6</u>	<u>1.8</u>
<u>Mitigated</u>	<u>7.8</u>	<u>26.7</u>	<u>24.1</u>	<u>0.0</u>	<u>2.6</u>	<u>1.8</u>
<u>2019</u>						
<u>Unmitigated</u>	<u>7.4</u>	<u>24.2</u>	<u>23.4</u>	<u>0.0</u>	<u>2.3</u>	<u>1.6</u>
<u>Mitigated</u>	<u>7.4</u>	<u>24.2</u>	<u>23.4</u>	<u>0.0</u>	<u>2.3</u>	<u>1.6</u>
<u>2020</u>						
<u>Unmitigated</u>	<u>1.4</u>	<u>13.8</u>	<u>14.9</u>	<u>0.0</u>	<u>1.0</u>	<u>0.7</u>
<u>Mitigated</u>	<u>1.4</u>	<u>13.8</u>	<u>14.9</u>	<u>0.0</u>	<u>1.0</u>	<u>0.7</u>
<u>SCAQMD Thresholds</u>	<u>75</u>	<u>100</u>	<u>550</u>	<u>150</u>	<u>150</u>	<u>55</u>

L17-73 As stated on page 12 of the Air Quality Impact Analysis (Appendix C in the DEIR), projects such as the proposed Esperanza Hills project do not directly relate to the AQMP in that there are no specific air quality programs or regulations governing general development. Conformity with adopted plans, forecasts, and programs relative to population, housing, employment, and land use is the primary yardstick by which impact significance of planned growth is determined. The SCAQMD, however, while acknowledging that the AQMP is a growth-accommodating document, does not favor designating regional impacts as less than significant just because the proposed development is consistent with regional growth projects. Air quality impact significance for the Proposed Project has, therefore, been analyzed on a project-specific basis.

However, the updated Air Quality Analysis includes criteria used for determining consistency with the AQMP. The 2012 AQMP assumes that development associated with general plans, specific plans, residential projects, and wastewater facilities will be constructed in accordance with population growth projections identified by SCAG in its 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The AQMP assumed that such development projects will implement strategies to reduce emissions generated during the construction and operational phases of development.

- **Consistency Criterion No. 1:** The Proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The Proposed Project could potentially violate an air quality standard or contribute to an air quality violation during grading. However, implementation of the mitigation measures proposed will reduce associated impacts to less-than-significant.
- **Consistency Criterion No. 2:** The Proposed Project will not exceed the assumptions in the AQMP or increments based on the years of project build-out phase. The AQMP Handbook indicates that key assumptions to use in this analysis are population and housing growth projections used in the SCAG RTS (Regional Travel Survey) model. The model predicts that unincorporated Orange County households will increase from 38,500 to 44,000 between 2008 and 2020. The Proposed Project contributes less than 7% of the total projected growth and is consistent with growth projections. Therefore, the Proposed Project would not conflict with or obstruct implementation of the air quality plan established for the region.

- L17-74 The Air Quality Impact Analysis update includes findings of a definitive cancer risk study prepared by USC Keck School of Medicine, which concludes there is no connection between oil well emissions and Hodgkin's disease, non-Hodgkin's lymphoma, or thyroid cancer associated with benzene exposure. Benzene is the primary carcinogen associated with petroleum products. The scientific community agrees that there is no supporting evidence to suggest that oil well proximity poses an unacceptable health risk.
- L17-75 The most potentially significant "natural" pollutants in fugitive dust are naturally occurring asbestos (NOA) and crystalline silica (CS). NOA is a known human carcinogen, and CS is a hazardous air contaminant. The possible presence of these materials depends on the geomorphology of the underlying rock of a given site. The California Air Resources Board (ARB) approved an Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying and Surface Mining Operations in July 2001. The measure establishes specific testing, notification, and engineering controls prior to ground disturbance where naturally occurring asbestos is located and requires submittal of a "Dust Mitigation Plan." The ARB maintains a list of areas for which there are reported natural occurrences of asbestos. The Proposed Project area is not included on this list. NOA emissions and associated impact potential on the Project site is negligible.
- L17-76 Comment noted. Although the Air Quality Analysis does not include a specific project description, the analysis and conclusions remain unchanged and accurate.
- L17-77 Total annual emissions of 1.298 tons are for a 6-year period and are averaged over the 6 years to obtain the AERSCREEN input rate (lbs/hour). Model printouts are included in Appendix B herein showing the computer model calculations.
- L17-78 The CalEEMod annual outputs utilized for the health risk assessment have been included in the updated Air Quality and Greenhouse Gas Emissions Impact Analysis (Appendix B herein).
- L17-79 Comment does not raise an environmental issue or concern. The typographical error has been corrected in the updated Air Quality Impact Analysis. The air quality analysis and conclusions remain unchanged.
- L17-80 The referenced footnote states: "The excess individual cancer risk factor for DPM exposure is approximately 300 in a million per 1 µg/m³ of lifetime exposure of 70 years according to the OEHHA Technical Support Document (TSD) for Cancer Potency Factors entitled "Methodologies for derivation, listing of available values, and adjustments to allow for early life state exposures" (May2009). More recent research has determined that young children are substantially more sensitive to DPM exposure risk. According to the OEHHA TSD, if exposure occurs in the first several years of life, an age sensitivity factor (ASF) of 10 should be applied. For toddlers through mid-teens, the ASF is 3."

The DPM exposure risk from construction exhaust thus depends upon the age of the receptor population during the assumed 6 years of construction. The excess individual cancer risk is as shown on Table 12.

Age Group	Excess Cancer Risk*
Infants	4.21 in a million
Children	2.24 in a million
Adults	0.75 in a million

*DPM (µg/m³) * ASF * 300 x 10⁻⁶ /70 years

The maximum individual cancer risk would be below the 10 in 1 million significance threshold. The following table depicts the risks at the closest sensitive receptors.

**Table 3 – Cancer Risk and Chronic Non-Cancer Health Risks
at the Closest Sensitive Receptors Due to DPM Exposure during Project Construction**

	PM_{2.5} Exposure, Excess Cancer Risk, and Non-Cancer Chronic Hazard Index from Project Construction Activities at Closest Receptors
Maximum One-Hour PM _{2.5}	0.2911 µg/m ³
Annual Average PM _{2.5} (one-hour x 0.1)	0.02911 µg/m ³
Age-Weighted Excess Risk for: Infants (2.25 years + 3.75 years youth)	4.21 in a million
Youth (6 years)	2.24 in a million
Adults (6 years)	0.75 in a million
Cancer Risk Significance Threshold	Excess Cancer Risk >10 x 10 ⁻⁶
Exceeds Threshold?	No
Chronic Non-Cancer Hazard Index	0.006
Chronic Non-Cancer Significance Threshold	Hazard Index >1.0
Exceeds Significance Threshold?	No

SOURCES: A screening-level individual cancer analysis was conducted to determine the maximum PM_{2.5} concentration from diesel exhaust. This concentration was combined with the DPM exposure unit risk factor to calculate the inhalation cancer risk from project-related construction activities at the closest sensitive receptor. The EPA AERSCREEN air dispersion model was used to evaluate concentrations of DPM and PM_{2.5} from diesel exhaust. The AERSCREEN model was developed to provide an easy to use method of obtaining pollutant concentration estimates and is a single source Gaussian plume model which provides a maximum one-hour ground-level concentration. The model output for this analysis is included in this report.

Consistent with EPA/ARB/SCAQMD guidelines, the screening level impact analysis was conducted for the maximum exposed individual (MEI) for outdoor exposure for 24 hours per day, 350 days per year, for 6 years of construction. Any other sensitive receptor exposure (schools, parks, etc..) will be less than this maximum.

- L17-81 Table 3 in the updated Air Quality Impact Analysis has been expanded to include year 2012 historical monitoring data. This information does not change the conclusions of the DEIR, and the DEIR remains adequate and complete.

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2. Table 5.2-3, Ambient Air Quality Standards: Please update the Ambient Air Quality Standards table. CARB posted an updated version on June 4, 2013. The updated table includes the federal annual standard of 12 µg/m³ for PM₁₀ concentrations. L17-82
3. Page 5-77, Sensitive Receptors: The sensitive receptor discussion should include residential areas, schools, and parks within a one-mile radius of the project site. More sensitive receptors would potentially be impacted by the project than those adjacent to the access roads. L17-83
4. Table 5.2-6, Earthwork Quantities and Distance Estimates: Provide a source for the grading volumes. This information is not included in the project description. L17-84
5. Page 5-80: The analysis references a reduction in off-road emissions by 33 percent. This is an oversimplification as it does not apply all equipment across the board. Therefore, construction emissions may be underestimated. Off-Road 2007 load factors may be adjusted per CARB's October 2010 emissions inventory updates. However, these load factors have been updated in CARB's Off-Road 2011 Model. It should be noted that the latest off-road load factors are incorporated into CalEEMod version 2013.2.2. It is strongly recommended that the latest version of CalEEMod be used. L17-85
6. Page 5-80, Last Paragraph: Please provide sources for the earthwork and grading volumes. L17-86
7. Page 5-80, Last Paragraph: The text notes that grading would occur over two years. The CalEEMod outputs note that grading was modeled for 390 days (approximately 18 months). Page 4-25 (Section 4.6, Construction Schedule) of the Project Description states that the grading phase for Planning Area 1 would be 6 to 10 months and 6 to 8 months for Planning Area 2. This results in a total duration ranging from 12 to 18 months.

As the CalEEMod outputs and the SCAQMD thresholds are based on daily emissions, spreading grading activities over a period longer than 12 months would underestimate emissions. Grading should be modeled for a 12-month duration to depict a "worst case" condition that is identified in the project description. L17-87
8. Page 5-83, Health Risk Analysis: Please tabulate the results of the dispersion modeling and cancer risk calculations. L17-88
9. Page 5-83, Health Risk Analysis: The analysis should explain the methodology for the risk assessment and include a description of the source type, source treatment, wind speed, year of construction that had the highest emissions, etc. L17-89
10. Table 5.2-10, Risks and Hazards Construction-Related Significance Thresholds: The table should identify the source for these thresholds. L17-90
11. Table 5.2-11, Age Sensitivity Factor Thresholds: Provide the source for these thresholds. L17-91
12. Page 5-84: The analysis should describe which source receptor area the project is located in. L17-92

- L17-82 An Ambient Air Quality Standards Table (Table 1) dated June 2013 has been included in the updated Air Quality Impact Analysis. This information does not change the conclusions of the DEIR, and the DEIR remains adequate and complete.
- L17-83 As noted in footnotes to Table 12 in the updated Air Quality Impact Analysis, consistent with EPA/ARB/SCAQMD guidelines, the screening level impact analysis was conducted for the maximum exposed individual (MEI) for outdoor exposure for 24 hours per day, 350 days per year, for 6 years of construction. Any other sensitive receptor exposure (e.g., schools, parks) will be less than this maximum.
- L17-84 Grading quantities were provided by the Project Applicant's architects and engineers. Grading quantities are identified in Executive Summary - Section 2.2 – Project Description on page 2-1 of the DEIR.
- L17-85 The updated Air Quality Impact Analysis using CalEEMOD2013.2.2 takes the 33% reduction into account (Table 1 – Option 1 Phase 1, page 233 herein, and Table 2 – Option 1 Phase 2, (page 234 herein) in response to Comment L17-72). Therefore, it is no longer necessary to manually modify the model to include the reduction. This information does not change the conclusions of the DEIR, and the DEIR remains adequate and complete.
- L17-86 See response to Comment L17-84.
- L17-87 The grading will be done in two phases, and each phase will take 6 to 8 months, for a total of 16 months as identified in the DEIR. As noted by commenter, the DEIR considered a grading duration from 12 to 18 months. The information in the DEIR remains adequate and complete.
- L17-88 The AERSCREEN modeling input has been included in Appendix B herein.
- L17-89 See response to Comment L17-88.
- L17-90 The risk and hazard thresholds identified in Table 5.2-10 are recommended by the SCAQMD to be considered significant under CEQA Guidelines.
- L17-91 As noted in the updated Air Quality Impact Analysis, the screening model used was the EPA AERSCREEN air dispersion model to evaluate concentrations of DPM and PM_{2.5} from diesel exhaust. The input modeling numbers were based on CalEEMod2013.2.2.
- L17-92 The Project is in the North Orange County Source Receptor Area (i.e., SRA 17).

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| 13. <u>Page 5-85</u> : The analysis states that the closest residence to the project is 600 feet away. However, the discussion on page 5-77 states that the closest residences are 50 feet away. Please update the analysis to be consistent with page 5-77 or explain why a different distance is used. | } | L17-93 |
| 14. <u>Page 5-85</u> : The analysis should address any potential impacts to the Cielo Vista project, which would be located immediately to the west of the proposed project and could potentially be occupied by 2015. | } | L17-94 |
| 15. <u>Page 5-88, Mitigation Measures</u> : All mitigation measures should indicate specific timing (e.g., prior to the issuance of building permits) and responsibility for verification. | } | L17-95 |
| 16. <u>Page 5-89, Mitigation Measures</u> : The third bullet of Mitigation Measure AQ-1 should specify that diesel oxidation catalysts shall achieve 40 percent reduction to be consistent with what was modeled in CalEEMod. | } | L17-96 |
| 17. <u>Page 5-89, Long Term, Operational Impacts</u> : This section states that emissions would not exceed SCAQMD threshold with implementation of the following mitigation measures. However, no mitigation measures follow. Please revise this section as necessary (e.g., no operational mitigation measures are necessary). | } | L17-97 |

5.3 BIOLOGICAL RESOURCES

Global Comments

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| 1. The descriptions of the existing conditions are difficult to follow for pre- and post-fire conditions. The last paragraph on page 5-94 communicates that a fire occurred and that the section would describe the pre- and post-fire conditions. The discussions in the subsections that follow (pages 5-97 and on) switch back and forth between the two conditions within the same paragraph; beginning with paragraph 2a (page 5-97) and following. This section would be better served if the resources were described as follows: Resource X: pre-fire conditions; post-fire conditions; and anticipated recovery/post-fire succession (anticipated future); Resource Y: pre-fire conditions; post-fire conditions; and anticipated recovery/post-fire succession; etc. | } | L17-98 |
| 2. The conclusions of significance sometimes rely on implementation of Project Design Features (PDF), in order to avoid or lessen Project impacts. However, further assurance is needed, as to their implementation, such as a requirement to include PDFs as Conditions of Approval (COA). Additionally, the feasibility of some of the proposed PDFs is questionable. | } | L17-99 |
| 3. The conclusions of significance sometimes rely on implementation of plans/programs (i.e., Revegetation Plan, Detailed Restoration Program, Habitat Mitigation and Monitoring Program, and Environmental Awareness Program), in order to avoid or lessen Project impacts. However, these plans/programs are deferred to the future (i.e., prior to grading permit issuance), which is discouraged by CEQA. Additionally, the mitigation measure's effectiveness and EIR significance conclusions are questionable. These plans and programs should be evaluated as part of the EIR. | } | L17-100 |

- L17-93 The discussion on page 5-77 of the DEIR relates to impacts to sensitive receptors from vehicle emissions. The distances from either access roadway to the nearest residence are 50 feet. Page 5-85 refers to the distance from the nearest existing residence to the closest residential lot on the Project site.
- L17-94 The potential development of the proposed Cielo Vista project has been considered throughout the DEIR in terms of cumulative impacts.
- L17-95 Mitigation Measures AQ-1, AQ-2, and AQ-3 relate directly to the construction phase of the Proposed Project. Therefore, to require the measures during construction is appropriate. The Mitigation Monitoring and Reporting Program included in the Final EIR will identify the person or agency responsible for mitigation verification.
- L17-96 Comment noted. Mitigation Measure AQ-1, bullet 3 is herein refined as follows:
AQ-3 - During grading, require that contractors employ oxidation catalysts, [which shall achieve 40% reduction](#), during grading for excavation graders and scrapers exceeding 100 HP rated power if the entire project is graded at one time, unless use of such mitigation is demonstrated to be technically infeasible for a given piece of equipment.
- L17-97 The Mitigation Measure referenced has been included in the Greenhouse Gas Emissions discussion in Section 5.6 on page 5-272. The reference was inadvertently left on page 5-89. With incorporation of mitigation measure GHG-2 in Section 5.6 – Greenhouse Gas Emissions, operational emissions would not exceed respective SCAQMD significance thresholds.
- L17-98 As stated on page 5-94 of Biological Resources (Section 5.3), the definition of “existing condition” of plants and animals is based on what is found based on current field surveys and what could be potentially found based on pre-2008 Freeway Complex Fire surveys in the Study Area. A complete analysis of each biological resource with a discussion of pre- and post-fire condition is found in each section, as well as the Project impact analysis prior to mitigation, after mitigation, and cumulative impacts. Therefore, all necessary information is provided for analysis of Proposed Project’s impacts to biological resources.
- L17-99 Refer to response to Comment L17-59. All of the PDFs incorporated into the project design are feasible and will be implemented as stated throughout the DEIR.
- L17-100 The re-vegetation plan identified in Mitigation Measures Bio-1 and Bio-4 establishes a clear, enforceable performance standard and specifies one or more actions that can meet the standard. Preparation of the plan by a qualified biologist can be confirmed during approval of the plan by the County. Identified ratios will be enforced as required by the mitigation measures. Therefore, pursuant to the requirements of CEQA, the re-vegetation plan is not “deferred” mitigation. The restoration plans identified in Mitigation Measures Bio-2, Bio-3, and Bio-6 establish clear, enforceable performance standards and specify one or more actions that can meet the standard. Therefore, pursuant to the requirements of CEQA, the restoration plan is not “deferred” mitigation. The Habitat and Mitigation Monitoring Plan identified in Mitigation Measure Bio-7 implements and monitors the requirements established in Mitigation Measures Bio-1, Bio-2, Bio-3, Bio-4, and Bio-6 into a comprehensive document. Therefore, pursuant to the requirements of CEQA, the Habitat and Mitigation Monitoring Plan is not “deferred” mitigation. The Environmental Awareness Program identified in Mitigation Measure Bio-10 establishes a clear, enforceable performance standard and specifies one or more actions that can meet the standard. County review and approval are required to ensure enforcement. Therefore, pursuant to the requirements of CEQA, the Environmental Awareness Program is not “deferred” mitigation.

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4. Some mitigation is vague, lacking details, performance standards, and milestones.

L17-101

Page/Section - Specific Comments

1. Page 5-94, Section 5.3.1, Paragraph 3: Plants are listed; however, there is no mention of the wildlife that was targeted for focused surveys.

L17-102

2. Page 5-98, Section 5.3.1, Sentence 2 and Last Sentence: It is unclear in sentence 2 whether Table 5-3-2 outlines pre- or post-fire conditions; this is not answered until the last sentence. Move the last sentence to beginning of paragraph and consolidate with sentence 2.

L17-103

3. Page 5-111, Section 5.3.1, Special Status Plant and Wildlife Species: The special status plant species that are first discussed are those that were observed. The process that occurred previously is not discussed. This section would be better served if Appendix D Sections 2.2 and 2.3 were summarized and Appendix D Tables 4-2 and 4-3 included.

L17-104

4. Page 5-111, Section 5.3.1, Special Status Plants Observed: Focused plant surveys were conducted for 11 species (see page 5-94, paragraph 3). This section states five plant species were observed. Regarding the other six (6) species, please state survey findings and conclusions (i.e., are not anticipated to occur given the absence of suitable habitat).

L17-105

5. Page 5-115, Section 5.3.1, Special Status Wildlife, Paragraph 1: It is unclear how many focused wildlife surveys were conducted; numerous according to Table 5-3-1. Three focused surveys are introduced in the following Special Status Birds section, implying only those three. Please address focused wildlife surveys in Paragraph 1 and add conclusion regarding wildlife species that were not surveyed (i.e., they are not anticipated to occur given the absence of suitable habitat); see also Comment #1 above.

L17-106

6. Page 5-142, Section 5.3.4, Line 1: Please remind the reader in a footnote where global and state rankings are defined.

L17-107

7. Page 5-143, Section 5.3.4, Impacts to Special Status Plant Resources: Add a conclusion regarding the plant species that were surveyed, but not documented (i.e., "XX were surveyed and not observed, and are not anticipated to occur given XX; therefore, the Project would result in no impact to XX."

L17-108

8. Page 5-149, Section 5.3.4, Impacts to Special Status Wildlife Resources: This section does not discuss the wildlife species that were surveyed and documented, as did the preceding Special Status Plant Resources section (see Comment #7). Also, add a conclusion regarding the wildlife species that were surveyed, but not documented (i.e., "XX were surveyed and not observed, and are not anticipated to occur given XX; therefore, the Project would result in no impact to XX."

L17-109

9. Page 5-158, Section 5.3.4, Introduction of Trash and Debris: Project Design Features are introduced here; see Global Comment #2 above.

L17-110

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Page 12

- L17-101 The commenter does not provide any evidence or specifics on how some mitigation is vague or lacking details, performance standards, and milestones; therefore, no response can be provided.
- L17-102 A complete discussion of Special Status Wildlife is found beginning on page 5-115 in Section 5.3 – Biological Resources. A list of wildlife surveys is found in Table 5-3-1, Site Surveys, 2007-2013 on page 5-93 of the DEIR.
- L17-103 Comment does not raise an environmental issue or concern.
- L17-104 A reference to the Biological Technical Report for the 504-acre Esperanza Hills Specific Plan Property is found on page 5-91 of Biological Resources (Section 5.3) of the DEIR. The Biological Technical Report that provides detailed biological resources information on botanical and wildlife resources. The significant information that summarizes the Proposed Project's potential impacts to biological resources is provided in Biological Resources (Section 5.3). A reference to special status plant evaluation and focused surveys is made on page 5-111, and the results are illustrated in Exhibit 5-26 on page 5-113 of the DEIR. Refer to response to Comment L3-2 (U.S. Fish and Wildlife) for additional information concerning special status species.
- L17-105 On page 5-94 of Section 5.3 - Biological Resources a reference to Table 4.2 of the Biological Technical Report (Appendix D in the DEIR) is provided concerning evaluation of special-status plants for the Study Area. As indicated in Table 4.2 beginning on page 38 of the Biological Technical Report (Appendix D in the DEIR), the potential for occurrence for Allen's pentachaeta, Brand's phacelia, chaparral nolina, Roberinson's peppergrass, and small-flowered morning glory is low.
- L17-106 On page 5-115 of Section 5.3 - Biological Resources a reference to Table 4.3 of the Biological Technical Report (beginning on page 44 of Appendix D in the DEIR) is provided concerning special status animals evaluated for the Study Area. Pursuant to page 48 of the Biological Technical Report, three focused surveys were conducted for the three special-status birds with the potential to occur in the Study Area. A more complete discussion of the special status surveys and other environmental factors relating to these surveys appears in response to Comment L3-2 (U.S. Fish and Wildlife).
- L17-107 A discussion of global and state rankings can be found on page 5-109 of Section 5.3 – Biological Resources.
- L17-108 Refer to page 5-93 and 5-94 of Section 5.3 of the DEIR concerning habitat assessment procedures. As summarized in Table 4.2 of Appendix D in the DEIR, 33 special-status plants were evaluated for the Study Area through habitat assessment and focused surveys (where suitable habitat is present). Of the 33 plants evaluated, five species were documented within the Study Area, and Proposed Project impacts were analyzed for these species.
- L17-109 Page 5-115 of Section 5.3 of the DEIR contains a discussion of the special-status wildlife species evaluated and the methodology for this evaluation. As summarized in Table 4.3 of Appendix D (beginning on page 44 in the DEIR), 31 special-status animals were evaluated for the Study Area. See pages 5-115 through 5-120 for a discussion of focused surveys, special-status wildlife observed, special-status wildlife with the potential to occur but not detected, raptor use, and nesting birds. See pages 5-149 through 5-162 for a discussion of Proposed Project impacts on biological resources including special-status wildlife.
- L17-110 Refer to response to Comment L17-59 for information concerning Project Design Features.

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10. Page 5-160, Section 5.3.4, Human Intrusion: Why is Mitigation Measure BIO-9 the first introduced, with no mention of Mitigation Measures BIO-1 through BIO-8. L17-111
11. Page 5-162, Section 5.3.4, Sentence 1: The feasibility of a PDF that prohibits outdoor cats is questionable; see Global Comment #2 above. L17-112
12. Page 5-162, Section 5.3.5, Project Design Features: Why do PDFs begin with PDF-11? Also, if PDF's are assigned a number, please identify in each impact analysis the proposed PDF by number. L17-113
13. Page 5-163, Section 5.3.5: In all PDFs, please change "will" to "shall." L17-114
14. Pages 5-164-166, Section 5.3.6, BIO-1, BIO-2, BIO-3, BIO-4: Measures are deferred; see Global Comment #3 above. L17-115
15. Page 5-163, Section 5.3.6, All Mitigation Measures: In all MMs, please change "will," "would," and "should" to "shall." L17-116
16. Page 5-163, Section 5.3.8, Cumulative Impacts: This section provides too much detail on the Project impact, instead of summarizing. Also, the cumulative analysis emphasizes only Cielo Vista and Bridal Hills; no mention of other related projects. L17-117

5.4 CULTURAL RESOURCES

Global Comments

No global comments.

L17-118

Page/Section - Specific Comments

1. Page 5-190, first paragraph, fourth sentence: "...along with an historical archaeological resource" should be "along with a historical archaeological resource." L17-119
2. Page 5-190, second paragraph: This paragraph states that SB-18 consultation was conducted in June 2008, nearly six years ago. NAHC was contacted in 2012 but it does not appear that any updated tribal consultation has been conducted since 2008. Please clarify and explain why updated consultation is not required. L17-120
3. Page 5-190, paragraph 3: Please clarify what is meant regarding the survey methodology citation of "intensive pedestrian survey"? Describe the extent of fieldwork and transects, etc. L17-121
4. Page 5-194, paragraph 2: As noted above, please clarify what is meant regarding the survey methodology citation of "intensive pedestrian survey"? Describe the extent of fieldwork and transects, etc. L17-121

- L17-111 Human intrusion is discussed on page 5-169 of Section 5.3 of the DEIR concerning control of human physical access into sensitive habitat areas within the Proposed Project site and CHSP — not the Proposed Project's impact from physical development on biological resources as reflected in Mitigation Measures Bio-1 through Bio-8.
- L17-112 Refer to response to Comment L17-99 for information concerning Project Design Features. The commenter does not offer any evidence regarding why a prohibition of outdoor cats is not feasible as required in PDF 12; therefore, no further response can be provided.
- L17-113 Refer to response to Comment L17-59 for information concerning the use of Project Design Features (PDFs). A summary of Project Design Features is included in the Final EIR in the Mitigation Monitoring Program. The PDFs are numbered consecutively throughout the DEIR, with PDF 10 found in Section 5.1 (Aesthetics). As discussed on pages 5-162 through 5-164, PDF 11 lessens the introduction of trash and debris, PDF 12 prohibits outdoor cats, PDF 13 lessens light pollution, PDF 14 lessens short-term construction impact, PDF 15 minimizes edge effect, and PDF 16 concerns the use of native plantings in fuel modification areas.
- L17-114 "Will" and "shall" indicate the same level of required performance; therefore, no change is required in the PDFs.
- L17-115 Refer to response to Comment L17-100.
- L17-116 Refer to response to Comment L17-114. All mitigation measures say "shall."
- L17-117 Concerning biological resources, no other cumulative projects are anticipated to impact biological resources due to the project location, size, and land use type. The level of detail provided in the cumulative impact analysis is appropriate to explain the cumulative impact to biological resources.
- L17-118 Comment does not raise an environmental issue or concern.
- L17-119 The information provided in the 2008 Native American consultation as described on page 5-190 of Cultural Resources (Section 5.4) of the DEIR was determined to be still relevant, since the consultation concluded that there were no known sacred lands in the vicinity of the Proposed Project and the individuals consulted offered no specifics concerning cultural resources. The Notice of Preparation and the NOA were sent to the Native American Heritage Commission. No comments were received beyond the advisory letter detailing procedures if resources are discovered and a general list of contacts.
- L17-120 Comment does not raise an environmental issue or concern, and no response is warranted. The survey to which a reference is made in this comment was not conducted for Project specific analysis, and general observations and results are adequate for purposes of background information herein. The Cogstone Archaeological and Paleontological Resources Assessment Update for the Esperanza Hills Project is the Project specific analysis on which the findings and conclusions are based. Refer to Appendix F in the DEIR, Archaeological and Paleontological Resources Assessment, for a discussion of survey methods and field work.
- L17-121 See response to Comment L17-120.

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5.5 GEOLOGY AND SOILS

Global Comments

1. The impact analyses generically state that mitigation is recommended, but provide no description of the measure. A long list of mitigation measures is provided in Section 5.5.4, however, there is no nexus to the impact analyses. L17-122
2. The impact analyses often conclude an "acceptable level." These conclusions should be revised to "less than significant" or "less than significant with mitigation incorporated." L17-123
3. Each issue area section includes a "Level of Significance After Mitigation Measure" subsection near the end of the Section, which provides a conclusion of significance for the impact. This is true even if mitigation measures are not required/proposed for a particular impact, causing confusion to the reader. Additionally, given the conclusions of significance are not provided in the context of the impact analyses, the reader is forced to search for the final conclusion of significance elsewhere in the section (often many pages later) in the Level of Significance After Mitigation Measure subsection. This format creates disconnects in the impact analyses. L17-124

Page/Section - Specific Comments

1. Page 5-203, Section 5.5, Sentence 1: The term "on-site soil conditions that have the potential to...." Implies only soil conditions could impact the proposed Project. Delete "soil." L17-125
2. Page 5-203, Section 5.5, Paragraph 2: Discusses the purpose of the "geotechnical investigation," which is assumed to be the previously identified "Geotechnical Review." Please refer to documents consistently throughout. Also, please describe the other assessments/studies. L17-126
3. Page 5-206, Section 5.5.1, Sentence 2: Add statement to end of sentence that the Whittier Fault Zone also traverses the Project site, as illustrated on Exhibit XX. L17-127
4. Page 5-206, Section 5.5.1, Paragraph 1: In second to last sentence, please clarify what is meant by "within the parcel area," since this encompasses the majority of the Project site. L17-128
5. Page 5-206, Section 5.5.1, Paragraph 2: The first sentence describes the Whittier Fault Zone in relation to the site. Move to preceding paragraph; see Comment #3 above. L17-129
6. Page 5-206, Section 5.5.1, Paragraph 2: The sentence beginning "In addition to severe ground shaking..." is out of place; move to Fault Rupture discussion. L17-130
7. Page 5-206, Section 5.5.1, Paragraph 2: The sentence beginning "The Whittier Fault poses the most..." is out of place, since this is Existing Conditions. Move to impact analysis. L17-131

- L17-122 All Mitigation Measures have been presented in Subsection 5.5.4. Comment does not raise an environmental issue or concern. The analysis remains adequate and complete.
- L17-123 As stated in Subsection 5.5.7, implementation of recommended mitigation measures will reduce all potentially significant geological impacts to a less than significant level. Comment does not raise an environmental issue or concern and no further response is warranted.
- L17-124 Comment does not raise an environmental issue or concern. The formatting is the same for each topical section of the DEIR, and content/number of pages varies greatly. The commenter acknowledges that the information can be found in each section; therefore, style and format do not result in an inadequacy of the document.
- L17-125 Comment does not raise an environmental issue or concern.
- L17-126 Comment does not raise an environmental issue or concern. The purpose of the geotechnical investigation is presented in Appendix G to the Draft EIR. The technical study upon which information in each topical section is based is identified in the first paragraph of each topical section.
- L17-127 Page 5-206, paragraph 2, describes the Whittier Fault Zone in relation to the Proposed Project.
- L17-128 The Geotechnical analyses uses the term “parcel” rather than “planning area” as is used in the DEIR. For purposes of this statement, the reference is to Planning Area 1, which is the southwestern portion of the Project site.
- L17-129 See responses to Comment L17-127 and -128 above.
- L17-130 Comment does not raise an environmental issue or concern.
- L17-131 Comment does not raise an environmental issue or concern.

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| 8. <u>Page 5-206, Section 5.5.1, Paragraph 3:</u> First sentence is out of place, since it refers to conceptual design plan; move to impact analysis. Simply intro Report here. | <input type="checkbox"/> | L17-132 |
| 9. <u>Page 5-206, Section 5.5.1, Paragraph 3:</u> Replace "Option depict" with "Option 2 depict." | <input type="checkbox"/> | L17-133 |
| 10. <u>Page 5-206, Section 5.5.1, Paragraph 3:</u> Last line, add a space after "5.5.3," and delete last word "below." | <input type="checkbox"/> | L17-134 |
| 11. <u>Page 5-206, Section 5.5.1, Ground Rupture:</u> First part of paragraph 2 (through "11,000 years)" is out of place. Mover/consolidate with introduction of Whittier Fault Zone above. | <input type="checkbox"/> | L17-135 |
| 12. <u>Page 5-206, Section 5.5.1, Ground Rupture:</u> In paragraph 2, sentence beginning "There is potential for primary..." clarify what area; refer reader to an Exhibit. | <input type="checkbox"/> | L17-136 |
| 13. <u>Page 5-206, Section 5.5.1, Ground Rupture:</u> In paragraph 2, sentence beginning "Surface rupture due to a" Is out of place, since this Existing Conditions. Mover to impact analyses. | <input type="checkbox"/> | L17-137 |
| 14. <u>Page 5-211, Section 5.5.1, Geologic Setting:</u> This section is out of place, since it is preceded and followed by site-specific discussions. Please move to Geology on page 5-203. | <input type="checkbox"/> | L17-138 |
| 15. <u>Page 5-211, Section 5.5.1, Landslides:</u> In paragraph 2, sentence beginning with "Existing geologic maps indicate..." Clarify which areas. Refer reader to an Exhibit. | <input type="checkbox"/> | L17-139 |
| 16. <u>Page 5-214, Section 5.5.1, Whittier-Elsinore Fault Zone:</u> Discussions regarding the Whittier Fault Zone are provided here and in Sections 3 and 4 above. Please move these up and consolidate three discussions. | <input type="checkbox"/> | L17-140 |
| 17. <u>Page 5-214, Section 5.5.1, Whittier-Elsinore Fault Zone:</u> Paragraph 2 is out of place, since this is Existing Conditions. Also, the Whittier Fault is not the only fault with potential to cause strong ground shaking at the Project site. Please discuss others also. | <input type="checkbox"/> | L17-141 |
| 18. <u>Page 5-214, Section 5.5.1, Historical Seismicity and Earthquake History:</u> This section is out of place, since it refers to historic events. Move to between #3 and #4 above. | <input type="checkbox"/> | L17-142 |
| 19. <u>Page 5-217, Section 5.5.1, Landslide Deposits/Debris Flows:</u> This section describes the conditions, however, doesn't state whether or not they are present on the Project site. If so, please refer reader to an Exhibit. | <input type="checkbox"/> | L17-143 |
| 20. <u>Page 5-218, Section 5.5.1, Compressible Soils:</u> See Comment #19 above. | <input type="checkbox"/> | L17-144 |
| 21. <u>Page 5-218, Section 5.5.1, Compressible Soils:</u> Last sentence is out of place, since this is Existing Conditions. Move to impact analysis. | <input type="checkbox"/> | L17-145 |
| 22. <u>Pages 5-218 and 219, Section 5.5.1, Sections 11 through 15:</u> See Comment #19 above. | <input type="checkbox"/> | L17-146 |

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L17-132 Comment does not raise an environmental issue or concern.

L17-133 Comment does not raise an environmental issue or concern.

L17-134 Comment does not raise an environmental issue or concern.

L17-135 Comment does not raise an environmental issue or concern.

L17-136 The Whittier-Elsinore Fault Zone is a topical discussion on page 5-214 and describes where the fault exists on the Proposed Project site. Discussion regarding faulting can be found on page 5-231, which includes results of trenching and LIDAR imagery. Page 5-206 - Ground Rupture is intended to provide a general overview of the condition.

L17-137 Comment does not raise an environmental issue or concern.

L17-138 Comment does not raise an environmental issue or concern.

L17-139 As noted in the response to Comment L17-136 above, this section provides a general overview of the condition. Additional detail, including maps, is found in Subsection 5.5.3 where each topic is further analyzed.

L17-140 Comment does not raise an environmental issue or concern.

L17-141 Comment does not raise an environmental issue or concern.

L17-142 Comment does not raise an environmental issue or concern.

L17-143 Refer to the response to Comment L17-139 above. Specific analysis regarding Landslide Deposits/Debris Flows is found on page 5-235.

L17-144 Refer to response to Comment L17-139 above. Specific analysis regarding Compressible Soils is found on page 5-248.

L17-145 Comment does not raise an environmental issue or concern.

L17-146 Refer to Subsection 5.5.3 where all topical issues introduced are individually analyzed.

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| 23. <u>Page 5-219, Section 5.5.1, Previous Site Studies:</u> Please tell reader where these studies are available for review or confirm their findings were verified/incorporated by the 2013 study. | } | L17-147 |
| 24. <u>Page 5-220, Section 5.5.1, Previous Site Studies:</u> Paragraph 2, which refers to the American Geotechnical study, is out of place, since the 2013 study is current, not previous. Suggest consolidate with introduction on page 5-203. | } | L17-148 |
| 25. <u>Page 5-223, Section 5.5.3:</u> The Project impacts involving soil erosion are not addressed in this section. Suggest replace all "will" to "would." Also, this section would be better served if it were outlined/analyzed according to the thresholds identified in Section 5.5.2. | } | L17-149 |
| 26. <u>Page 5-223, Section 5.5.3, Paragraph 5:</u> Sentence 2 refers to "the roadway" however doesn't identify which roadway. | } | L17-150 |
| 27. <u>Page 5-225, Section 5.5.3, Paragraph 3:</u> Please provide a significance conclusion; see Global Comment #3 above. | } | L17-151 |
| 28. <u>Page 5-225, Section 5.5.3, Ground Rupture:</u> Paragraph 1 is out of place, since it pertains to earthquakes. Please move. | } | L17-152 |
| 29. <u>Page 5-228, Section 5.5.3, Paragraph 1:</u> Following sentence 1, insert sentence regarding Exhibit, which is the second to the last one in the same paragraph. | } | L17-153 |
| 30. <u>Page 5-228, Section 5.5.3, Option 1 Access and Option 2 Access:</u> These discussions are out of place, since access features are already introduced on page 5-223. Move/consolidate these discussions with previous. | } | L17-154 |
| 31. <u>Page 5-230, Section 5.5.3, Alquist-Priolo Act:</u> This discussion (through "are to be avoided" in paragraph 3) is out of place, since it is regulatory. Please move/consolidate with regulatory discussion. Also, please add discussion to regulatory of what is mandated by Act. | } | L17-155 |
| 32. <u>Pages 5-230-231, Section 5.5.3, Alquist-Priolo Act:</u> Discussion beginning "Field exploration for preparation..." through "Appendix G of this DEIR" on the following page (paragraph 1) is out of place, since this is Impacts. Please move to Existing Conditions. | } | L17-156 |
| 33. <u>Page 5-231, Section 5.5.3, Faulting:</u> "Faulting" is not a CEQA threshold/potential hazard. Suggest consolidate with "Ground Rupture" discussion on Page 5-225. | } | L17-157 |
| 34. <u>Page 5-231, Section 5.5.3, Faulting:</u> Following first sentence, refer reader to an Exhibit. | } | L17-158 |
| 35. <u>Page 5-232, Section 5.5.3, Faulting:</u> Line 1 begins discussion of Fault Hazard Report, however, discussion should be preceded by discussion/introduction of Report recommendations regarding the 120-foot and 50-foot seismic setback zones. | } | L17-159 |

L17-147 References are detailed in Appendix A of the Fault Hazard Assessment Report included in the DEIR as Appendix H.

L17-148 Comment does not raise an environmental issue or concern.

L17-149 Soil erosion is discussed on page 5-254 of the DEIR in Subsections 5.5.5 and 5.5.6. Impacts from grading regarding soil erosion are discussed in Section 5.2 - Air Quality. Mitigation measures have been included in each chapter. The analysis remains adequate and complete.

L17-150 Comment does not raise an environmental issue or concern.

L17-151 Subsection 5.5.5 - Level of Significance after Mitigation provides conclusions based on CEQA thresholds of significance. Also refer to Mitigation Measure Geo-2.

L17-152 Comment does not raise an environmental issue or concern.

L17-153 Comment does not raise an environmental issue or concern.

L17-154 Comment does not raise an environmental issue or concern.

L17-155 Comment regarding “out of place” discussion does not raise an environmental issue or concern, and no response is provided. AP Act requirements are listed on page 5-230 and, as noted, exploration for preparation of the Fault Hazard Report was performed in keeping with the Guidelines.

L17-156 Comment does not raise an environmental issue or concern.

L17-157 Comment does not raise an environmental issue or concern.

L17-158 Comment does not raise an environmental issue or concern.

L17-159 It is unclear what additional information the commenter is requesting beyond the information that the state-mandated 50-foot setback and the 120-foot Project setback zone have been included in the Project design. Refer to Exhibits 5-43 and 5-44 - Hazard Assessment Boundaries, Option 1 and Option 2, respectively.

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| 36. <u>Page 5-232, Section 5.5.3, Geologic Setting</u> : What CEQA threshold/potential hazard is addressed here? Section is out of place, since this is Impacts. Please move to Existing Conditions. | } | L17-160 |
| 37. <u>Page 5-235, Section 5.5.3, Sections e, f, and g</u> : Please relate these to a particular threshold and provide a significance conclusion; see Global Comment #3 above. | } | L17-161 |
| 38. <u>Page 5-238, Section 5.5.3, Fault Hazard Report Recommendations</u> : This discussion is out of place and should be consolidated with/follow the ground rupture and faulting discussions on pages 5-225 and 5-231. | } | L17-162 |
| 39. <u>Page 5-238, Section 5.5.3, Fault Hazard Report Recommendations</u> : Sentence 1 in paragraph 4 should be followed by an exhibit that clearly shows the 120-foot and 50-foot seismic setback zones and clearly demonstrates that no habitable structures are proposed within the setback zones. Exhibit should also clearly illustrate those non-habitable structures (i.e., bridges, roads, etc.,) that are proposed within the setback zones. | } | L17-163 |
| 40. <u>Page 5-239, Section 5.5.3, Paragraph 1</u> : There is a reference to "ongoing studies." Please verify that these ongoing studies and future findings will not alter these EIR conclusions. | } | L17-164 |
| 41. <u>Page 5-239, Section 5.5.3, Paragraph 3</u> : Sentence 1 states that "conceptual design level geotechnical studies should be conducted." This raises an issue of deferment; refer to Comment # 57 below. | } | L17-165 |
| 42. <u>Page 5-239, Section 5.5.3, Paragraph 4</u> : Sentence 1 states that a "finalized version of the Fault Hazard Report should be..." There is no other mention in this Section that the Report needed finalizing. Please clarify. | } | L17-166 |
| 43. <u>Page 5-239, Section 5.5.3, Paragraph 5</u> : The sentence beginning with "Therefore, the risk of surface rupture hazards to..." should be followed by reference to an exhibit that supports this conclusion; see Comment #39 above. Also, the basis for the conclusion that the risk is low is "because active faults do not extend into areas designated for habitable structures." This is incorrect. Instead, the basis for the conclusion should be "because the proposed habitable structures would not be located within designated seismic setback zones, as illustrated on Exhibit X." | } | L17-167 |
| 44. <u>Page 5-239, Section 5.5.3, Paragraph 5</u> : The sentence beginning with "The risk to improvements proposed within..." should be revised to "The risk to improvements other than habitable structures proposed within..." | } | L17-168 |
| 45. <u>Page 5-239, Section 5.5.3, Paragraph 5</u> : The last sentence beginning with "In addition, no habitable..." is out of place and is stated in the following paragraph. | } | L17-169 |

- L17-160 The topical section Geologic Setting on page 5-232 corresponds with the general Geologic Setting section on page 5-211 and is intended to expand on the site-specific setting.
- L17-161 Section 5.5.5 - Level of Significance after Mitigation provides conclusions based on CEQA thresholds of significance.
- L17-162 Comment does not raise an environmental issue or concern.
- L17-163 Commenter is referred to Exhibits 5-43 and 5-44 - Hazard Assessment Boundaries, Option 1 and Option 2, respectively. The Proposed Project is conditioned (Mitigation Measures Geo-4 and Geo-5) to ensure that no residential lots are designed within the state-mandated setback zone for the Whittier Fault. Roads and bridges are depicted on the referenced Exhibits.
- L17-164 The geologic studies for the adjacent proposed Cielo Vista project have not been provided to date. However, American Geotechnical, Inc. has completed a summary of geotechnical exploration and engineering analysis dated March 12, 2014, which is included herein. The report does not identify any new information. Therefore, geologic impacts related to the Proposed Project remain unchanged, and the analysis is complete and adequate.
- L17-165 As noted, the conceptual design studies will be prepared in accordance with the access option selected. Such design studies are not deferred mitigation. Mitigation Measure Geo-8 ensures compliance with County regulations and coordination with staff to ensure such compliance. The Mitigation Measure establishes a clear, enforceable performance standard and specifies one or more actions that can meet the standard; therefore, pursuant to the requirements of CEQA, the conceptual design studies are not deferred mitigation.
- L17-166 The term “finalized” has been misunderstood by commenter, and a more appropriate term should have been used. The intent of the discussion was to indicate that once appropriate County personnel have approved the Fault Hazard Assessment Report, a copy of the report would be forwarded to the California Geological Survey. The Fault Hazard Assessment Report was approved by the County on March 31, 2013 and was forwarded to the California Geotechnical Society, whose representative had personally inspected the trenches during the fault investigation.
- L17-167 Commenter is referred to paragraph 6 of page 5-239, where it is stated that in accordance with California law, construction of habitable residential structures will be prohibited across the trace of the active Whittier Fault or within the limits of the seismic setback zone. It is not inaccurate to state that the risk of surface rupture hazards to proposed habitable structures will be low because active faults do not extend into areas designated for habitable structures. The two factors work together to reduce any potential risks. The setback zone exhibit is referenced and discussed on page 5-206.
- L17-168 Comment does not raise an environmental issue or concern.
- L17-169 Comment does not raise an environmental issue or concern.

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| 46. <u>Page 5-239, Section 5.5.3, Paragraph 6</u> : This paragraph also discusses habitable and non-habitable structures, and is redundant with the preceding paragraph. Please consolidate paragraphs 5 and 6. | } | L17-170 |
| 47. <u>Page 5-240, Section 5.5.3, Paragraph 2</u> : A significance conclusion is not provided. A statement should be added concluding that impacts would be reduced to less than significant following implementation of the recommended mitigation measures, which involve x, y, and z. | } | L17-171 |
| 48. <u>Page 5-240, Section 5.5.3, Paragraph 4</u> : See Comment #47 above. | } | L17-172 |
| 49. <u>Page 5-241, Section 5.5.3, Surficial Slope Stability</u> : Regarding the last paragraph, see Comment #47 above. | } | L17-173 |
| 50. <u>Page 5-245, Section 5.5.3, Paragraph 3</u> : See Comment #47 above. | } | L17-174 |
| 51. <u>Page 5-245, Section 5.5.3, c and d</u> : Regarding the last paragraphs in each section, see Comment #47 above. | } | L17-175 |
| 52. <u>Page 5-248, Section 5.5.3, Compressible Soils</u> : See Comment #47 above. | } | L17-176 |
| 53. <u>Page 5-248, Section 5.5.3, Corrosive Soils</u> : The presence of these soil conditions should be determined now. Also, see Comment #47 above. | } | L17-177 |
| 54. <u>Page 5-248, Section 5.5.3, Expansive Soils</u> : The presence of these soil conditions should be determined now. Also, see Comment #47 above. | } | L17-178 |
| 55. <u>Page 5-250, Section 5.5.3, f, g, and h</u> : See Comment #47 above. | } | L17-179 |
| 56. <u>Page 5-251, Section 5.5.4, Mitigation Measures</u> : For all measures, change to "shall." | } | L17-180 |
| 57. <u>Page 5-251, Section 5.5.4, Mitigation Measures</u> : The mitigation measures identify necessary studies/investigations, in order to avoid or lessen Project impacts. However, these studies/investigations are often deferred to the future (i.e., prior to building permit issuance), which is discouraged by CEQA. These studies/investigations should be evaluated as part of the EIR, in order to determine the mitigation measure's effectiveness in avoiding/reducing an impact. | } | L17-181 |
| 58. <u>Page 5-251, Section 5.5.4, Mitigation Measures</u> : The milestone for implementation of many mitigation measures is "prior to building permit," which is too late in development process, given Global Comment #2, and since most must be reflected in Grading Plans, it is recommended each mitigation measures milestone for implementation be re-evaluated and revised to "prior to grading permit." | } | L17-182 |
| 59. <u>Page 5-251, Section 5.5.4, Mitigation Measures</u> : This list of MM should be preceded by a MM similar to the following: | ↓ | L17-183 |

L17-170 Comment does not raise an environmental issue or concern.

L17-171 The paragraph referenced is a conclusion based on a geotechnical analysis of earthwork related to the seismic setback zone. There is no environmental impact related with minor modifications to setback margins.

L17-172 The paragraph notes a significant impact which is reduced by implementation of mitigation measures. Without additional information, it is unclear what additional information would be required.

L17-173 Significance conclusions are presented in Subsection 5.5.5. Reference is made to mitigation measures in Subsection 5.5.3.

L17-174 Significance conclusions are stated in the noted paragraph, and mitigation measures are referenced.

L17-175 See response to Comment L17-174 above.

L17-176 See response to Comment L17-174 above.

L17-177 Mitigation Measures Geo-15 and Geo-16 ensure that adequate testing is performed to determine if corrosive soils are present. The Mitigation Measures establish a clear, enforceable performance standard and specify one or more actions that can meet the standard; therefore, pursuant to the requirements of CEQA, the corrosive soils testing is not deferred mitigation, and testing is not required prior to Project approval. The Project will be conditioned as part of the approval process to adhere to the mitigation. The County will require performance before permit issuance.

L17-178 See response to Comment L17-177 above.

L17-179 Mitigation Measure Geo-17 will ensure that adequate testing is performed to determine liquefaction potential. The Mitigation Measure establishes a clear, enforceable performance standard and specifies one or more actions that can meet the standard; therefore, pursuant to the requirements of CEQA, the liquefaction testing is not deferred mitigation, and testing is not required prior to Project approval. The Project will be conditioned as part of the approval process to adhere to the mitigation. The County will require performance before permit issuance.

L17-180 All mitigation measures currently include the word "shall."

L17-181 Refer to responses to Comments L17-165, -177, and -179 above.

L17-182 The County has determined that the stated timing is appropriate for each mitigation measure, whether it be prior to grading, during grading, or prior to issuance of building permits. It is impossible to implement a mitigation measure that can only be achieved after mass grading occurs.

L17-183 The mitigation measure proposed by commenter is a standard condition of approval. Permits cannot be issued until the requirements are met.

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GEO-1 Prior to issuance of a Grading Permit, the OC Director of XX shall verify that:

- The Grading Plan was prepared in accordance with the latest edition of the California Building Code by a civil engineer registered in this State;
- Complies with the recommendations specified in the Geotechnical Review (American Geotechnical, Inc., August 2013) and the Fault Hazard Assessment Report (American Geotechnical, Inc., November 2013); and
- Incorporates the Geotechnical and Fault Hazard Reports recommended corrective actions, which are likely to prevent structural damage to each structure proposed to be constructed in the area where geotechnical/soils problems exist.

L17-183
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60. Page 5-251, Section 5.5.4, GEO-4 and GEO-5: GEO-5 is a variation of GEO-4. Consolidate these MM.

L17-184

61. Page 5-252, Section 5.5.4, GEO-11: GEO-11 is a variation of GEO-4 and GEO-5. Consolidate these MM.

L17-185

62. Page 5-255, Section 5.5.7: The geology and soils analysis should verify and add a conclusion that on-site and off-site grading for the Project combined with other grading at a nearby related project (i.e., Cielo Vista and Bridal Hills) would not result in cumulative impacts involving unstable geologic units resulting in onsite or offsite landslides, lateral spreading, subsidence, or collapse.

L17-186

5.6 GREENHOUSE GAS EMISSIONS

Global Comments

1. The analysis uses an outdated version of CalEEMod. The analysis should be updated with the latest version (CalEEMod version 2013.2.2).

L17-187

Greenhouse Gas Emissions Technical Study Comments

In addition to the applicable comments to Section 5.2 and Section 5.6 of the Draft EIR, the following comments apply to the technical study:

L17-188

1. The technical study should include a project description to clearly define what is being analyzed in the study.
2. Health Risk Assessment Outputs: Based on the reported annual emissions of 0.96 tons, the source emissions rate of 0.34x10⁻² grams per second appears too small (by a factor of 10). Please provide additional description of the methodology including the source treatment.
3. Health Risk Assessment Outputs: Please provide the CalEEMod outputs that were utilized for the health risk analysis. The analysis indicates that CalEEMod 2013.2.2 was used. However, only CalEEMod 2011.1.1 model outputs are included with the document.

L17-189

L17-190

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L17-184 Comment does not raise an environmental issue or concern.

L17-185 Comment does not raise an environmental issue or concern.

L17-186 Without knowing what the ultimate grading plan is for the proposed Cielo Vista project, the Bridal Hills project, and/or any other project, it is impossible for a geologist to reach any conclusion related to an impact on the site. However, assuming that the County enforces current legislation and administrative codes, no such grading plans will be approved that would result in unstable geologic units. The conclusion in the DEIR related to geology and soils remains adequate and complete.

L17-187 The Air Quality Analysis has been updated (April 14, 2014) using the CalEEMod2013.2.2 program. The update is included herein in Appendix B, No change to the conclusions in the DEIR resulted from the update, and in many cases the emissions are less than originally reported using CALEEMod201.1.1. Therefore, the DEIR remains adequate and complete.

L17-188 See response to Comment L17-76.

L17-189 See response to Comment L17-77.

L17-190 See response to Comment L17-78.

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| 4. Page 2 of the Health Risk Assessment: Please fix the typo for "0.0.009 µg/m3", which is the value associated with the Annual Average PM2.5 (one-hour x 0.1). | } | L17-191 |
| 5. Page 2 of the Health Risk Assessment (table footnotes): Please include text to explain why the 70 year exposure was used considering that construction activities would last approximately 8 years. | } | L17-192 |

Page/Section - Specific Comments

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| 1. <u>Page 5-259, Baseline Air Quality</u> : This section includes information pertaining to criteria air pollutants and not greenhouse gases (GHGs). This section should include a discussion of GHGs. | } | L17-193 |
| 2. <u>Page 5-262 through 5-264, Ambient Air Quality Standards, Federal Clean Air Act Amendments, California Air Resources Board, Air Quality Management Plan</u> : These sections describe various regulations associated with criteria air pollutants instead of GHGs. These sections should be removed as they have no bearing on the regulatory setting of GHGs. | } | L17-194 |
| 3. <u>Page 5-265, Thresholds of Significance</u> : The last two paragraphs and the following page include various information on the emissions thresholds for criteria pollutants and do not pertain to GHGs. This information is not applicable in this section. | } | L17-195 |
| 4. <u>Page 5-269, Table 5-6-7, GHG Emissions Reductions from State Regulations</u> : The analysis should use CalEEMod Version 2013.2.2. This version of CalEEMod uses EMFAC2011 mobile source emissions factors, which includes the Pavley standards and the Low Carbon Fuel Standards. | } | L17-196 |
| 5. <u>Table 5-270 and Table 5-6-8, Design Control Measures and Potential Effectiveness</u> : The analysis should use CalEEMod (which uses the California Air Pollution Control Officers document, <i>Quantifying Greenhouse Gas Mitigation Measures</i> [August 2010]) to quantify GHG project design features/mitigation measures. Achievement of the necessary GHG reduction target should be demonstrated through the quantifiable measures in CalEEMod. Those reduction measures should also be specifically identified in the mitigation measures (Section 5.6.5 of the Draft EIR). | } | L17-197 |
| 6. <u>Page 5-272, Mitigation Measure GHG-1</u> : This mitigation measure is included without a nexus to an impact. Additionally, SCAQMD Rule 445 (Wood-Burning Devices) prohibits wood-burning fireplaces and only allows gas-fueled fireplaces to be installed in new residential development. Therefore, Mitigation Measure GHG-1 is not necessary. | } | L17-198 |

5.7 HAZARDS AND HAZARDOUS MATERIALS

Global Comments

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| 1. This section needs to be simplified. The information presented from the Technical Studies, enclosed in the Appendix of the Draft EIR, is too complex and confusing to the reader. This section does not need to include technical information regarding | } | L17-199 |
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L17-191 See response to Comment L17-79.

L17-192 See response to Comment L17-80.

L17-193 Inclusion of general baseline and regulatory information does not change the greenhouse gas analysis or the conclusions. Greenhouse gas emissions are discussed throughout Section 5.6.

L17-194 See response to Comment L17-193.

L17-195 See response to Comment L17-193.

L17-196 See response to Comment L17-187.

L17-197 The report demonstrates that there is an available array of measures that may be implemented for a project to achieve a less than significant impact. Until more precise schedules and plans are available, a specific set of measures cannot be mandated. Use of any of the measures identified in Table 5-6-8 can be combined to achieve the required reduction goals. In addition, more effective measures could feasibly become available in the meantime that could further reduce impacts. However, the DEIR concludes that greenhouse gas emissions will result in an unavoidable adverse impact.

L17-198 Inclusion of the Mitigation Measure prohibiting wood-burning fireplaces does not change the analysis or the conclusion of the DEIR. Therefore, the DEIR remains adequate and complete.

L17-199 The information presented concerning existing fire hazard assessment is at a level appropriate to support the conclusions of the DEIR concerning Project impacts related to wildfires. Although the commenter states that the information is not clear to the reader, the commenter only offers that a summary in a "quick paragraph" be provided to clarify. The County believes the information in the DEIR is important in order to understand the full range of issues related to hazards and hazardous conditions, and furthermore, is clearly presented. No further response is necessary, because no issues related to the adequacy of the environmental impact analysis in the DEIR were raised.

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topography, vegetation, and climate that were discussed in the Technical Studies, but rather this information should be summarized into a quick paragraph so that the reader can clearly see that this information is important to understand the findings of the fire analysis, but this information is not crucial for defining the existing hazards and hazardous materials environment at the project site. As currently presented, this information is not clear to the reader.

L17-199
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2. The impact analysis needs to clearly state the communications that have occurred to date with the Orange County Fire Authority. The section should clearly state if the OCFA agrees that the proposed Fuel Modification Plan and Emergency Access are adequate to support the proposed Project (under each Option), given the site is in a Very High Fire Hazard Severity Zone.

L17-200

3. The impact analysis identifies measures that the Applicant would be required to implement measures. However, it is not clear what the regulatory implementing tool (e.g., the existing Municipal Code, which no longer applies, or the proposed specific plan) is being referred to, or if this is referring to a proposed mitigation measure.

L17-201

Phase I Environmental Site Assessment Report (Appendix I)

In addition to the applicable comments to Section 5.7 of the Draft EIR, the following comments apply to the technical study:

L17-202

1. The acreage presented in the Phase I ESA does not match the Project Description. Section 5.7 of the Draft EIR should clearly identify what areas the Phase I ESA covered.
2. Page 2, Section 1.3: This significant assumptions do not match those identified in the project description. The Aesthetics Section in the Draft EIR states that two existing oil wells may be closed and relocated to the Cielo Vista site. This assumption needs to be updated and appropriate recommendations should be made accordingly. Section 5.7 of the Draft EIR should be revised accordingly as well.

L17-203

Fire Protection and Emergency Evacuation Plan (Appendix J)

In addition to the applicable comments to Section 5.7 of the Draft EIR, the following comments apply to the technical study:

1. Upon a public records request with the Metropolitan Water District's Santiago Tower, video footage of the Freeway Complex Fire at the project site is available. Per this footage, the project site completely burns within 37 minutes. The model used for the fire analysis should be updated to reflect this information accordingly. The Draft EIR should be updated to reflect the revised analysis presented in this technical study.

L17-204

Page/Section - Specific Comments

1. Page 5-278, 4th Paragraph, Last Sentence: This sentence refers to an off-site impact area. It is not clear what area this is referring to.

L17-205

- L17-200 As stated in the Fire Protection and Emergency Evacuation Plan (FPEP) (Appendix J in the DEIR), the FPEP is based on the requirements of the OCFA, site-specific conditions, and proposed land use of the Project Site. The FPEP incorporates input from OCFA as discussed on page 5-316 concerning credits or reduction in fire flow and page 5-326 concerning fuel breaks. However, the OCFA did not review, comment, or approve the FPEP or its recommendations. The fuel modification plan presented in Section 5.7 - Hazards and Hazardous Materials is consistent with the requirements of OCFA and is presented to analyze the potential Project impact and recommended fire safety measures. Mitigation Measure Haz-5 requires approval of a Fire Master Plan based on the FPEP prior to issuance of grading permits. Also based on the recommendations of the FPEP are Mitigation Measure Haz-7, deed restrictions for FMZs, and Mitigation Measure Haz-8 concerning Fuel Modification Easements that have been incorporated into the DEIR and are required prior to recordation of the final map.
- L17-201 The applicable regulatory codes concerning fire protection are discussed in Regulatory Setting on pages 5-295 and 5-296 in Section 5.7 (Hazards and Hazardous Materials) of the DEIR. These codes are applied to the Proposed Project and incorporated into the Specific Plan. The City of Yorba Linda has adopted the same regulatory codes (refer to Yorba Linda Ordinance 2010-953), and the City is also served by the OCFA.
- L17-202 Plate 1 in the Phase I ESA (Appendix I of the DEIR) shows the area of study that includes the Project Site; the Yorba Linda Land, LLC parcel; and the Bridal Hills, LLC parcel for a total of approximately 557 acres. It is important to note that the Phase I ESA clearly assessed the project site, in addition to adjacent properties also addressed directly or indirectly in the analysis related to hazards and hazardous materials. The intent of the analysis in the DEIR remains the same.
- L17-203 For a complete description of existing oil wells refer to Section 5.7 (Hazards and Hazardous Materials on pages 5-290 through 5-294 of the DEIR) and Exhibit 5-67, On Site Oil Well Location Plan. A complete description of oil wells after Project implementation is found on pages 5-331 and 5-332 of the DEIR. As stated on page 2, Section 1.3 of the Phase I ESA (Appendix I in the DEIR), the analysis assumes that all oil wells will remain in place. However, as discussed on page 5-332, two of the oil wells may relocate to the Cielo Vista site; but this relocation is not a part of the Proposed Project. On page 5-2 of Aesthetics (Section 5.1) a discussion of existing oil production is provided consisting of three working wells. The oil wells are an existing condition and are not modified by the implementation of the Proposed Project.
- L17-204 The preparers of the Esperanza Hills Fire Protection Plan reviewed numerous information sources during the analysis phase of the document's preparation. Sources included official OCFA After-Action Reports and official weather data from the nearest Remote Automated Weather Station. These data sources detailed fire spread information and other fire characteristics, including the weather during the fire, that informed the modeling, fire risk analysis, and fire protection measures required for the Esperanza Hills project. Following receipt and viewing of the MWD video footage, it is acknowledged that the actual fire spread corresponds very closely to that used as the baseline for the fire protection plan. For example, based on the time stamp of the video footage, it took roughly four hours for the fire to burn to the Project area from the ignition point, and another 40 minutes for it to burn through the Project area. The FPEP states on page 82 that the fire took over three hours to reach the Project area, so the modeling performed for the Proposed Project indicates a faster-moving, more aggressive fire than actually occurred. Therefore, the FPEP's modeling is consistent with worst-case fire behavior that drives the fire protection features applied to this project. No update of the modeling or the analysis is required based on this comment.
- L17-205 Refer to Exhibit 5-25, Vegetation Map, on page 5-99 in Section 5.3 (Biological Resources) for an illustration of the Study Area and the off-site impact area, which includes portions of the adjacent Cielo Vista property to the west.

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| 2. <u>Page 5-283, 2nd Paragraph</u> : This discussion needs to be updated to reflect the information presented on page 5-288 regarding the lack of existing fire flow during this 2008 Freeway Complex Fire. |] | L17-206 |
| 3. <u>Page 5-289, Last Paragraph</u> : This discussion appears to be referring to Project Information and not existing conditions. Please revise/clarify. |] | L17-207 |
| 4. <u>Page 5-290, 2nd Paragraph, 2nd Sentence</u> : This statement is not consistent with the Phase I ESA (provided as Appendix I), which identifies 10 aboveground storage tanks. |] | L17-208 |
| 5. <u>Page 5-290, 3rd Paragraph</u> : There was no Phase II completed for the site, why is this in the existing conditions? |] | L17-209 |
| 6. <u>Table 5-7-5, Oil Well Observations</u> : This information is in the Technical Study, it should just be summarized in the existing conditions of the section. |] | L17-210 |
| 7. <u>Page 5-295, Regulatory Setting</u> : The Federal, State, and local regulations pertaining to hazardous materials and emergency evacuation need to be included. The existing regulatory framework pertaining to oil drilling operations (e.g. State of California Division of Oil, Gas and Geothermal Resources), need to also be included. |] | L17-211 |
| 8. <u>Page 5-295, Last Paragraph</u> : There is no need to re-state the project description and site plans. This format does not match the other topic areas of discussion throughout the Draft EIR. |] | L17-212 |
| 9. <u>Page 5-310, 1st Paragraph 1</u> : The Aesthetics Section of the Draft EIR does not discuss a Fire Wall, as identified here. |] | L17-213 |
| 10. <u>Mitigation Measure Haz-3</u> : This measure is worded that a RAP must be prepared. However, under certain circumstances, this may not be necessary. This measure needs to be re-worded consistent with the State regulatory requirements for previously abandoned oil wells. |] | L17-214 |
| 11. <u>Mitigation Measure Haz-4</u> : This measure is worded that a RAP must be prepared. However, under certain circumstances, this may not be necessary. This measure needs to be re-worded consistent with the State regulatory requirements for oil well closure procedures. |] | L17-215 |
| 12. <u>Mitigation Measure Haz-11</u> : This measure seems programmatic. Should new water infrastructure, not considered as part of this Draft EIR, be required, those activities would be required to obtain CEQA clearance. |] | L17-216 |
| 13. <u>Page 5-337, 3rd Paragraph</u> : This discussion should be presented in the Existing Conditions section. |] | L17-217 |

- L17-206 The discussion of fire history and the conclusion of the OCFA After-Action Report are accurately presented, and information concerning water supply and capacity on page 5-288 accurately presents water supply issues concerning the 2008 Freeway Complex Fire. The comment does not result in a change to the analysis of Proposed Project wildfire impact or the DEIR conclusions.
- L17-207 Comment does not raise an environmental issue or concern.
- L17-208 The description is accurately presented on page 5-290 of Hazards and Hazardous Materials (Section 5.7) of the DEIR. Page 18 of the Phase I ESA (Appendix I in the DEIR) states there are five above-ground storage tanks. Table 4 on page 15, Storage Tanks and Related Equipment, depicts approximately 10 above-ground storage tanks and active and inactive piping. The 10 tanks includes storage tanks and piping as depicted on Exhibit 5-7-5 on page 5-294 of Hazards and Hazardous Materials (Section 5.7) of the DEIR.
- L17-209 Comment does not raise an environmental issue or concern.
- L17-210 Table 5-7-5 on page 5-294 of Hazards and Hazardous Materials (Section 5.7) of the DEIR provides a summary of the field observations included in the Phase I ESA (Appendix I in the DEIR), and no additional summary is necessary to analyze the significant environmental impacts of existing oil well operations on the Project Site.
- L17-211 Other than the regulations cited on page 5-295 of Hazards and Hazardous Materials (Section 5.7) of the DEIR, there are no hazardous materials or emergency evacuation regulations that apply to homes. The Proposed Project does not include oil well operations or abandonment or relocation of oil wells; therefore, no discussion of regulations concerning oil well operations or abandonment is necessary. Mitigation Measures Haz-1, Haz-2, Haz-3, and Haz-4 are to mitigate potential impacts to the Proposed Project from on-site existing oil well activities and abandoned wells and piping. Oil well activity, abandonment, relocation, or re-abandonment is subject to the County of Orange Oil Code and the *California Public Resources Code*, Division 3, Chapter 1, Article 4, §3208 and §3208.1.
- L17-212 The information on page 5-295 of Hazards and Hazardous Materials (Section 5.7) of the DEIR concerning the Orange County Fire Authority Vegetation Management Guidelines is specific to the OCFA guidelines and not a description of the Proposed Project and site plans.
- L17-213 Section 5.1 - Aesthetics discusses the visual character of the Proposed Project and notes that colors for structures will be predominantly earth tones such as browns, ochers, sepias, and grays. The wall to which commenter is referring is a residential landscape wall that is heat-deflecting and will be located along the residential lots. These walls would also be of stone or brick colored like the community theme walls to match the background, and therefore not distinguishable.
- L17-214 Mitigation Measure Haz-3 is appropriately worded in that it requires the Project Applicant to ensure the preparation of a RAP consistent with state law. Therefore, if a RAP is not required pursuant to state law, then the intent of the mitigation is complete.
- L17-215 Refer to response to Comment L17-214.
- L17-216 Mitigation Measure Haz-11 lists the minimum fire flows standard required by the California Fire Code. Application of new fire code regulations after Project approval would not be considered an activity requiring CEQA clearance.
- L17-217 The discussion of Proposed Project level of significance after mitigation is appropriate as presented on pages 5-336 through 5-338 to support the findings as it relates to thresholds of significance.

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5.8 HYDROLOGY AND WATER QUALITY

Global Comments

1. Comments on Appendix K, Preliminary Drainage Reports, and Appendix L, Conceptual Water Quality Management Plan, are provided below. These comments also apply to DEIR Section 5.8, Hydrology and Water Quality, and should be updated accordingly.

L17-218

Appendix K – Preliminary Drainage Reports

1. The Orange County Hydrology Manual (OCHM) Addendum No. 1 dated 1996, requires that hydrology analysis for mitigation utilize an expected value analysis for comparison of existing and proposed flowrates, not a high confidence. High Confidence analysis is used for storm drain design. Therefore, all comparisons of existing and proposed flowrates should utilize expected value flowrates.

L17-219

2. Documentation on the assumption of natural cover (dense) for existing and proposed needs to be provided. The OCHM uses specific types of natural cover with varying degrees of percentage coverage (poor, fair, good). Based on the description, it appears the project is using a natural cover for Grass, Annual or Perennial with Good Cover. Based on a Google Earth review it appears that portion of the watershed have tree cover down in the canyons, this is not reflected in the hydrology analysis using grasses as the natural cover type. The use of good cover needs to be documented with ground photos and a land use cover map for both existing and proposed should be provided.

L17-220

3. The proposed condition analysis utilizes a percentage impervious of 20% for the 2 du/acre assumption; the OCHM recommends an average value of 30%. Justification should be provided for the use of a non-standard percentage impervious.

L17-221

4. The approach of having mitigation for flow increases in the debris/detention basins upstream of the developed reduces the amount of sediment available to the downstream watercourse, which may significantly impact erosion in the downstream natural channels, especially when combined with the reduced sediment supply from the impervious surfaces of the development. This is critical in determining the stability of Drainage Area A as the downstream natural channel is directly adjacent to proposed grading for the proposed development. CEQA Checklist Item C. for Hydrology and Water Quality does not appear to be adequately addressed. Per Section 5.5.2 of the Orange county Technical Guidance Document (TGD):

L17-222

"Detention/retention basins should be designed to receive flows from developed areas only, for both design optimization as well as to avoid intercepting coarse sediments from open spaces that should ideally be passed through to the stream channel. Reduction in coarse sediment loads contributes to downstream channel instability."

5. Page 6: "The existing condition results were adjusted by interpolation to make the area match the proposed condition area." Please justify the adjustment of areas, it is unclear what is being interpolated and why interpolation is necessary. Areas for existing and

L17-223

L17-218 Comment does not raise an environmental issue or concern.

L17-219 Addendum No. 1 of the Orange County Hydrology Manual dated 1996 states: "The criteria and methods used in the 1986 Orange County Hydrology Manual (OCHM) yield high confidence (85% confidence interval) peak discharges and volumes that are appropriate for most flood control design purposes... The Manual's criteria and parameter values remain in force for development proposals..." The Preliminary Drainage Report for Esperanza Hills, Option 1 and Option 2 (Appendix K in the DEIR), correctly used the 1986 Orange County Hydrology Manual to analyze the Proposed Project hydrology impacts. Calculations do not require revision, because the computer software incorporates the expected value analysis for initial areas as described in the OCHM Addendum 1. The County has reviewed and approved the hydrology reports.

L17-220 As discussed in Hydrology and Water Quality (Section 5.8) on page 5-344 of the DEIR, the hydrology conditions were based on soil type, not natural cover. The Puente Formation sediments found throughout the site have low permeability and limited deep percolation of rainwater with a high runoff rate due to steep hillsides and clayey soil. This is based on the Orange County Modified Rational Method hydrologic calculations (Orange County Hydrology Manual) as discussed in the Preliminary Drainage Report for Esperanza Hills, Option 1 and Option 2 (Appendix K in the DEIR) pages 5 and 6. However, supporting material will be included to justify natural cover of grass with good coverage. Although the canyons have some trees, the majority of the site is natural grass cover.

L17-221 On page 5-358 of the Hydrology and Water Quality (Section 5.8) of the DEIR the percentage of impermeable surface for each Project option is discussed. The impermeable surface for the Proposed Project includes private streets, rooftops, and driveways. The proposed condition Rational Method Hydrology calculations use 70% pervious for 2 dwelling units per acre, which is the same as 30% impervious, not 20%, as stated by commenter.

L17-222 The County has reviewed and approved the Hydrology Reports with the detention basins located per the tentative tract map. This site in particular lends itself to an upstream detention and debris basin design due to the amount of open space that drains through the site. Current existing condition flows are erosive in nature due to excessive velocities. The Project as proposed will convey storm water safely in underground storm drain pipes and will slow down outlet storm water via energy dissipators to non-erosive velocities. Coarse sediment load will be conveyed through the storm drain system in rain events due to the size of the upstream open space.

L17-223 Table 1 in the report explains the 6.1 acres that are diverted from Blue Mud Canyon in the existing condition into Project Area B in the proposed condition. To avoid confusion, the statement noted by commenter is hereby removed.

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proposed conditions should match in order to assure that adequate mitigation is provided and that CEQA Checklist Item C. for Hydrology and Water Quality is addressed.

L17-223
cont'd

6. Table 1: Where is the 174 cfs difference shown in the 10-year per the text? Table 1 shows 10-year 24-hour differences of 108.2 cfs and 84 cfs.

L17-224

7. Table 2: Why aren't 10-year events shown in Table 2?

L17-225

8. Incorrect AMC values appear to have been used in some of the Rational Method Analysis, all analysis should be consistent with the OCHM including Addendum No. 1.

L17-226

9. For the purposes of flood control mitigation flood control detention and water quality facilities should be considered impervious.

L17-227

Appendix L – Conceptual Water Quality Management Plan

1. Per the Orange County Technical Guidance Document Section 5.5.2 “discharge at a rate below the critical rate for adverse impacts.” The WQMP Hydromodification Study does not indicate how the “critical rate for adverse impacts” was defined. The critical rate is not necessarily the existing flow rate.

L17-228

2. Hydromodification Summary Table Option 1 – The area for Basin 4 could not be verified for the proposed condition, the rational method indicates that the area should be 118 acres not 107.1.

L17-229

3. Hydromodification Summary Tables – The comparison shown seems incorrect. Basins 1, 2, and 3 discharge to the same natural channel, therefore, the comparison for existing and proposed should be made at the outlet to the natural stream, not at each detention basin. The fact that the existing and proposed tributary acreages are the same seems unlikely as there are differences in the Watershed A in Drainage Area A in the hydrology study.

L17-230

4. WQMP Features: Provide Green Street design BMPs and Low Impact Development design BMPs throughout the Project site. The Project shall implement the Low Impact Development (LID) design process to arrive at the appropriate BMPs. Preferred site treatment options shall be applied to the maximum extent possible.

L17-231

5.9 LAND USE AND PLANNING

Global Comments

No global comments.

Page/Section - Specific Comments

1. Section 5.9.2, Regulatory Setting: The Regulatory Setting discusses several documents that establish land use regulations that are applicable to the proposed project. Each

L17-232

- L17-224 The 174 cfs is the difference between existing and proposed peak flows for Option 1 Unit Hydrograph method 10-year 24-hour shown on pages following page 9 (85.67 cfs + 88.22 cfs = 174 cfs). Table 1 referred to in the comment is the Rational Method, 10-year (1-hour).
- L17-225 The County requested the format shown in the report. The County has reviewed and approved the hydrology reports. Based on the County design criteria, comparing the 25-year and 100-year hydrology results are sufficient. Ten-year comparison is not necessary.
- L17-226 The CivilD software determines the AMC factors based on the inputs of storm event, soils type, and land use. The software correctly determined the AMC factor per the Hydrology Manual.
- L17-227 Final hydrology calculations will consider this degree of detail, but preliminary hydrology considers the large off-site area as natural with the basins being a very small portion of the tributary area. This will be addressed in final engineering.
- L17-228 The critical rate was defined in the hydrology report, Table E-2, as 5 feet per second as an erosive velocity for the downstream natural canyons. As for a critical flow rate, a scour analysis would have to be performed to determine a flow rate that would be adverse.
- L17-229 The area of Basin 4 of 107.1 acres is correct. The Hydrology Report actually indicates the area as 105.8 acres and, therefore, will be revised to correct the area to 107.1 acres.
- L17-230 The comparison is correct and has been reviewed and approved by the County. Basins 1, 2, and 3 need to be compared separately to ensure that each Basin is sized sufficiently. The existing and proposed areas need to be the same to compare as stated above by commenter in Comment L17-223.
- L17-231 A discussion of Low Impact Development features is found on page 5-376, Hydrology and Water Quality (Section 5.8) of the DEIR. As discussed due to the steepness of the site grading, with most streets above 5% grade, BMPs that require flatter grades were not used, such as Green Streets. The Proposed Project's hydrology and water quality impacts were evaluated consistent with the requirements of CEQA in Section 5.8 (Hydrology and Water Quality) of the DEIR. As described therein, the Proposed Project would not result in any significant impacts under Project and cumulative conditions; refer to pages 5-391 through 5-394 of the DEIR. The commenter does not offer any evidence on how the Proposed Project would result in significant hydrology or water quality impacts; therefore, no further response can be provided. The Project was designed utilizing the Low Impact Development design process to arrive at the proposed BMPs as described in the County-reviewed and approved CWQMP reports.

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| document should first be generally described including its components, purpose, and specific relationship to the project/project site. The discussion, as written, does not articulate the purpose of these documents and how they regulate land use. | ↑ | L17-232
<i>cont'd</i> |
| 2. <u>Page 5-398</u> : The discussion of the Esperanza Specific Plan in the Regulatory Setting is inaccurate, as this Specific Plan is being proposed as part of the project. This discussion should be revised to discuss a Specific Plan and its requirements, purpose, and approval process by the County. |] | L17-233 |
| 3. <u>Exhibit 5-95</u> : Should be updated to identify the project site. |] | L17-234 |
| 4. <u>Page 5-402 and 5-403</u> : References to specific chapters or sections of the Yorba Linda Zoning Ordinance should be provided. |] | L17-235 |
| 5. <u>Page 5-414, OC LUE Policy 3</u> : It is unclear if the first sentence is making a statement or referring to the proposed project. |] | L17-236 |
| 6. <u>Page 5-414, OC LUE Policy 4</u> : The statement that the project provides a backbone for a comprehensive system of bikeways is misleading. |] | L17-237 |
| 7. <u>Page 5-417 Policy 6.2</u> : This references a trail down to San Antonio Park and the equestrian center - please change "center" to arena. |] | L17-238 |
| 8. <u>Page 5-418, Policy 3</u> : The analysis does not address the compatibility of facilities in relation to the proposed land uses. |] | L17-239 |
| 9. <u>Page 5-419, OCFA Goal 1</u> : It is unclear if the Fire Protection and Emergency Evacuation Plan has been coordinated with the Cielo Vista development since the proposed project would utilize its roadway system for emergency access. Does the plan consider evacuation associated with both areas? |] | L17-240 |
| 10. <u>Page 5-424, Goal 1</u> : The discussion should identify the County's parkland requirement in order to demonstrate if the project meets the requirement. |] | L17-241 |
| 11. <u>Page 5-424, Table 5-9-6</u> : This table refers to "active", when it appears most of the acres are passive with limited active amenities and acreage to be called "active" |] | L17-242 |
| 12. <u>Page 5-425, Policy 2.32</u> : The discussion states the project exceeds the County requirement, but does not state what the requirement is. Discussion should be updated or refer to the Recreation section that shows how the project would meet the requirement. See previous comment on Page 524, Table 5-9-6 and compared to the examples given of active park requirement. |] | L17-243 |
| 13. <u>Page 5-425, Policy 4.1</u> : The discussion should refer to the Noise section to show how the project would not exceed County noise standards. |] | L17-244 |
| 14. <u>Page 5-425, Goal 6</u> : The discussion is not clear. Does an impact occur? |] | L17-245 |

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- L17-232 Section 5.9 (Land Use and Planning) of the DEIR, under Subsection 5.9.2, Regulatory Setting (pages 5-396 through 5-411) provides a complete discussion that the Proposed Project is governed by state, local, and regional land use regulations by providing a blueprint for development throughout the planning area, and each regulatory document is identified and discussed. For each applicable regulatory document, the Proposed Project is required to show consistency with the goals, policies, and objectives of the document. The Proposed Project includes a Specific Plan that will replace the existing County zoning designations of A1 and A1 (O). The purpose and intent of the Specific Plan is to provide policies and regulations for the development of the project as proposed. Specific Project compliance with applicable regulations is identified within these regulatory documents and described in Subsection 5.9.2 on pages 5-413 through 5-454 of Section 5.9 (Land Use and Planning) of the DEIR. The Proposed Project's land use and planning impacts were evaluated consistent with the requirements of CEQA in Section 5.9 (Land Use and Planning) of the DEIR. As described therein, the Proposed Project would not result in any significant impacts under Project and cumulative conditions; refer to pages 5-455 through 5-457 of the DEIR. The commenter does not offer any evidence on how the Proposed Project would result in significant land use and planning impacts; therefore, no further response can be provided.
- L17-233 The information provided on pages 5-398 and 5-399 in Section 5.9 (Land Use and Planning) of the DEIR accurately identifies that the Proposed Project includes a proposal for a specific plan and describes the use, purpose, and regulatory setting for specific plans under state law. A complete discussion of the Esperanza Hills Specific Plan requirements, purpose, and approval process is found on pages 5-429 through 5-430 in Land Use and Planning (Section 5.9) of the DEIR including purpose, principles, and objectives.
- L17-234 Comment does not raise an environmental issue or concern.
- L17-235 The Yorba Linda Zoning Code is found in Title 18 of the Yorba Linda Municipal Code. The Yorba Linda Hillside Development/Grading/Fire Protection is found in Chapter 18.30, Yorba Linda Right to Vote Amendment is found in Chapter 18.01A, and Yorba Linda Land Use Right to Vote is found in Chapter 18.01 of the Zoning Code.
- L17-236 The first sentence in the analysis of OC LUE Policy 3 on page 5-414 of Section 5.9 (Land Use and Planning) of the DEIR is making a statement of the policy objective. Discussion of Project compliance with OC LUE Policy 3 follows in the next sentences.
- L17-237 The commenter does not offer any evidence how the statement that the Proposed Project's collector and local streets provide a backbone for a compressive system of bikeways is "misleading." The collector and local streets provide for bike use throughout the Proposed Project; therefore, no further response can be provided.
- L17-238 Comment does not raise an environmental issue or concern.
- L17-239 Orange County General Plan Public Services and Facilities Element, Policy 3 - Land Use Compatibility requires a project to coordinate facility planning in a manner compatible with surrounding land uses and to review planned land uses adjacent to facilities for their compatibility with facility operations. A complete discussion of the Proposed Project's compatibility with existing facility operations for water, sewer, solid waste disposal, telephone, cable, electricity, gas, and drainage is provided in Section 5.8 (Public Services, starting on page 5-493 of the DEIR) and Section 5.8 (Hydrology and Water Quality, starting on page 5-341 of the DEIR).

- L17-240 A complete discussion of the Fire Protection and Emergency Evacuation Plan is found in Section 5.7 (Hazards and Hazardous Materials, starting on page 5-275 of the DEIR). A discussion of cumulative impacts is found on pages 5-338 through 5-340 and states that the proposed Cielo Vista project is included in the Orange County Sheriff Department's evacuation plan as discussed on page 5-318, as well as the Proposed Project. The Project's Emergency Plan is discussed beginning on page 5-317 and includes an option for partial evacuation of the Project if fire is immediate or roadways are blocked. Therefore, the Fire Protection and Emergency Evacuation Plan does evaluate conditions of the surrounding community in developing procedures for Project evacuation that includes the proposed Cielo Vista project, but does not include provisions to specifically evacuate of the proposed Cielo Vista project, because the two projects are governed by separate homeowner associations. Refer to Topical Response 2 – Evacuation Plan for additional details.
- L17-241 For a complete discussion of Orange County parkland requirements refer to pages 5-517 through 5-520 of Recreation (Section 5.13) of the DEIR. The Proposed Project exceeds county, city, and Quimby Act standards for the provision of parkland by at least nine acres.
- L17-242 Table 5-9-6, Orange County General Plan Recreation Element Consistency as presented on pages 5-424 and 5-425 of Section 5.9 (Land Use and Planning) accurately presents consistency findings for Goal-1, Policy 2.32 and Policy 2.4 and as discussed in Recreation (Section 5.13) of the DEIR starting on page 5-511. A complete description of park amenities is provided on pages 5-517 through 5-519 and depicted on Exhibits 5-110 through 5-122. As described therein, tot lots, picnic benches, rock climbing play structures, benches, paths, dog park, fitness stations, and open lawn play areas are provided for active park use. Therefore, the DEIR accurately describes the active parks within the proposed development.
- L17-243 Refer to response to Comment L17-241.
- L17-244 So noted. A reference to Section 5.10 (Noise, beginning on page 5-459 of the DEIR) will be added to page 5-425, Policy 4.1.
- L17-245 The analysis provided in Table 5-9-7, Orange County General Plan Noise Element Consistency, on page 5-425 is revised to state the following to clarify the analysis of the Proposed Project's noise impacts. As discussed in Noise (Section 5.10), the intent of the analysis in the DEIR remains the same. The Proposed Project is within the County's noise standards for residential use of 65 dBA for exterior noise levels. Under Option 2, Project-related traffic noise impacts will exceed the perceptible ambient noise increase under CEQA and the +10 dB County threshold, but will not exceed the noise standard of 65 dBA. Therefore, the Proposed Project is consistent with noise standards for sensitive land uses.

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15. Page 5-431 2nd paragraph: This paragraph is repeated three times L17-246
16. Page 5-433, First Paragraph: The discussion compares the proposed project to the development density of the Cielo Vista project. The impact discussion should reference the proposed project to existing conditions. The Cielo Vista project is not approved and should not be used to determine potential impacts associated with the proposed Esperanza project. L17-247
17. Page 5-434, "Land Use Element": There is an asterisk at the end of the paragraph, but no reference or text associated with it. L17-248
18. Page 5-434, Policy 1.5: The discussion should show how the proposed project meets the City and County requirement. L17-249
19. Page 5-435, Goal 3: The analysis references Casino Ridge. Clarify where this development is located in relation to the project site. L17-250
20. Page 5-438, Policy 11.1: The text refers to "Project Design Features". These features should be clearly identified in the Project Description. L17-251
21. Page 5-439, Goal 1: The text states the project's internal circulation system will also serve the Bridal Hills project. It is unclear if Bridal Hills is being considered as a cumulative project or within the project analysis. L17-252
22. Page 5-440, Goal 3 and Policy 3.1: The discussion should show how the proposed project meets the City's requirement. These parks appear to be mini parks/greenbelts, where the City is deficient is in larger neighborhood and community parks. How do these parks meet the needs of the existing residents if they will not have access via the gated community. Future residents needs won't be met because of the need to provide large more active parks, such as neighborhood and community parks that allow for programmable space unlike the proposed miniparks/greenbelts. L17-253
23. Page 5-441, Trails: Again since this is a gated community will the surrounding community have access to these trails? L17-254
24. Page 5-442, Goal 5: The analysis discussion is unclear if an impact occurs. L17-255
25. Page 5-443, Policy 5.3: The discussion states the OCSD has recently expanded its personnel for the project area and City to adequately serve the residents. Clarify if the recent expansion to meet existing demand or growth, including the proposed project. L17-256
26. Page 5-456, Table 5-9-21: The Bridal Hills development is not identified as a cumulative project. L17-257
27. The following typographical errors are noted: L17-258
 - Page 5-395, under Regional Setting. The second to the last sentence needs a period.
 - Page 5-396, the footnote needs to be corrected.

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L17-246 Comment does not raise an environmental issue or concern.

L17-247 The discussion on page 5-433 in Land Use and Planning (Section 5.9) of the DEIR concerning the Proposed Project's consistency with the Yorba Linda General Plan, is appropriate, since the Yorba Linda General Plan for the area of the Proposed Project consists of 630 acres that include the Proposed Project and the proposed Cielo Vista project, called the Murdock Property. The discussion is not a comparison of the Proposed Project to the proposed Cielo Vista project as the commenter states, but an explanation of the Proposed Project's portion of the Murdock Property development density of an average of 1 dwelling unit per acre for the purposes of consistency analysis with the Yorba Linda General Plan.

L17-248 The asterisk at the end of the paragraph on page 5-434 in Land Use and Planning (Section 5.9) of the DEIR has no meaning and does not refer to any additional information not provided within the DEIR. The intent of the analysis in the DEIR remains the same.

L17-249 Refer to response to Comment L17-241 for information on how the Proposed Project meets City standard of this Yorba Linda General Plan Policy 1.5.

L17-250 Casino Ridge is an existing nearby development located to the northeast of the Proposed Project Site accessed via San Antonio Road and along Casino Ridge Road in the City of Yorba Linda.

L17-251 Project Design Features are listed in each topical section, where appropriate. However, per commenter's suggestion, PDFs will also be included in the Project Description.

L17-252 Refer to page 4-2 of Project Description (Chapter 4) of the DEIR, which states that the Bridal Hills property adjacent to the Project Site is a reasonably foreseeable development and will gain access through the Proposed Project Site; therefore, Bridal Hills has been included in the Proposed Project analysis as a cumulative project in specific areas of analysis.

Bridal Hills is being considered as a cumulative impact for traffic purposes with the assumption that 38 additional residences will be approved. Because no application is currently pending with the County of Orange to seek entitlements for Bridal Hills, it has not been considered as a cumulative project other than air quality, traffic, and population/housing.

L17-253 Refer to response to Comment L17-241 for reference to how the Proposed Project exceeds the City's Park requirement by nine acres. Refer to Section 5.13 (Recreation, page 5-517) for a discussion of the Proposed Project's impact on existing City and regional parks; which concludes that the provision of parks and trails within the Proposed Project will provide new residents with ample recreational opportunities on-site and will reduce impact to less than significant. As stated on page 5-536, Recreation (Section 5.13) of the DEIR, existing residents will have pedestrian access only to the Proposed Project's parks and open space resources through the Proposed Project's trail system. Since this is a gated residential community and there is no public vehicle access, and given that the hillside terrain limits large flat areas, it is not reasonable or feasible to provide City programmable space such as community or neighborhood public parks for youth sports within the Proposed Project. The Proposed Project is consistent with Yorba Linda Goal 3 and Policy 3.1 because the Proposed Project provides parks in excess of the City's parkland standards as stated on page 5-440 of Land Use and Planning (Section 5.9) of the DEIR.

L17-254 Refer to response to Comment L17-253 for discussion on public access to Proposed Project trails and parkland.

- L17-255 As stated in Section 1.10 (Noise), construction noise levels will not be significant if the County Noise Ordinance standards for hours of operation are complied with. However, operational traffic noise will exceed the CEQA threshold for a perceptible increase in ambient noise levels. Therefore, the Project will result in a significant unavoidable impact, even though the noise levels will remain within the County exterior noise standards. The noise impact will occur if Option 2 is selected. There will be no impact with Options 1, 2A, or 2B. Refer to Topical Response 8 – Noise Impacts (beginning on page 47) for additional clarification.
- L17-256 A complete discussion of police services is provided on page 5-498 in Section 5.12 (Public Services) of the DEIR. As discussed, the OCSD assigned six deputies to patrol unincorporated pockets within the City's Sphere of Influence in addition to the 20 deputies assigned to patrol within the City boundaries. The Proposed Project is within the unincorporated area.
- L17-257 Refer to response to Comment L17-252.
- L17-258 Comments do not raise an environmental issue or concern.

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- Page 5-408, under Regional Planning Programs, add "Air" before "Quality Management Plan".
- Page 5-409, second sentence, add "the" between "within" and "jurisdiction".
- Page 5-417, under Analysis of Policy 5.5, add "Linda" after "City of Yorba".
- Page 5-421, fourth paragraph, correct "lease Bell's vireo habitat" to "least" and "per-construction" to "pre-construction".
- Page 5-431, the third and fourth paragraphs are the same as the second paragraph and should be deleted.
- Page 5-435, under Goal 3 Analysis, change "trials" to "trails".
- Page 5-435, under Policy 5.3 Analysis, add "be" between "will" and "sited".
- Page 5-448, RTP/SCS G4 Analysis, second to the last sentence, change "inspection" to "intersection".

L17-258
cont'd

5.10 NOISE

Global Comments

1. There is no analysis of stationary source noise impacts. At a minimum, the analysis should consider the noise emanating from the on-site oil wells that will remain in operation and their potential noise impact to the proposed residential uses.

L17-259

Page/Section - Specific Comments

1. Page 5-450, Ambient Noise Levels: The discussion regarding ambient noise levels does not discuss what the times of day or duration of the noise measurements. There is also no discussion of what equipment was used or how it was calibrated. This discussion should be included, and the noise meter output files and field sheets should be included in Appendix N.
2. Page 5-472, Construction Noise: The analysis is based on summing up the noise levels of three large pieces of equipment and identifying what that noise level would be at distances ranging from 100 to 1,000 feet away. A major issue with this assumption is that sensitive receptors are closer than 100 feet from the construction activities. Also, based on the extent of grading activities, there would likely be more than three pieces of equipment operating in close proximity to each other. It is recommended that the noise analysis be conducted using the Federal Highway Administration Roadway Construction Noise Model (RCNM). This model is not limited to roadway construction projects and has a more up to date inventory of noise levels for construction equipment. The modeled equipment should be consistent with what was modeled for the construction air quality analysis (i.e., the CalEEMod model), and should be propagated from the edge of the grading limits. Although the City and County ordinances exempt construction noise, a significant impact could still be created if the baseline noise levels are adversely affected by the construction equipment noise.
3. Page 5-473, Construction Worker Noise: The analysis identifies that construction related traffic would result in a noise level of 54 dBA at 50 feet from the roadway centerline. However, there is no model data in Appendix N to substantiate this finding. The calculation sheets should be included so this finding can be verified. Also, this

L17-260

L17-261

L17-262

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L17-259 Noise from oil well operations is included in the baseline monitoring analysis, since these operations represent an existing condition. Oil wells operate near residential developments throughout Orange County with minimal noise conflicts. A noise measurement at 20 feet from the Hualde 21 operating well in Fullerton (1998) found noise levels of 53 dB Leq. This measurement would equate to a CNEL of 51.6 dB at 50 feet under direct line of sight. If a block wall enclosure is erected for visual screening from the nearest homes, the resulting noise level would be in the mid-40 dB CNEL range. Such levels would only be marginally detectable within the ambient acoustical background.

L17-260 The field sheets have been included in Appendix E herein to provide the requested monitoring detail.

L17-261 The RCNM is a Roadway Construction Noise Model. The roadway noise source location is well defined relative to off-site receivers. That is not true for mass grading across complex terrain. The RCNM notes that the following variables must be identified for accurate prediction of construction noise:

- The ability to model multiple pieces of construction equipment working either independently or simultaneously;
- The character of noise emission, be it impulsive noise or more ready noise;
- The ability to account for distances from each piece of equipment to each receptor location;
- The influence of time-of-day, be it daytime, evening, or nighttime;
- The expected duration of work;
- The propagation (ground) characteristics of the pathway between the equipment and the receptors;
- The potential shielding or reflective effects of nearby buildings; and
- To a lesser degree, the meteorological effects on noise propagation.¹⁴

In particular, the ability to account for distances from each piece of equipment to each receptor location throughout any given work-day is impossible for a project of the proposed magnitude.

L17-262 Construction worker commuting noise was calculated by standard noise modeling using FHWA Traffic Noise Model (TNM) Version 2.5. As a conservative approach is was assumed that half the daily construction worker trips would arrive or depart in a peak hour and that five medium duty vendor truck trips and four heavy duty truck trips would also occur during this peak hour.

As shown in the updated Noise Impact Analysis (Appendix E herein), TNM calculates the noise level at 50 feet from roadway centerline to be 53 dB Leq for the indicated peak hourly site access vehicle volume. If this peak hour volume were to occur for 5 daytime hours per day, the associated CNEL would be 46 dB at 50 feet from the roadway centerline. This is less than existing background noise levels. Parking locations and staging areas have not been determined, but Orange County Standard Conditions require selection of such areas as to minimize noise intrusion into surrounding development.

¹⁴ Source RCNM Handbook, Section 6.2

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discussion needs to include a discussion of where the workers would park and where the construction equipment would be staged.

L17-262
cont'd

4. Page 5-475, Construction Related Vibration: The analysis bases its analysis on a distance of 600 feet between the nearest sensitive receptor and where the construction activity takes place. However, based on the site plan, grading activities will occur much closer to sensitive uses. The analysis should revise the analysis to reflect the distance between the nearest sensitive uses and the edge of grading activities. Also, please confirm that a vibratory roller will not be used for construction.

L17-263

5. Page 5-475, Long Term Vehicle Noise: The model outputs associated with the traffic noise assessment were not included within Appendix N. Therefore, the modeled noise levels could not be verified. Furthermore, the analysis identifies that although a significant increase is created Aspen Way, Via Del Agua, and Stonehaven Drive, no mitigation is feasible as the resultant noise level is less than 65 dBA CNEL. Although noise barriers would be impractical, the analysis should consider options such as rubberized asphalt coatings along these roadways to reduce the traffic noise impact.

L17-264

6. Page 5-480, Mitigation Measures: In order to further reduce construction related noise impacts, the following measures should be incorporated as mitigation:

L17-265

- Construction noise reduction methods such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible. Unattended construction vehicles shall not idle for more than 5 minutes when located within 500 feet from residential properties.
- Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 500 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. This notification shall give a contact phone number for any questions or complaints. All complaints shall be responded to in a method deemed satisfactory by the County of Orange.

L17-266

5.11 POPULATION AND HOUSING

Global Comments

1. Uses 2008 instead of current 2013 population and housing data as baseline existing conditions.
2. The Section provides multiple sources of population and housing estimates and forecasts, which are conflicting.
3. The population and housing data for the relevant geographies (i.e., unincorporated OC and City of Yorba Linda) should be discussed separately, logically, and consistently.

L17-267

L17-268

L17-269

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L17-263 Vibration damage (for example, cracks in stucco and plaster) occurs when peak particle velocities exceed 2 inches per second (Bureau of Mines RI8507, 1980). The peak particle velocity of a large bulldozer is reported in the Federal Transit Administration Noise and Vibration Impact Assessment manual (FTA-VA-90-1003-06, 2006) to be 0.1 inch per second at 25 feet. Even if heavy equipment were to operate as close as 25 feet to any off-site homes, the vibration level would still be substantially below the cosmetic structural damage threshold. The possible need for vibratory rollers is unknown at this time.

L17-264 Model output sheets are included herein in Appendix E. If distances, fields of view, and zero noise barriers apply to other roadway segments, the reference calculation can be logarithmically adjusted as follows:

$$\text{CNEL (dB)} = \text{CNEL Ref} + 10 \log(\text{VOL}/\text{VOLr})$$

The referenced CNEL was calculated for each travel speed using the day/evening/night and auto/medium/heavy vehicle mixes applied to Caltrans Remels. The use of rubberized asphalt was not considered as a reasonable and feasible mitigation measure because at slow (mainly 25 mph) travel speeds in the project vicinity there is a minimal noise reduction benefit. Use of rubberized asphalt also entails maintenance/replacement in perpetuity which typically cannot be imposed upon a developer/builder.

L17-265 Mitigation Measures N-2 through N-4 provide for the type of noise abatement suggested by commenter.

L17-266 Mitigation Measures N-2 through N-4 provide for the type of noise abatement suggested by commenter. There is no requirement for notification two weeks prior to commencement of construction. The Project Site will be posted with contact information. However, the following text is added to Mitigation Measure N-6:

N-6 – During the construction phase, Project Applicant shall ensure that construction hours, allowable work days and the telephone number of the job superintendent are clearly posted at all construction entrances to allow residents to contact the job superintendent. If the [County of Orange or the](#) job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action and report the action taken to the appropriate reporting party. [Contact specifications shall be included in the Proposed Project construction documents, which shall be revised by the County of Orange prior to issuance of grading permits.](#)

L17-267 Comment noted and discussed below in responses to Comments L17-273 through L17-283.

L17-268 Comment noted and discussed below in responses to Comments L17-273 through L17-283.

L17-269 Comment noted and discussed below in responses to Comments L17-273 through L17-283.

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Quantified data is better communicated in tables, rather than in paragraph form. A sample outline for population (and also for Housing) is as follows:

County of Orange

- Past trends;
- Existing 2013;
- Forecasts (OC GP);
- Forecasts (SCAG).

L17-270

Unincorporated OC

- Past trends;
- Existing 2013;
- Forecasts (OC GP);
- Forecasts (SCAG).

City of Yorba Linda

- Past trends;
- Existing 2013;
- Forecasts (OC GP);
- Forecasts (SCAG).

Page/Section - Specific Comments

1. Page 5-483, Section 5.11, Paragraph 1: Specify which planning periods for the Housing Elements. Add the Department of Finance and Southern California Association of Governments to this paragraph.
2. Page 5-483, Section 5.11.1: County, SCAG, and RHNA discussions are out of place. Move to Regulatory Setting.
3. Page 5-484, Section 5.11.1, Population: The Department of Finance provides more current (1/1/13) population estimates for both unincorporated OC and City of Yorba Linda. Please update.
4. Page 5-484, Section 5.11.1, Population, Last Line: In statement "input relative to housing....," replace "housing" with "households," which are occupied housing units. SCAG forecasts households- not housing.
5. Page 5-485, Section 5.11.1, Tables 5-11-1, 5-11-2, and 5-11-3: Add existing (2013) estimates and SCAG forecasts for Project buildout year (2020?) to these Tables.
6. Page 5-487, Section 5.11.2, City of Yorba Linda General Plan - Housing Element: This Section's trends and growth forecasts conflict with data provided in Existing Conditions section, and actually belong there instead. This section should focus on the RHNA and unmet housing needs instead of trends and forecasts. RHNA and unmet housing needs for each geography and for each cycle should be summarized in tables, instead of paragraphs. As previously noted, the 2008 data is outdated; replace with current 2013 data.

L17-271

L17-272

L17-273

L17-274

L17-275

L17-276

L17-270 Comments do not raise an environmental issue or concern.

L17-271 The paragraph identified is introductory in nature. Specifics are included within the Section under topical discussions.

L17-272 Comments do not raise an environmental issue or concern.

L17-273 The information provided was current at the time the DEIR was prepared and distributed. Analysis and conclusions were based on the then-current data.

L17-274 Comments do not raise an environmental issue or concern.

L17-275 The tables adequately portray a span of population, housing, and employment trends, and include year 2020 as noted in comment.

L17-276 Refer to response to Comment L17-273. Subsection 5.11.2 is specific to the Yorba Linda General Plan Housing Element. The conflict commenter cites is not related to the DEIR analysis simply because the figures reported from the Yorba Linda General Plan differ from information obtained from other sources. As indicated in the DEIR, page 5-491, Subsection 5.11.6, development of the Project site was anticipated in the County General Plan as well as the Yorba Linda General Plan.

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7. Page 5-488, Section 5.11.2, Bullet 2: Following statement “provides up to 536 new housing units....,” add footnote that further explains assumed population growth: “Assuming 3.2 persons per household, the forecast population growth for the Murdock Area Plan is approximately 1,715 persons.” L17-277
8. Page 5-489, Section 5.11.4: The impact analysis switches back and forth between County and City; separate the discussions. Separate the impact analyses for existing, General Plans (OC and Yorba Linda), RHNA, and SCAG. For each geography, the analysis of housing and population growth over existing 2013 conditions is missing. Also analyze housing and population growth in the contexts of OC GP, Yorba Linda GP, and SCAG forecasts. Identify the Project horizon/buildout year. L17-278
9. Page 5-489, Section 5.11.4, Paragraph 3: Cite source for persons per household. For last, is 5th cycle (2014-2021) correct? Change to 4th cycle (2008-2014). Establish what the unmet housing need is for each geography, for each cycle, according to income category; this is best communicated in tables. Given the type of proposed housing, it would likely be in the above moderate category. Therefore, evaluate the Project’s effect on unmet housing needs, according to income category; not by total need. L17-279
10. Page 5-489, Section 5.11.4, Table 5-11-5: In Table title, should “2010” be “2008,” which is the planning period for the 4th cycle? L17-280
11. Page 5-490, Section 5.11.4, Table 5-11-6: Table is out of place; move to follow “Yorba Linda General Plan Housing Element” paragraph. L17-281
12. Page 5-490, Section 5.11.4, Second Full Paragraph: Specify the remaining RHNA need. After the second sentence, explain/support conclusions. Suggest combining unmet needs for each planning period for above moderate then analyze Project. L17-282
13. Page 5-490, Section 5.11.4, Yorba Linda General Plan Housing Element, Sentence 3: The EIR states that the City’s regional housing needs of 2,039 additional units during the 2008-2014 planning period, has not been met. Two sentences later and again on page 5-487, it states that the 2008-2014 Housing Element notes a deficit of 757 housing units. There are inconsistencies regarding both RHNA and unmet needs for both City and County. Please correct. L17-283
14. Page 5-490, Section 5.11.4, Last Paragraph: The section is missing impact conclusions. The impact analysis must conclude whether the Project “induces substantial population growth” through new homes. Also, the impact analysis must conclude whether the Project induces substantial population growth through extension of roads. L17-284
15. Page 5-491, Section 5.11.7: Why are related projects listed separately in Tables 5-11-7 and 5-11-8? What about Bridal Hills? Please consolidate tables, but list OC separate from City. The cumulative housing/population growth estimate is incorrect, therefore, analysis is incorrect. Please revise to include all cumulative projects. L17-285

L17-277 Per the comment, the following text is included in Subsection 5.11.2, second bullet. The section states that “the City’s current General Plan provides for up to 536 new housing units in the Murdock Area Plan and encourages a clustering in response to topographical and other physical limitation. Assuming 3.2 persons per household, the forecast population for the Murdock Area Plan is approximately 1,715 persons.”

L17-278 The Population and Housing section includes information related to RHNA existing and future (2014-2021) allocations and Orange County and City of Yorba Linda population, housing, and employment figures for existing and future (year 2030) conditions and estimates. As Noted in Section 5.11, Population and Housing, the forecasts were obtained from the Center for Demographic Research, which uses SCAG data as the basis for existing and for projected forecasts.

L17-279 As noted on page 5-517, Section 5.13 – Recreation, the County uses a population factor of 3.2 persons per household, and that population factor is used consistently in the DEIR. The DEIR, on page 5-490, states that the Proposed Project will consist of larger homes on large lots and will be considered as “above moderate” with regard to income category allocation. Subsection 5.11.4 includes the 2010-2014 and 2014-2021 RHNA Allocations in Tables 5-11-5 and 5-11-6, respectively.

L17-280 Comments do not raise an environmental issue or concern.

L17-281 Comments do not raise an environmental issue or concern.

L17-282 The following text will be added to Section 5.11.4 on page 5-490:

While there are no above moderate allocations remaining in the 2010-2014 income category in unincorporated Orange County, 2,174 units have been allocated in the unincorporated County for the 2014-2021 period, during which Project construction is expected to occur.

Please refer to response to Comment L17-283 below.

L17-283 Please note there is a difference between RHNA allocated development (2,039) and the development potential identified in the City’s General Plan Housing Element. There are no inconsistencies in the facts reported in the DEIR, and the analysis remains unchanged.

L17-284 The Level of Significance after Mitigation, Subsection 5.11.6, provides impact conclusions.

L17-285 The Proposed Project and the proposed Cielo Vista project are adjacent parcels and, as such, the projects have been analyzed throughout the DEIR in various topical areas for cumulative impacts. Bridal Hills is a foreseeable development. However, as noted in Topical Response 5 - Segmentation/Piecemealing, the Project Applicant approached the Bridal Hills landowners but they declined to participate in development at this time. In any event, analysis of 38 units in Bridal Hills was included in the DEIR. Table 5-11-8 was prepared in consultation with City staff and is based on projects that are more imminent than Bridal Hills based on the landowner’s decision not to develop at this time. There is no change to either the analysis or the conclusions due to providing two tables.

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| 16. <u>Page 5-492, Section 5.11.7, Paragraph 1</u> : Cumulative housing impacts to RHNA/unmet housing needs should be analyzed separately for OC and City, since Housing Elements are distinct. | } | L17-286 |
| 17. <u>Page 5-492, Section 5.11.7, Paragraph 2, Sentence 4</u> : This sentence addresses the Esperanza Hills and Cielo Vista projects; why call out Cielo Vista separate from other cumulative projects in unincorporated OC? Analysis should be cumulative: all in unincorporated OC and all in City. | } | L17-287 |

5.12 PUBLIC SERVICES

Global Comments

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|--|---|---------|
| 1. Regarding the discussion on parks included in Section 5.12, it is redundant with Section 5.13. Suggest consolidate with Section 5.13. | } | L17-288 |
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Page/Section - Specific Comments

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|--|---|---------|
| 1. <u>Page 5-493, Section 5.12</u> : Add statement introducing which public services are addressed in this section. | } | L17-289 |
| 2. <u>Page 5-493, Section 5.12.1, Paragraph 1</u> : Redundant with the following discussions. Consolidate with each issue area that follows, as appropriate. | } | L17-290 |
| 3. <u>Page 5-493, Section 5.12.1, Police Services</u> : Note OCSD service response ratio, if any. | } | L17-291 |
| 4. <u>Page 5-493, Section 5.12.1, Fire/Paramedic Services</u> : Please clarify that there are five stations in the area, but Station 32 is the closest. | } | L17-292 |
| 5. <u>Page 5-495, Section 5.12.1, Schools</u> : Add capacity to each school. May be better communicated in a table. | } | L17-293 |
| 6. <u>Page 5-496, Section 5.12.1, Parks, end of Paragraph 1</u> : Cite source for state ratio. Discuss the City's adopted standard also. | } | L17-294 |
| 7. <u>Page 5-496, Section 5.12.1, Libraries</u> : Reference to "typical range of resources" is vague; possibly volumes, square feet, etc. Cite source for "Yorba Linda Library is currently inadequate..." Does the Assessment provide a standard for library volumes? | } | L17-295 |
| 8. <u>Page 5-497, Section 5.12.1, Other Facilities – Hospitals/Medical Centers</u> : The sentence "The Proposed Project will be..." is out of place, since this is Existing Conditions. Revise statement. | } | L17-296 |
| 9. <u>Page 5-497, Section 5.12.2</u> : Paragraph 2 beginning with "In addition,..." is out of place, since this is thresholds. Please move to Existing Conditions section. Please cite source for City's standard. Please cite source for "the remaining two acres..." | } | L17-297 |

- L17-286 The Proposed Project and the proposed Cielo Vista project are the only unincorporated County projects, and cumulative impacts are discussed separately on page 5-491 based on the County factors. In addition, the proposed Cielo Vista project is called out separately throughout the DEIR due to its location immediately adjacent to the Proposed Project. Cumulative impacts from the remaining related projects are discussed separately on page 5-492. This list does include the proposed Cielo Vista project because all projects within a two mile radius are included.
- L17-287 See response to Comment L17-286 above.
- L17-288 Comments do not raise an environmental issue or concern.
- L17-289 Comments do not raise an environmental issue or concern.
- L17-290 Comments do not raise an environmental issue or concern.
- L17-291 See Subsection 5.12.3. Also refer to response to Comment L16-3 (Orange County Sheriff's Department).
- L17-292 See Table 5-12-1 which provides locations for the five closest stations.
- L17-293 Information provided by the Placentia-Yorba Linda School District (PYLSD) did not include capacities of the affected schools. The PYLSD has indicated that adequate capacity exists for potential additional students (refer to Table 5-12-3 in the DEIR, and following discussion). The School District is state-mandated to accommodate students within each District's service area.
- L17-294 Complete analysis is provided in Section 5.13 – Recreation, where park requirements are discussed in detail.
- L17-295 Section 5.12.1 provides general background information. The more detailed analysis, including the information requested, is found on page 5-507, 5. Libraries.
- L17-296 Comments do not raise an environmental issue or concern.
- L17-297 It is unclear what the commenter means, since the sentence referenced provides a threshold. The introductory phrase does not change the threshold information. Additional comments do not raise an environmental issue or concern.

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10. Page 5-498, Section 5.12.3, *Police Services*: The standard noted earlier in section regarding police services is five minutes. Also, a standard noted earlier in section regarding fire services is similar to this. Please verify correct police services standard. L17-298
11. Page 5-498, Section 5.12.3, *Police Services*: The sentence beginning with "During the January 2013..." and the following sentence should be moved to the Existing Conditions section. Also, please cite source. L17-299
12. Page 5-498, Section 5.12.3, *Police Services*: Regarding impact conclusion (last sentence), there is no evidence/standard to support this conclusion. L17-300
13. Page 5-498, Section 5.12.3, *Police Services*: Add a conclusion statement addressing threshold and verifying that "no new police protection facilities or expansion of existing facilities would be required" per threshold. L17-301
14. Page 5-498, Section 5.12.3, *Fire/Paramedic Services*: In Sentence 1, add the word "calls" after "up to 61" and "call" after "up to 1.0." L17-302
15. Pages 5-499 and 5-500, Section 5.12.3, *Fire/Paramedic Services*: This discussion regarding wildland fire hazards (i.e., all of the information on page 5-499 and the first four paragraphs on page 5-500) belong in the Hazards and Hazardous Materials section. Please refer reader to that section and only summarize here. L17-303
16. Page 5-505, Section 5.12.3, *Fire/Paramedic Services, Last Paragraph*: The sentence "In the event the OCFA disagrees with the....." implies the OCFA is/will be reviewing the Dudek Report. The OCFA's determination regarding response times and recommendations, as well as their overall findings regarding the Fire Protection and Emergency Evacuation Plan, should be disclosed in this EIR (here and in the Hazards Section). L17-304
17. Page 5-505, Section 5.12.3, *Fire/Paramedic Services, Last Paragraph*: Add a conclusion statement addressing threshold and verifying that "no new fire/paramedic facilities or expansion of existing facilities would be required" per threshold. L17-305
18. Page 5-505, Section 5.12.3, *Schools*: Paragraph 1 and associated bullets are out of place, since this is impact analysis. Please move to Existing Conditions section. L17-306
19. Pages 5-505-506, Section 5.12.3, *Schools*: Paragraph 3, continuing on next page, ending with "186 students" is out of place, since this is impact analysis. Please move to Existing Conditions section. Also move Table 5-12-3. L17-307
20. Page 5-506, Section 5.12.3, *Schools, Top of Page*: To first complete sentence, please add statement verifying that sufficient space exists for 177 new students; "As shown in Table 5-12-XX, sufficient capacity exists..." L17-308
21. Page 5-506, Section 5.12.3, *Schools*: Table 5-12-3 is out of place, since this is impact analysis. Please move to Existing Conditions section. Also add capacity for each school, in order to demonstrate sufficient space exists. L17-309

- L17-298 The response time noted on page 5-498 is the general standard OCSD strives to achieve. The response time noted on page 5-493 relates to a standard as cited by Lt. Bob Wren at the Yorba Linda Sheriff's station. As noted, that standard has been met and exceeded in recent time for that area.
- L17-299 Comments do not raise an environmental issue or concern. The source is a newspaper report with details provided by Captain Steve Doan at the time OCSD began providing services to Yorba Linda.
- L17-300 The conclusion is correct that there will be no change in the provision of service, because OCSD serves both the County, including unincorporated areas, and Yorba Linda.
- L17-301 Conclusions are provided on page 5-508.
- L17-302 Comments do not raise an environmental issue or concern.
- L17-303 Comments do not raise an environmental issue or concern. Because of the topical overlap associated with this issue, information and analysis were provided in Fire Protection and, where appropriate, in the analysis of Hazards and Hazardous Materials.
- L17-304 OCFA provided a comment letter during the DEIR public review period (Comment Letter L12, page 180). Please refer to that letter and the responses for additional information.
- L17-305 See response to Comment L17-301.
- L17-306 Comments do not raise an environmental issue or concern.
- L17-307 Comments do not raise an environmental issue or concern.
- L17-308 In addition to school attendance and student projection data on which the DEIR analysis was based, the Yorba Linda School District provided a comment letter during the DEIR public review period (Comment Letter L20, page 326). The District's specific concerns related to traffic impacts and evacuation plans in the event of a wildfire emergency. No concerns regarding additional student capacity were included. The discussion preceding Table 5-12-3 reflects the conclusion suggested in this comment. Therefore, the conclusion provided on page 5-508 of the DEIR remains unchanged and valid regarding capacity for new students.
- L17-309 See response to Comment L17-308 above.

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| 22. <u>Page 5-506, Section 5.12.3, Schools, End of Full Paragraph 2:</u> Add a conclusion statement addressing threshold and verifying that "no new school facilities or expansion of existing facilities would be required" per threshold. | } | L17-310 |
| 23. <u>Page 5-506, Section 5.12.3, Parks:</u> Is there an exhibit to illustrate the information described in Sentence 1? | } | L17-311 |
| 24. <u>Page 5-506, Section 5.12.3, Parks:</u> At the end of the Paragraph 1, add statement "The environmental impacts of the proposed parks and recreational facilities are analyzed in Sections 5.1 through 5.15 of this EIR." | } | L17-312 |
| 25. <u>Page 5-506, Section 5.12.3, Parks, County of Orange:</u> Following second sentence, add a statement regarding the Project's parkland demand of 2.7 per acres. | } | L17-313 |
| 26. <u>Page 5-507, Section 5.12.3, Parks, City of Yorba Linda General Plan:</u> Following fourth sentence, add a statement regarding the Project's parkland demand of 4.4 acres, based on population of 1,088. In the following sentence, revise to read "The parkland acreage for the Proposed Project (12 to 13 acres) will be..." | } | L17-314 |
| 27. <u>Page 5-507, Section 5.12.3, Libraries, County of Orange:</u> Most of this paragraph, beginning with "The Orange County....." and ending with "..... is in Brea," is out of place, since this is impact analysis. Please move to Existing Conditions section. Leave only a summary in Section 5.12.3. | } | L17-315 |
| 28. <u>Page 5-507, Section 5.12.3, Libraries, City of Yorba Linda:</u> Most of this paragraph, beginning with "Both libraries....." and ending with "..... sources to construct a new facility" is out of place, since this is impact analysis. Please move to Existing Conditions section. Leave only a summary in Section 5.12.3. | } | L17-316 |
| 29. <u>Page 5-507, Section 5.12.3, Libraries, City of Yorba Linda:</u> Cite source for sentence beginning with "This would meet the industry standard...." | } | L17-317 |
| 30. <u>Page 5-507, Section 5.12.3, Libraries, City of Yorba Linda General Plan:</u> Regarding last sentence that concludes Project impact would be reduced with construction of a new library, please expand discussion/provide supporting data that the Project's demand was assumed part of the new library. Also, add a statement that indicates that library expansions would undergo a separate CEQA review. | } | L17-318 |
| 31. <u>Page 5-508, Section 5.12.3, Hospitals:</u> Cite source or provide evidence to support this conclusion. | } | L17-319 |
| 32. <u>Page 5-508, Section 5.12.4, PS-1:</u> See comment regarding Page 5-505 above. The OCFA's determination regarding response times and recommendations, as well as their overall findings regarding the Fire Protection and Emergency Evacuation Plan, should be disclosed in this EIR (here and in the Hazards Section). | } | L17-320 |
| 33. <u>Page 5-508, Section 5.12.5, Schools:</u> Cielo Vista is a cumulative project; why called out here? | } | L17-321 |

L17-310 See response to Comment L17-308 above.

L17-311 Conceptual Parks Plans for Option 1 and Option 2 are provided in Section 5.11 (Recreation) as Exhibits 5-110 and 5-111, respectively.

L17-312 The statement commenter is requesting be added to Subsection 5.12.3 - Parks is inaccurate. Parks and recreational facilities are analyzed in Section 5.12 - Public Services and Section 5.13 (Recreation).

L17-313 Section 5.13 (Recreation) more appropriately provides the level of information and detail noted in the comment.

L17-314 See response to Comment L17-313 above. The information and analysis requested in this comment is provided in Section 5.13 (Recreation) of the DEIR.

L17-315 Comments do not raise an environmental issue or concern.

L17-316 Comments do not raise an environmental issue or concern.

L17-317 The conclusion was based on 0.6 sq. ft. (minimum standard) x 70,000 (build-out population) = 42,000 sq. ft. The library is planned to contain 50,820 sq. ft. of space.

L17-318 See response to Comment L17-317 above. The new library is adequately sized to accommodate potential Project residents. With a current average of 1,100 visitors per day, the number of visitors who are residents of Esperanza Hills is anticipated to be nominal and insignificant for the capacity. CEQA review for the new library is not relevant to environmental analysis in the Project DEIR.

L17-319 The availability of seven hospitals within the surrounding area can be assumed to be adequate (i.e., less than significant impact) given the number of anticipated new residents (1,088) and the unlikely event that all would need hospital services at the same time. The Proposed Project is in an urbanized area with medical services readily available, unlike a rural environment where such services could be few and far between, resulting in a conclusion of significant impact.

L17-320 See response to Comment L17-304 above.

L17-321 The proposed Cielo Vista project is the closest potential development that would utilize the same schools as the Proposed Project. Commenter is correct that the proposed Cielo Vista project is considered in terms of a cumulative impact in the DEIR.

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| 34. Page 5-509, Section 5.12.5, <i>Hospitals</i> : At top of page, regarding conclusion of "no impacts will occur." Would no impacts occur or would they be less than significant? | } | L17-322 |
| 35. Page 5-509, Section 5.12.5, First Full Paragraph: Mitigation Measures PS-1 and PS-2 pertain only to payment of fees for fire protection and schools. Therefore, statement that "...payment of required fees would occur with public service providers..." is incorrect. Please revise. | } | L17-323 |
| 36. Page 5-509, Section 5.12.5: This section focuses almost entirely on Project and not on cumulative projects (1,787 dwellings). Please revise. | } | L17-324 |

5.13 RECREATION

Global Comments

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|--|---|---------|
| 1. This section does not address the City's Draft Parks and Recreation Master Plan Update. This most recent Draft document includes the most accurate and relevant information regarding the Park In-lieu requirements and parkland inventory. Please view the Council Meeting and Staff Report from January 7, 2014 in regards to the Park In-lieu updates that have been adopted and will be implemented February 20, 2014. The next posting and review of the DRAFT Parks and Recreation Master Plan Update will be at the Parks and Recreation Commission Meeting on February 20, 2014. The entire document will be presented at this time. Please add a discussion to the regulatory section. | } | L17-325 |
| 2. Park J is proposed underneath SCE transmission lines, potentially requiring preparation of an EMF study. Not an inviting appeal for residents. | } | L17-326 |
| 3. The proposed dog park is located within the gated community. The Yorba Linda residents expressed a lack of public benefit from the development. The dog park could benefit the community for public use if it were located at the entry to Esperanza Hills at Esperanza Hills Pkwy and San Antonio Road or at the community entrance in Park I – Orange Park. Were these statements made at the public workshop? How was this public input received? Is there parking available for the public community or do they park down the street and walk into the gated community. If so this impacts the public streets as well. | } | L17-327 |
| 4. The Project proposes equestrian trails and multipurpose trails internal and external to the private gated community. However, the proposed trails do not provide a continuous path or loop connection for Trails 35a and 36 that are consistent with the General Plan Update - Riding, Hiking, and Bikeway Trails Component - April 5, 2005. Many of the trails are exclusive to residents of the Project and are not for public use. Therefore, please revise the proposed Conceptual Trails Plan to include the continuity of the public use Earthen Multipurpose Trails 35a and 36 as indicated in the City of Yorba Linda – General Plan Update - Riding, Hiking, and Bikeway Trails Component - April 5, 2005. | } | L17-328 |

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L17-322 See response to Comment L17-319 above.

L17-323 Commenter provides no information regarding what other services would require payment of fees. The service providers are clearly identified for which such payment would occur with Project implementation.

L17-324 Regarding public services, new developments are required to pay fair share fees for services provided, which mitigates cumulative impacts. Because the Proposed Project and the proposed Cielo Vista project are adjacent developments and students would likely use the same schools, the impacts are cumulative with regard to the total number of students.

L17-325 As the commenter notes, the City's Draft Parks and Recreation Master Plan Update was not considered for adoption until January 2014, after the release of the DEIR for public review. The analysis was based on existing information and adopted plans and programs. Such newly adopted plans are more appropriately addressed if annexation to the City occurs.

L17-326 The Proposed Project includes 11 park areas. For comparison, the California Department of Education requires schools to meet minimum setback standards – i.e., 100 feet (overhead line) for 50-133 kV, and 150 feet (overhead line) for 220-230 kV). The park noted in the comment is near the transmission lines, which are in excess of 200 feet above ground level at that point.

L17-327 The Esperanza Hills parks are available to the general public through existing and proposed trail connections. Comments were made orally at meetings and in writing and are responded to in this Responses to Comments document. Commenter's questions do not raise an environmental issue or concern and no further response is warranted.

L17-328 The Proposed Project is within the jurisdiction of the County of Orange General Plan. However, commenter is referred to Section 5.9 - Land Use and Planning, page 5-440 for a consistency analysis with the Yorba Linda General Plan Recreation and Resources Element. As reflected in that analysis (refer to Table 5-9-13), the Proposed Project, including the trails/connections and related features, is consistent with the long-range goals and objectives of the Yorba Linda General Plan.

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5. The Draft EIR should categorize the type of parks beyond "passive" or "active", and define them using the standard types such as minipark/greenbelt vs. neighborhood or community park. The Draft EIR should refer to the definition of types of parks by reviewing the most recent City of Yorba Linda DRAFT Parks and Recreation Master Plan Update. Next posting and review will be available just prior to and at the Parks and Recreation Commission Meeting on February 20, 2014.

L17-329

Page/Section - Specific Comments

1. Page 5-512 to 5-513: The existing conditions should identify the distance of each park from the project site. Any existing parkland deficiencies for the County or City should also be identified, such as neighborhood and community parks for Yorba Linda. The Open Space discussion does not identify open space within the County. The project site is designated as Open Space by the County.
2. Page 5-514, Section 5.13.2: The Regulatory section should identify and include discussions of the following documents: 1) City of Yorba Linda **DRAFT** Parks and Recreation Master Plan Update (see Global Comment #1); and 2) City of Yorba Linda Municipal Code Title 17 (in particular, the sections relevant to parks and recreational facilities). It is noted, Municipal Code Title 17 and Park in-lieu fees have been updated as of January 7, 2014 and will go into effect February 20, 2014.
3. Page 5-520: The analysis should consider the potential impact on City parks specifically related to sports fields, as these facilities are not included within the project site.
4. Page 5-536: Under the Trails discussion, it notes that it is anticipated a park area will also be constructed in the land owned by the City. The discussion needs to clarify the location of this park and its size. Is this park identified in "The City of Yorba Linda **DRAFT** Parks and Recreation Master Plan Update"? Also see Global Comment #1. The Draft EIR should also clarify which park this discussion refers to.
5. Pages 5-541-542: The City does not agree that the proposed miniparks/greenbelts will mitigate the impact of more residents/children needing programmable space as well. See the previous comments made regarding Page 5-440, Goal 3 and Policy 3.1: The discussion should show how the proposed project meets the City's requirement.
6. Page 5-542, Cumulative Impacts: The discussion references the Cielo Vista project, but does not appear to consider the other cumulative project and overall impact on County and City recreation facilities.

L17-330

L17-331

L17-332

L17-333

L17-334

L17-335

5.14 TRANSPORTATION AND TRAFFIC

Global Comments

1. Peak hour factors (PHF) were not applied in the ICU analysis of the study intersections under any of the analysis scenarios. Therefore, the reported ICU calculations are reflecting a better LOS than what existing and future peak hour operations should reflect.

L17-336

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- L17-329 Commenter is referred to response to Comment L17-328 above. Details about the parks and their components are provided in Section 5.13 (Recreation). CEQA does not require the use of particular terms to categorize parks, and adequate information is provided in the DEIR to describe each park.
- L17-330 Parks are identified on Exhibit 5-106, page 5-494. The exhibit provides a visual depiction of the relationship of the identified parks to the Project site. Mileage from the Project site would not alter the analysis or conclusions of the DEIR. It is unclear what the intent of the remainder of the comment is or how it relates to analysis of the CEQA thresholds for provision of parks and open space. Also refer to response to Comment L17-325 above.
- L17-331 As noted, the Proposed Project is within the jurisdiction of the County of Orange and as such will be required to provide parkland consistent with the County General Plan. In addition, because the Proposed Project is located in unincorporated Orange County, and not the City of Yorba Linda, the City's park fees are not applicable to the project. Any required fees will be provided as required by the County General Plan.
- L17-332 Section 5.12 (Public Services) states that the estimated the number of students generated by the Proposed Project is 177. This age group (elementary through high school) would be the likely participants in youth sports. It is speculative to assume that all will participate in sports. Because commenter's focus is related to sports fields, it should be noted that the Project is projected to take one to two years for grading and three to seven years for phased construction of homes. Therefore, additional park use would be spread over several years until maximum occupancy of the Proposed Project is reached, and impacts would be incremental over that time span.
- L17-333 It is anticipated that a park area may be constructed in the future in conjunction with Option 2A and Option 2B if either option is approved by the County and in agreement with the City of Yorba Linda for such construction. At the present time, since discussions with the City have been preliminary, it is impossible to determine whether an agreement may be reached and, if so, the scope of the project.
- L17-334 Although the Proposed Project is within the jurisdiction of the County of Orange, as noted on page 5-517, the City's parkland requirement would be the provision of 4.4 acres. The Proposed Project is providing 12 to 13 acres of parkland in addition to the trails and open space areas, all of which provide recreation opportunities, and are in excess of the City's requirements. See response to Comment L17-332 above regarding anticipated use of "programmable space."
- L17-335 Individual new developments are required to provide parkland or in-lieu fees to mitigate impacts. Cumulatively, if such parkland and fees are enforced, there should be no impact from related projects. However, as previously noted, the proximity of the proposed Cielo Vista project has resulted in more specific identification of potential impacts throughout the DEIR.
- L17-336 ICU calculations do not require use of the actual peak hour factor (PHF), because the ICU methodology is a planning analysis methodology that includes a fixed capacity and assumes optimum green time. In addition, the City of Yorba Linda TIA Guidelines do not require the use of the actual PHF.

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Peak hour factors are usually applied in the ICU 2000 and HCM 2000 methods of intersection analysis to take into account the peaking characteristics of traffic within the peak hour. It is usually based on the peak 15-minute period. The application of peak hour factors in ICU analysis is discussed in the Federal Highway Administration (FHWA) Signalized Intersections: Informational Guide (August 2004).

L17-336
cont'd

2. Peak (95th percentile) queue lengths should be evaluated at the southbound approaches of the intersections of San Antonio Way, Yorba Linda Blvd./Via Del Agua and Yorba Linda Boulevard/Stonehaven Drive to determine if peak queuing will potentially block access to and from side streets immediately north of the intersections. In the scenario where Aspen Way is used for access, a queuing analysis should also be provided for the westbound approach of Aspen Way to San Antonio Road. There are two residential units on the north side of Aspen Way and a nearby cul-de-sac (Willow Tree Lane) that may have access blocked during the morning peak periods.

L17-337

3. The traffic counts used in the traffic study were conducted in early 2012 and are now over one year old and almost two years old. Consideration should be given to conducting updated traffic counts.

L17-338

4. The City's existing traffic signal system is running on time-of-day plans and it is not capable of handling special signal timing required for fire emergency evacuation. The Esperanza Hills Project should contribute fair-share funding towards the cost to upgrade the City's current traffic signal system to a traffic responsive system.

L17-339

5. The project must provide justification that it has the legal right to require third parties to extend or allow Aspen Way, Stonehaven Drive, or San Antonio Road approximately 1,850 feet south of Aspen Way to connect to the project.

L17-340

Page/Section - Specific Comments

2. Comments on Appendix O, Traffic Impact Analysis Report, are provided below. These comments also apply to Section 5.14, Transportation and Traffic, of the Draft EIR and should be updated accordingly.

L17-341

Appendix O – Traffic Impact Analysis Report

1. Section 3.1 – Existing Street System: The TIA states that the posted speed limit on Stonehaven Drive and on Via Del Agua is 35 miles per hour (mph). This is incorrect, there are signs immediately north of Yorba Linda Boulevard showing that the posted speed limit is 25 mph on Stonehaven Drive, and is 30 mph on Via Del Agua. Please revise.
2. Section 5.2 – Project Traffic Distribution and Assignment – Option 1: First bullet on page 14 in this section states that Via Del Agua and Stonehaven Drive are "major traffic carriers" in proximity to the project site. These are both local roadways designed to carry relatively low traffic volumes, please revise statement accordingly.

L17-342

L17-343

L17-337 Comment acknowledged. The queue lengths for the southbound/westbound approaches do not need to be evaluated, because any queuing on these minor street approaches would not block the minor street through movement, since these locations are "T" intersection approaches. Furthermore, if the queue lengths extend through a side street intersection for a couple of cycles during the peak hour, the minor street vehicles are likely to provide access for side street vehicles. Additionally, the City could elect to install "KEEP CLEAR" pavement messages. Comment will be forwarded to the decision-makers for consideration.

L17-338 The traffic counts were conducted within one year of release of the Notice of Preparation, which is adequate. In addition, a 2% per year growth factor has been applied to the year 2012 traffic counts. Therefore, the traffic conditions in the approved Traffic Impact Analysis are very likely greater than any updated traffic count conducted in year 2014 would reflect.

L17-339 Comment will be forwarded to the decision makers for consideration.

L17-340 Comment acknowledged.

L17-341 Comment acknowledged.

L17-342 Comment acknowledged. The speed limit revision on Stonehaven Drive (25 mph) and Via del Agua (30 mph) is incorporated herein.

L17-343 Comment acknowledged. The statement regarding Via del Agua and Stonehaven Drive is herein revised to indicate they are local roadways.

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3. Section 6.1 – Ambient Traffic Growth: First sentence on page 17 refers to “horizon year background growth” to describe ambient growth factor calculated for Year 2020 Cumulative Conditions. Reference to “horizon year” is confusing in this sentence, that term is typically applied to a long-range future condition (i.e. 2035). L17-344
 4. Section 9.1 – Existing Plus Option 1 Traffic Conditions: The Cielo Vista Project has not yet been approved and conditions of approval have not been finalized. At a minimum the Esperanza Hills project should be responsible for contributing a fair share amount to the needed signalization of the Yorba Linda Boulevard/Via Del Agua intersection. L17-345
 5. Section 10.0 – Project-Related Fair Share Contribution – Option 1: Section 10.0 should include a table showing project fair share contribution toward installing traffic signal at Yorba Linda Boulevard / Via Del Agua to mitigate significant impact under Existing Plus Project conditions. L17-346
 6. Section 11.3 – Emergency Access – Option 1: There is no discussion of how the project will impact emergency evacuation time for the surrounding areas that will share access. L17-347
 7. Figure 11-2 – Emergency Access Plan – Option 1: The proposed secondary access road will impact the proposed Cielo Vista Site Plan. The alignment of proposed secondary access road should be shown superimposed on the current Cielo Vista Site Plan. L17-348
 8. Section 11.4 – Via Del Agua and Stonehaven Drive Assessment – Option 1: The statement that this residential street loop functions similar to a Commuter roadway is unfounded. The term Commuter roadway suggests that there is a substantial amount of through traffic on the road. This residential loop road provides direct access to homes via driveways along the loop as well as indirect access for a number of cul-de-sac streets. Existing daily traffic on the loop road is highest on Via Del Agua just north of Yorba Linda Boulevard where traffic flows reach about 2,350 vehicles per day. Peak hour volumes are just under 250 vehicles per hour. The TIA text should discuss that with the additional traffic from 378 dwelling units in the Esperanza Hills project and 95 dwelling units in the Cielo Vista Project, the traffic volumes on the residential loop road will more than double and the function of the loop road will change from a local residential street to a Commuter roadway. L17-349
- The traffic study arbitrarily calculates a physical capacity for the loop road and relates the forecast volume to the estimated capacity to derive Level of Service for the motorists using the street. The concern on this residential street should not be the Level of Service for the motorist but instead the “environmental capacity” of this residential street. This context sensitive capacity is related to environmental factors that impact the residents living along the street. In Section 11.2 – Internal Circulation Evaluation, the study references the recommended local street volume criteria of 1,500 vehicles per day and the study carefully points out that none of the streets internal to the project will have traffic volumes over this criteria. The conclusion given in the text states that “therefore, motorists are expected to enter/exit their driveways comfortably and safely, without undue congestion.” The same or similar criteria should be applied to the Via Del Agua and Stonehaven Drive residential loop road. Based on research of the topic of environmental capacity, there are at least six traffic related factors that are considered in L17-350

- L17-344 “Horizon year” is the appropriate term for describing the Proposed Project opening/completion year.
- L17-345 Mitigation Measure T-1 has been included in the DEIR to address the project-related traffic impact to the Yorba Linda Boulevard/Via Del Aqua intersection. However, it is important to understand that implementation of the signal at this intersection must be approved by the City because it is located within Yorba Linda and not within the jurisdiction of the County. Nonetheless, the comment will be forwarded to the decision makers for consideration.
- L17-346 A fair share for “Existing Plus Project” conditions cannot be calculated because the denominator is zero (i.e., all Existing plus Project contributions are 100%).
- L17-347 Commenter is referred to Topical Response 2, which details evacuation times for existing and Proposed Project residents.
- L17-348 The proposed secondary access road is within an existing access easement on the Cielo Vista site.
- L17-349 The approved Traffic Impact Analysis adequately addresses traffic impacts on Via del Agua and Stonehaven Drive based on direction provided by the City of Yorba Linda staff and the City of Yorba Linda General Plan. As shown in Topical Response 3, Table 1 under Option 1, Via del Agua will experience a level of service (LOS) change from LOS A to LOS C, which is an acceptable level of service under County or City standards. Under Option 2B, the LOS will remain the same at LOS A. This is based on a modified capacity on Via del Agua from 12,500 vehicles per day (which is the amount considered for a “commuter roadway”) to 6,250 vehicles per day.
- L17-350 The approved Traffic Impact Analysis adequately addresses the traffic impacts on Via del Agua and Stonehaven Drive based on direction provided by the City of Yorba Linda staff and the City of Yorba Linda General Plan. Commenter is referred to Table 1 in Topical Response 3, which shows that Via del Agua (Option 1) and Stonehaven Drive (Option 2) have the potential to exceed commenter’s “environmental capacity.” However, traffic impacts to air quality, noise, and project volumes are analyzed in the DEIR in their respective topical sections. If Option 2B is selected, traffic volumes will remain within commenter’s 3,000 vehicle-per-day threshold.

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the determination of environmental capacity: noise, pollution, nuisance, safety, speed and volume. As traffic volumes increase the other environmental factors become more of a concern to residents. A review of numerous sources that have addressed the topic of environmental capacity for residential streets has identified a range of daily traffic volumes that are considered suitable for residential streets. The volumes range from 1,500 to 3,000 per day. The 2035 forecast volume with the Esperanza Hills project is between 4,900 vehicles per day on Stonehaven Drive to 5,450 vehicles per day on Via Del Agua. This is well above the highest threshold that is commonly considered as acceptable for residential streets.

L17-350
cont'd

9. Section 11.5 – Queuing Assessment – Option 1: Report states that analysis methodology calculates the 85th percentile (design value) queue lengths to determine queuing impacts. The maximum value (95th percentile) queue lengths should be evaluated instead to address project-related queuing impacts.

L17-351

10. Table 11-1 Eastbound Left-Turn Queue Analysis Along Yorba Linda Boulevard at Via Del Agua (Option 1): In Table 11-1, the eastbound left-turn queue length is approximately the same under all scenarios with the project, and it is not clear whether or not the existing plus project queues assume signalization at the Yorba Linda/Via Del Agua intersection.

L17-352

The far left column of Table 11-1 reads "Southbound Left-Turn along Yorba Linda Blvd at Via Del Agua", please correct to "Eastbound".

11. Section 13.0 – State of California (Caltrans) Methodology: The traffic impact analysis only took into consideration the State-controlled signalized intersections in the project study area. This project is estimated to generate over 3,600 trips per day, why weren't SR-91 freeway segments or ramp operations at the Weir Canyon Road/SR-91 interchange evaluated for this TIA report?

L17-353

12. Section 14.1 – Option 2 Assessment: Stonehaven Drive is misspelled in last sentence of first paragraph, please correct.

L17-354

13. Section 15.2 – Year 2020 Plus Option 2 and Option 2A Project Traffic Conditions: As previously addressed in Comment #9, this report should not assume that mitigation of the significant impact at Yorba Linda Boulevard / Via Del Agua is entirely the responsibility of the adjacent Cielo Vista Project. The Cielo Vista Project has not yet been approved and conditions of approval have not been finalized. At a minimum the Esperanza Hills project should be responsible for contributing a fair share amount to the needed signalization of the Yorba Linda Boulevard/Via Del Agua intersection.

L17-355

14. Section 17.4 – San Antonio Road Assessment – Option 2 and Option 2A: The statement that this residential street functions similar to a Commuter roadway is unfounded. It is a local residential street and has some homes that have direct driveway access to the street. The concern on this residential street should not be the Level of Service for the motorist but instead the "environmental capacity" of this residential street. This context sensitive capacity is related to environmental factors that impact the residents living along the street. In Section 17.2 – Internal Circulation Evaluation – Option 2 and Option 2A, the study references the recommended local street volume

L17-356

- L17-351 The 85th percentile queue is reasonable, and the City of Yorba Linda TIA Guidelines do not specify the use of the 95th percentile queue. Analysis was based on consultation with City staff.
- L17-352 The southbound queues for Existing Plus Project do include a traffic signal as shown in Appendix E of the approved Traffic Impact Analysis Report (Appendix O in the Draft EIR). “Southbound” is correct; therefore, “Eastbound” in the title is hereby corrected.
- L17-353 Caltrans District 12 did not require analysis of the SR-91 Freeway ramps or the mainline in its NOP comments, likely because the interchange and the mainline had just been improved as part of an OCTA project. Commenter is referred to Topical Response 3, which includes a Weir Canyon/SR-91 interchange update.
- L17-354 Comment acknowledged and typographical error corrected hereby.
- L17-355 Comment acknowledged. Comment will be forwarded to the decision makers for consideration. Commenter is referred to page 5-619 in the DEIR, Mitigation Measure T-1, which shows the Proposed Project’s fair share contribution, both with and without the adjacent Cielo Vista project.
- L17-356 It is unclear what commenter means by “environmental capacity,” as this term is not identified as a threshold in Appendix G to the CEQA Guidelines. The approved TIA adequately addresses the traffic impacts on Via del Agua and Stonehaven Drive based on direction provided by the City of Yorba Linda staff and the City of Yorba Linda General Plan and the significance criteria and thresholds historically used by the City and the County.

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criteria of 1,500 vehicles per day and the study carefully points out that none of the streets internal to the project will have traffic volumes over this criteria. The conclusion given in the text states that "therefore, motorists are expected to enter/exit their driveways comfortably and safely, without undue congestion". The same or similar criteria should be applied to the Via Del Agua and Stonehaven Drive residential loop road. A review of numerous sources that have addressed the topic of environmental capacity for residential streets has identified a range of daily traffic volumes that are considered suitable for residential streets. The volumes range from 1,500 to 3,000 per day. The current daily traffic volume on San Antonio Road is approximately 3,100 vehicles per day just north of Yorba Linda Boulevard and has reached the reasonable environmental capacity for this street. The 2035 forecast volume on San Antonio Road with the Esperanza Hills project is 8,830 vehicles per day which is well above the highest threshold of 3,000 vehicles per day that is commonly considered as acceptable for residential streets.

L17-356
cont'd

15. Section 17.5 – Queuing Assessment – Option 2 and Option 2A: Report states that analysis methodology calculates the 85th percentile (design value) queue lengths to determine queuing impacts. The maximum value (95th percentile) queue lengths should be evaluated instead to address project-related queuing impacts.

L17-357

Table 17-1 shows an 85th percentile queue length of 286 feet for the eastbound left-turn lane at Yorba Linda Boulevard / San Antonio Road during the PM peak hour (Year 2035). On page 62, the TIA report recommends extending the eastbound left-turn lane to 275 feet including the transition. Excluding the transition (assuming 90 feet), only 185 feet will be provided for stacking.

L17-358

This recommendation will not be adequate to address the project's queuing impact at Yorba Linda Boulevard / San Antonio Road for Options 2 and 2A. A minimum stacking length of 300 feet should be provided for the eastbound left-turn lane Yorba Linda Boulevard / San Antonio Road to accommodate the peak queue length. It appears that due to the spacing between the intersections of Yorba Linda Boulevard / Via Pedra and Yorba Linda Boulevard / San Antonio Road, extending the eastbound left-turn lane to 300 feet is not feasible. Therefore, is recommended that other measures be considered to reduce queuing to a length that can be accommodated by the eastbound left-turn lane that is recommended in the TIA report (185 feet plus 90-foot transition).

L17-359

16. Figure 17-3: Recommended left-turn lane measurement is not visible in Figure 17-3, please show length of striping and transition length in figure.

L17-360

17. Section 18.0 – Summary of Findings and Conclusions: The *Existing Plus Option 1 Project Improvements* identifies that installation of a three-phase traffic signal at Yorba Linda Boulevard / Via Del Agua will mitigate the project's significant impact but states that it is a planned improvement associated with the Cielo Vista Project. The Cielo Vista Project has not yet been approved and conditions of approval have not been finalized. At a minimum the Esperanza Hills project should be responsible for contributing a fair share amount to the needed signalization of the Yorba Linda Boulevard/Via Del Agua intersection.

L17-361

L17-357 See response to Comment L17-351 above.

L17-358 As stated on page 5-614 of the DEIR, the analysis shows that the maximum pocket length that can be achieved is 275 feet. The remaining 11 feet needed to achieve the 286-foot length can be accommodated within the transition area of the turn pocket. See Exhibit 5-160.

L17-359 Comment acknowledged. Comment will be forwarded to the decision makers for consideration. For reasons cited by commenter, alternative recommendations for increasing the stacking length are not feasible.

L17-360 Figure 17-3 (in Appendix O to the Draft EIR) is to scale at 1" = 50'.

L17-361 Commenter is referred to Mitigation Measure T-1 (page 5-619), which clearly states the Proposed Project's fair share contribution towards a traffic signal both with and without approval of the proposed Cielo Vista project.

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The *Existing Plus Option 2 and Option 2A Project Improvements* identifies that installation of a three-phase traffic signal at Yorba Linda Boulevard / Via Del Agua will mitigate the project's significant impact but states that it is a planned improvement associated with the Cielo Vista Project. The Cielo Vista Project has not yet been approved and conditions of approval have not been finalized. At a minimum the Esperanza Hills project should be responsible for contributing a fair share amount to the needed signalization of the Yorba Linda Boulevard/Via Del Agua intersection.

L17-362

5.15 UTILITIES AND SERVICE SYSTEMS

Global Comments

No global comments.

L17-363

Page/Section - Specific Comments

1. Page 5-626, Water Service: The discussion of proposed conditions studied by the NEAPS should be moved to the proposed project discussion. Existing conditions, including capacities and any deficiencies should be identified in this section.
2. Page 5-635 to 5-641: The project impact discussion refers to final design to ensure adequate systems are provided to serve the project. A mitigation measure should be added to ensure these systems are provided.
3. Page 5-644, Last Paragraph: Reference is made to the "Friend" project. This project is not listed in the cumulative projects.
4. Page 5-649, Mitigation Measures U-1 and U-2: Reference a Development Agreement with the YLWD. Additional information should be provided regarding the Development Agreement and what it will include, as it seems it will be the mechanism to which water and sewer facilities and service will be provided. It should be clear that adequate storage capacity and improvements will be in place to serve the development in accordance with the final design.

L17-364

L17-365

L17-366

6.0 ALTERNATIVES

Global Comments

1. The Section would benefit from adding a summary of the Project's significant unavoidable impacts, per Section 10, Inventory of Significant unavoidable Impacts. It is noted, the transportation/traffic significant unavoidable impacts identified in Section 5.14.7 are missing from Section 10, they were likely not considered in the Alternative's analysis.
2. Table 6-4-1 is a summary table that compares the "Alternative to the Project." The Alternatives analysis is confusing and conflicts with Table 6-4-1, since it switches between comparing the "Project to the Alternative" versus the "Alternative to the Project," the latter being the correct approach.

L17-367

L17-368

L17-362 See response to Comment L17-361 above.

L17-363 The Project site is undeveloped; therefore, there are no existing facilities or deficiencies related to water distribution systems on the site. The discussion on page 5-626 provides general area and the existing off-site distribution system information.

L17-364 Mitigation has been included requiring a development agreement with Yorba Linda Water District for provision of services (refer to Mitigation Measures U-1 and U-2 on page 5-649 of the DEIR). YLWD's final design requirements will be addressed at that time, including assurance that the utility systems are provided. This does not constitute deferred mitigation as the requirement is in place for the agreement prior to issuance of permits.

L17-365 As noted on page 4-1 of the DEIR, Bridal Hills LLC is owned by the Friends family. The reference on page 5-644 should have been to Bridal Hills; however, the two names identify the same property.

L17-366 The development agreement will be prepared in consultation with YLWD at the appropriate time in the approval/construction process. The agreement will identify improvements in accordance with YLWD requirements and specifications.

L17-367 Unlike greenhouse gas emissions and noise which have been identified as Unavoidable Adverse Impacts in Chapter 10, traffic impacts are fully mitigable in cooperation with the City of Yorba Linda. However, as discussed in Section 5.14 (Transportation and Traffic, beginning on page 5-624 of the DEIR), the County cannot compel the City to implement the proposed mitigation measures that would reduce the identified impacts. The conclusions regarding traffic impacts represent the worst case consideration but the Project has incorporated mitigation to reduce the impacts.

L17-368 It is unclear why commenter states the Alternatives analysis and Table 6-4-1 are confusing. Table 6-4-1 depicts the relative difference (i.e., alternative impacts are greater than, less than, or equal to the project-related impacts) between the proposed project and the different project alternatives. The impacts of each alternative are more fully analyzed and addressed in the analysis following Table 6-4-1.

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| 3. The analyses often lack conclusions and some do not specifically state whether the Alternative avoids an significant unavoidable impact (i.e., GHG, Noise, or Transportation). | } | L17-369 |
| 4. The No Project Alternative description switches between the No Project/No Development Alternative (property remains in its current condition) and a No Project/Existing OC Zoning Alternative (property is developed per existing OC zoning). The Section would benefit from adding the No Project/Existing OC Zoning Alternative. | } | L17-370 |
| 5. Conclusions for each issue area regarding whether the Alternative is superior or inferior to the Project (or neither) are not consistently provided. The first statement is provided under Section 6.5.1, Geology. | } | L17-371 |
| 6. This section should clarify the approach to analyzing alternatives. Is each alternative compared to <u>both</u> Project Options 1 and 2, or <u>either</u> Project Option 1 or 2. To avoid confusion, this section would be better served if the Alternative is compared to either Option 1 or 2, depending on which option resulted in the greater impact. | } | L17-372 |

Page/Section - Specific Comments

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| 1. <u>Page 6-1, Section 6.1, Paragraph 3</u> : This paragraph, which discusses the Project site's land use designation and zoning is out of place. Please move to No Project Description and Land Use. Also, the General Plan does not zone a property, it establishes the land use designation. Please differentiate between General Plan designation and zoning "district" or "zone." | } | L17-373 |
| 2. <u>Page 6-3, Section 6.3, Paragraph 1</u> : It is unclear whether the statement "the alternatives discussed in this section were rejected for the following reasons" refers to Project Alternatives 1 to 5 or the alternatives considered but not advanced, since the following paragraph again states "these alternatives fail to carry out the goals and objectives of the proposed project." Please clarify and consolidate discussions, | } | L17-374 |
| 3. <u>Page 6-3, Section 6.3, Paragraph 2, Bullet 1</u> : The site is designated OS (5). This is a global change throughout EIR. | } | L17-375 |
| 4. <u>Page 6-3, Section 6.3, Paragraph 2, Bullet 1</u> : The Project site's designation (County and City General Plans) are out of place. This paragraph focuses on Project rather than an Alternative location. Additionally, this section doesn't support the conclusion that no feasible alternative location exists. An analysis with conclusion should be added. Potential reasons may include: 1) the proponent doesn't own and can't acquire an alternative location; 2) the Project's significant effects would not be avoided with a particular alternative site; and/or 3) other sites are unsuitable due to developmental constraints (i.e., topography, biological resources, etc.). | } | L17-376 |
| 5. <u>Page 6-3, Section 6.3, Paragraph 2, Bullet 2</u> : Based on the EIR conclusion in Section 5.7, <i>Hazards</i> , regarding emergency access/evacuation, and to support infeasibility of this | } | L17-377 |

- L17-369 No specific examples are presented by commenter; therefore, no further response can be provided. However, commenter is referred to Table 6-4-1 on page 6-5 of the DEIR. The table provides a summary of impacts in relation to the Proposed Project. The table shows a reduction in greenhouse gas emissions impacts with Alternative 1, a reduction in noise impacts with Alternatives 2, 3 and 4, and a reduction in traffic impacts with alternatives 1, 3, and 4.
- L17-370 No specific examples are presented by commenter, and no further response can be provided. Per CEQA, adequate alternatives analysis has been provided to foster informed decision making and public participation (CEQA Guidelines §15126.6).
- L17-371 Comments do not raise an environmental issue or concern. Table 6-4-1 provides a summary of the relative differences in potential impacts of each alternative compared to the Proposed Project. Based on the information presented in the analysis of alternatives and summarized in that table, the environmentally superior project alternative was determined to be the Lower Density Alternative as summarized in Section 6.10 on page 6-93.
- L17-372 The Alternatives section is based on a 340-unit residential development including roads and infrastructure necessary to support the development. The difference between Option 1 and Option 2 for purposes of environmental analysis is the ingress/egress location. The development impacts would be substantially the same under either Option and, therefore, with the exception of access to the site, a distinction is not necessary when compared to an Alternative. The impacts to topical environmental areas under each alternative are identified.
- L17-373 Comments do not raise an environmental issue or concern.
- L17-374 References to “this section” clearly indicate the section where the discussion occurs.
- L17-375 Comments do not raise an environmental issue or concern.
- L17-376 Section 6.3 (page 6-3) identifies reasons specific alternatives were rejected. One of the reasons stated is that the project alternative is considered infeasible because its implementation is remote and speculative. As stated in the Alternative Location discussion, few larger tracts of vacant land remain for development in this area. It is also true that the Project Applicant does not own and is not able to acquire an alternative site that meets the Project goals and objectives.
- L17-377 The discussion was based, as noted, on a comment that additional roadway access would be constructed at some future point after the Proposed Project is developed as approved. That alternative would include a provision for future additional road construction. All potential access roads have been analyzed in the DEIR either as primary or emergency access. Later construction of an additional road, while analyzed for impacts, is not part of the Proposed Project and is also impractical due to cost considerations for a separate construction process. Access is further discussed in Topical Response 3 - Traffic Ingress/Egress.

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Alternative, please explain why providing both Stonehaven Drive and Aspen Way access is not needed to avoid/lessen potential impact involving emergency access/evacuation.

L17-377
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6. Page 6-6, Section 6.5.1, Paragraphs 1-2: The description and analysis of the No Project Alternative is confusing. The No Project Alternative is described as the site will "remain in current state." However, this paragraph also states that the site would be built to more intense uses. Per CEQA 15126.6(e)(3)(A), the no project alternative analysis usually proceeds along one of two ways. (A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan. (B) If the project is a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved.

L17-378

Please revise this description and section to analyze a "No Project/No Development Alternative", which differs from a "No Project/Existing OC Zoning" Alternative. Thus, if the site were to remain in its current vacant condition, Project-related impacts would be mostly *avoided* (not lessened or fewer as is concluded in the subsequent analyses). Please revise the No Project/No Development Alternative analysis to exclude references to more intense uses. This section would benefit from evaluating also the "No Project/Existing OC Zoning" Alternative.

L17-379

7. Page 6-8, Section 6.5.1, GHG, Second Sentence: This discussion is confusing. It is assumed that this paragraph implies the Alternative would avoid the Project's significant unavoidable impacts, not that the impacts would remain. Please revise discussion.

L17-380

8. Page 6-8, Section 6.5.1, Hazards and Hazardous Materials: While the proposed fire prevention measures would be implemented, as many as many as 340 additional dwelling units plus 1,088 additional persons would be exposed to potential wildland fire hazards. Disagree with conclusion that this alternative is inferior to Project.

L17-381

9. Page 6-6, Section 6.5.1, Air Quality: GHG statement is out of place; move to GHG section.

L17-381

10. Page 6-7, Section 6.5.1, Geology: In last line, the conclusion "is therefore superior..." [or "is therefore inferior"] is missing from most analyses. Also, disagree with conclusion that this Alternative is inferior to the Project, since it would avoid the Project's proposed grading, and exposing additional housing and persons to potential geologic/seismic hazards.

L17-383

11. Page 6-8, Section 6.5.1, Hydrology and Water Quality: Disagree with conclusion that this Alternative is inferior to the Project, since it would avoid the Project's erosion and water quality impacts.

L17-384

- L17-378 Stating that the Project site could be built to more intense uses if the Proposed Project does not move forward points out a consequence that could result in additional impacts. The No Project alternative does not assume that the site will never be developed, but rather that the site will not be developed with the Project as proposed. As noted in Section 5.9 - Land Use and Planning, development of the Murdock Property, of which the Proposed Project is part, could be accomplished with a density of one dwelling unit per acre under either the County General Plan or the Yorba Linda General Plan. This would be a more intense use of the site than is proposed with the Project.
- L17-379 See response to Comment L17-378 above.
- L17-380 Commenter's statement is confusing. Please read the section cited in terms of No Project (no greenhouse gas emissions) versus Project (greenhouse gas emissions). Simply stated, the conclusion noted in the analysis is that this alternative would not result in any greenhouse gas emissions; therefore, the significant unavoidable project-related GHG impacts cited in the EIR would be avoided.
- L17-381 Please refer to Topical Response 1 where the Project features that are geared to slow the speed of the fire and reduce the intensity are listed. Please refer to Topical Response 2 where an evacuation plan is discussed that, along with the OCSD and City traffic control evacuation plan, provide an additional measure of safety to the 1,272 existing and proposed homes in the area – not just the Proposed Project. Conversely, it would be anticipated that impacts associated with potential wildland fires would not be reduced when compared to the extensive fuel modification and related features incorporated into the project that afford the adjacent and nearby areas additional protection when compared to the natural conditions.
- L17-382 Comments do not raise an environmental issue or concern.
- L17-383 Commenter is incorrect that the section concludes that the No Project alternative is inferior to the Project. The last sentence of the section clearly states: The No Project Alternative would not result in any potentially significant impacts to structures or population and is therefore superior to the Proposed Project in the area of Geology and Soils.
- L17-384 Disagree with commenter. The presence of several drainages on the Project site results in erosion and runoff that create impacts when heavy rains occur. The Proposed Project would improve the existing condition with a drainage system and plan that would reduce the potential for erosion and enhance water quality.

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| 12. <u>Page 6-9, Section 6.5.1, Land Use:</u> See #6 above regarding No Project/No Development versus No Project/Existing OC Zoning. Some of this discussion pertains to that new Alternative. | } | L17-385 |
| 13. <u>Page 6-10, Section 6.5.1, Population:</u> Significant environmental effects are not the issue. Instead, address whether this Alternative would induce population/housing growth more or less than the Project. | } | L17-386 |
| 14. <u>Page 6-10, Section 6.5.1, Recreation:</u> Revise statement that impacts would be "no greater than the Project," since this is inconclusive. Instead, conclude whether this Alternative would lessen or avoid the Project's impacts and conclude whether it is inferior/superior (or neither) to Project. | } | L17-387 |
| 15. <u>Page 6-11, Section 6.5.1, Utilities:</u> Disagree with conclusion that this Alternative would result in greater impacts than the Project, since it would avoid the Project's demand for utilities. Also, the two reservoirs are proposed to meet demand created by the Project-not existing demands. Add conclusion regarding superior or not to Project impacts. | } | L17-388 |
| 16. <u>Page 6-12, Section 6.6.1, Description:</u> No need to restate Project options in this detail. It is already in the Project Description. It creates confusion. Suggest highlighting how this Alternative differs from Project Option 1 and Project Option 2. For example, how does this Alternative compare to Option 1 (i.e., is grading different or is the development area larger, etc.). Then provide an analysis in comparison to Option 2. | } | L17-389 |
| 17. <u>Page 6-20, Section 6.6.1, Description, Paragraph 3:</u> It serves no purpose to compare Project options (334 versus 340 dwelling units), since EIR approach is a maximum of 340 in Population and Housing analysis. | } | L17-390 |
| 18. <u>Page 6-20, Section 6.6.1, Aesthetics:</u> Compare the Alternative to the Project; not to existing conditions. | } | L17-391 |
| 19. <u>Page 6-16, Section 6.6.1, Air Quality, Sentence 2:</u> This sentence states the site disturbance due to grading is the same for all options. However, this subsequent discussions conflict with this statement, since they highlight the differences. If the dwelling units are equal to Option 2 then why are the concentrations different from Option 2? If the grading volume is the only difference from the Project, then state that the Traffic and other operational emissions are equal to Option 2, however, the construction-related emissions would differ. The conclusion in the last paragraph incorrectly states that impacts would be identical. On Tables 6-6-2 and 6-6-3, add Project (Options 1 and 2) information side by side. Add final conclusion regarding this Alternative's inferiority/superiority. | } | L17-392 |
| 20. <u>Page 6-20, Section 6.6.1, Biological Resources:</u> Add final conclusion regarding this Alternative's inferiority/superiority. | } | L17-393 |
| 21. <u>Page 6-23, Section 6.6.1, GHG:</u> If Option 2A involves more grading than the Project, why are the GHG construction emissions less than the Project's? Table 6-6-10 shows all options do not result in same emissions; refer to Air Quality comment above. | } | L17-394 |

L17-385 Refer to response to Comment L17-378 above.

L17-386 Thresholds in Appendix G of the CEQA Guidelines consider increased population and housing as a potential environmental impact. The section clearly states that the Alternative would not have any significant environmental effects, including the potential to induce population/housing growth.

L17-387 The section cited identifies that both the No Project alternative and the Proposed Project provide benefits. However, Project trail linkages and parks where none exist now could be considered additional benefits. Table 6-4-1 shows the No Project Alternative impacts are greater if the linkages and parks are not provided.

L17-388 As noted in Section 5.7 (Hazards and Hazardous Materials) and Section 5.15 (Utilities and Service Systems), the Proposed Project will include two underground reservoirs that will provide gravity-fed water-flow for firefighting purposes, which is an improvement over existing conditions. The reservoirs will serve not only the Proposed Project but the entire area in the event of a wildfire. The reservoirs will serve the Proposed Project for daily water demand, but a larger area in emergency situations because of the enhanced firefighting capabilities.

L17-389 As noted above, whether Option 1 or Option 2 is selected for Project ingress/egress, the Project development plan remains the same. See response to Comment L17-372 above. Where minor differences occur that result in environmental impacts, such differences are noted in the Chapter 5 analyses.

L17-390 Page 6-20 does not contain a Project Description as cited. However, page 6-12 provides a project description for Alternative 2. Commenter's opinion about referencing 340 residential units versus 334 units does not raise an environmental issue or concern.

L17-391 The section cited clearly discusses the Proposed Project and the Alternative.

L17-392 Site disturbance due to grading will remain the same under all options on-site, but will differ off-site depending on which option is approved and constructed.

L17-393 The section clearly states on page 6-20 that Option 2A impacts are greater than the Proposed Project with regard to jurisdictional impacts.

L17-394 Options 2A and 2B involve off-site grading which accounts for the differences in the table. The maximum residences are equal in all four options. The off-site grading volume is the only significant difference between options and traffic and other operational emissions would not change as set forth in Subsection 6.6.1 - Air Quality.

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| 22. <u>Page 6-24, Section 6.6.1, Hazards</u> : This analysis doesn't address the added benefit, if any, of a different emergency evacuation. Would the potential wildland fire hazard (emergency access/evacuation) be the same with the different access? Please add conclusion as appropriate. | } | L17-395 |
| 23. <u>Page 6-31, Section 6.6.1, Land Use, Last Sentence</u> : The statement that "Therefore, no environmental impacts" is not pertinent, since issue is land use. Conclude whether this Alternative conflicts with the County General Plan or Code. How does it compare to the Project impacts? | } | L17-396 |
| 24. <u>Page 6-33, Section 6.6.1, Noise</u> : Add conclusion whether significant unavoidable impacts associated with the Project would be avoided with this Alternative. | } | L17-397 |
| 25. <u>Page 6-37, Section 6.6.1, Traffic</u> : Too much Project detail is provided; suggest only summarize or list in bullet form. | } | L17-398 |
| 26. <u>Page 6-50, Section 6.7.1, Description</u> : This section should focus only on describing Option 2B and highlight how Alternative differs from Project. Exclude detailed discussion on Project; only summarize. Exclude all discussions regarding Option 2A- it's another Alternative. Note, CEQA requires an analysis of alternatives to the Project- not alternatives to other alternatives; this becomes too confusing and conflicts with Table 6-4-1. This section would benefit from an Option 2B Site Plan exhibit. | } | L17-399 |
| 27. <u>Page 6-54, Section 6.7.1, Aesthetics</u> : In sentence 1, clarify as compared to Project. Option 2A discussion causes confusion; describe only Option 2B. Last sentence, "or the other options presented" compares alternative to other alternative, which is confusing; refer to previous comment. | } | L17-400 |
| 28. <u>Page 6-54, Section 6.7.1, Air Quality</u> : Don't compare Alternative to all access options; only to Project. It is noted, this issue recurs in all following analyses, requiring revisions to each. | } | L17-401 |
| 29. <u>Page 6-62, Section 6.7.1, Noise</u> : Table 6-7-2 refers to Option 1 and Table 6-7-3 refers to option 2A. To avoid confusion, suggest rename to Option 2B and state (same as XX). | } | L17-402 |
| 30. <u>Page 6-76, Section 6.7.1, Attain Objectives</u> : Statement "this Alternative would result in fewer hazards impacts, because the provision of two entry/exit roads.." is incorrect since Project Option 2 proposes access via Aspen plus 2 secondary routes. Conclusion is true for traffic, but not for wildland fire hazards. | } | L17-403 |
| 31. <u>Page 6-58, Section 6.7.1, Hazards, Paragraph 3</u> : Disagree with conclusion, since the two access roads provided under Option 2B are fewer than three access roads provided under Option 2. (Unless this conclusion can be supported by discussion on overall roadway evacuation capacities, as opposed to number of access roads.) | } | L17-404 |
| 32. <u>Page 6-78, Section 6.8.1, Description</u> : Please clarify proportionate share reductions, as compared to the Project: 122 (36%) fewer dwellings and 159 (34%) smaller Project area. Clarify whether Option 1 or Option 2 access is assumed for this Alternative. | } | L17-405 |

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- L17-395 Primary and emergency access roadways are provided under each Option analyzed. Commenter is referred to Topical Response 2 - Evacuation Plan for specific information that was updated based on the OCSD/City of Yorba Linda Traffic Control Evacuation Plan and the computer model prepared by Dudek. As indicated for each option, options for vehicular movement south and east will be enhanced in an evacuation, which is an improved condition over the single exit to Yorba Linda Boulevard that exists at the present time. These plans were completed after publication of the DEIR.
- L17-396 Thresholds in Appendix G of the CEQA Guidelines consider inconsistencies with land use plans as a potential environmental impact. The section clearly states that the Alternative would not conflict with applicable County land use plans.
- L17-397 As stated, Option 2A would have fewer impacts as compared to the Proposed Project. Text/language modification does not change the analysis or the conclusion.
- L17-398 Comments do not raise an environmental issue or concern.
- L17-399 Commenter's opinions regarding style of analysis presentation are noted. A site plan is provided on page 6-51 (Exhibit 6-19) and is intended as a project alternative and not an "alternative to other alternatives," as suggested.
- L17-400 Comments do not raise an environmental issue or concern. However, to clarify, the Proposed Project and Alternative 2B provide the same basic site plan configuration with the western edge pulled back to reduce grading and lower retaining walls. Refer to Table 6-4-1 of the DEIR, which compares impacts between the Proposed Project and each alternative.
- L17-401 Comments do not raise an environmental issue or concern. Refer to Table 6-4-1 of the DEIR, which compares impacts between the Proposed Project and each alternative.
- L17-402 Because Alternative 2B provides access via two primary roadways, Table 6-7-2 is included for Stonehaven Drive. This table was used in the Noise analysis for the Proposed Project. Table 6-7-3 reflects the Noise analysis along San Antonio Road, one of the primary access roadways.
- L17-403 Commenter provides no factual support for the statement that the conclusion is not correct for wildland fire hazards. Option 2B provides two access roadways, both of which would serve as emergency access roadways. Option 2 also provides two emergency access roads; one is the main entry/exit road and one is the second access for emergency purposes only.
- L17-404 Option 2 provides for two access roads, not three. The off-site grading in Option 2 into the proposed Cielo Vista project is for utility purposes only and not for ingress/egress. Therefore, the conclusion as reflected in this analysis is correct.
- L17-405 The Option for project access under Alternative 4 could be any of the proposed Options since they all originate at Planning Area 1. The Option would be selected at time of Project approval. It is unclear what environmental issue is raised by including percentage calculations to the reduced numbers of residences and acres. Merely including a percentage to describe the number of dwelling units and acres compared to the proposed project would not affect the analysis in any way.

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| 33. <u>Page 6-80, Section 6.8.1, Air Quality:</u> In second to last sentence, the conclusion is incorrect, since Project would not result in significant unavoidable air quality impacts. Instead, this Alternative would result in fewer short- and long-term air quality impacts. | L17-406 |
| 34. <u>Page 6-80, Section 6.8.1, Biological:</u> Inaccurate statement in first sentence. This Alternative would reduce Project area by 159 acres, but not necessarily the biological impact area by 159 acres, given the proposed open space. Suggest change "disturbed" to "Project." Address whether impacts to any specific resources would be avoided, if PA2 is excluded. | L17-407 |
| 35. <u>Page 6-81, Section 6.8.1, Hazards:</u> Disagree with conclusion in last sentence, since 36% fewer dwellings/persons would be exposed to potential hazards. Also, the PA2 reservoir is proposed to meet demand created by PA2 development, which would not occur under this Alternative. | L17-408 |
| 36. <u>Page 6-82, Section 6.8.1, Hydrology:</u> Disagree with conclusion in last sentence, since 36% fewer dwellings/persons would be developed, resulting in proportionate decreases in water quality and erosion impacts. | L17-409 |
| 37. <u>Page 6-82, Section 6.8.1, Land Use, Sentence 1:</u> How was 0.46 DU/AC calculated? PA1 involves 218 DU/310 AC = 0.70 DU/AC. Therefore, statement that this Alternative is ½ Project density is incorrect. | L17-410 |
| 38. <u>Page 6-83, Section 6.8.1, Noise:</u> Need conclusion whether this Alternative is inferior/superior (or neither) to Project. | L17-411 |
| 39. <u>Page 6-83, Section 6.8.1, Population:</u> Disagree with conclusion in last sentence, since Population/Housing section did not analyze impact to RHNA, according to income category and unmet housing needs for 4 th and 5 th cycles. | L17-412 |
| 40. <u>Page 6-84, Section 6.8.1, Traffic:</u> Conclude whether this Alternative would avoid the Project's significant adverse traffic impacts. | L17-413 |
| 41. <u>Page 6-86, Section 6.9.1, Description:</u> Clarify proportionate increases, as compared to the Project: +129 (+38%) DU. What about golf course contemplated by General Plan? Verify 469 DU versus 536 DU (as stated on page 6-90). | L17-414 |
| 42. <u>Page 6-86, Section 6.9.1, Aesthetics:</u> Last sentence, disagree with conclusion, since 38% more development, therefore, greater impacts to vistas, visual character, and open space. | L17-415 |
| 43. <u>Page 6-88, Section 6.9.1, Geology:</u> Disagree with conclusion in last sentence, since 38% additional dwellings/persons would be exposed to potential geologic/seismic hazards. Also, likely more grading. | L17-416 |
| 44. <u>Page 6-88, Section 6.9.1, Hazards:</u> Disagree with conclusion in last sentence, since 38% additional dwellings/persons would be exposed to potential wildland fire hazards. | L17-417 |

- L17-406 Commenter is correct. The conclusion applies to greenhouse gas emissions, which are discussed separately. The conclusion is herein revised to state that the Alternative would result in fewer short term air quality impacts but long term impacts would remain significant due to greenhouse gas emissions as analyzed in Chapter 6.
- L17-407 CEQA does not require that the discussion of alternatives be exhaustive. It is unclear why commenter disagrees that omitting Planning Area 2 does not result in a reduction of biological impacts by an equal amount of acreage. The impacts to biological resources have been identified in Section 5.3, including maps that show the Project site by Planning Area. If impacts occur in Planning Area 2, those impacts would be eliminated if Planning Area 2 remains in its current condition and unaffected by development of the area.
- L17-408 The conclusion provided in Section 6.8.1 (Hazards) is not based merely on the number of dwelling units and/or residences that would be developed on the subject property. The elimination of the 1,390-foot reservoir would reduce available firefighting resources in the event of a wildfire. The Alternative results in a potentially greater impact.
- L17-409 Drainage impacts due to erosion and runoff will continue in Planning Area 2 and will potentially impact downstream areas in Planning Area 1. The provision of detention basins and a drainage system will reduce erosion and runoff while improving water quality due to runoff. However, there will be less alteration of existing drainage patterns. Therefore, benefits and impacts are similar.
- L17-410 The entire Proposed Project site is 468 acres, and at 1 dwelling unit per acre, this Alternative results in 0.46 dwelling units per acre (gross density).
- L17-411 The DEIR section states that short-term construction impacts would be similar to the Proposed Project, and long-term operational impacts would be slightly less than the Proposed Project. As shown on Table 6-4-1, impacts would be less than the Proposed Project.
- L17-412 See response to Comment L17-279 above.
- L17-413 The DEIR section concludes that this Alternative would result in fewer impacts with regard to number of daily trips. Impacts due to roadway operational deficiencies will be reduced commensurately. However, as previously indicated, the deficiencies are an existing condition that will continue to exist unless mitigation is implemented.
- L17-414 As indicated in the response to Comment L17-405, identifying percentages does not change the analysis or conclusions. It is not clear how the golf course contemplated by the General Plan relates to the privately owned Project property. As noted in the General Plan, the Murdock Property (536 acres) was contemplated for residential development with an average density of 1.0 dwelling units per base acre.
- L17-415 For the reasons stated, this Alternative would be similar to the Proposed Project. Aesthetically, the Alternative would still cluster development, resulting in similar areas of disturbance and the degree of impact. Ridgelines would be protected as with the Proposed Project. Visually, the impacts could be similar depending on the site layout, and no scenic vistas would be significantly impacted, because the Project is not located within a designated scenic vista corridor.
- L17-416 The same building code regulations, seismic setback zones, and design features would be required to reduce potential impacts due to geologic/seismic hazards. The addition of 129 residences would not result in new or additional hazards or seismic occurrences.
- L17-417 Adequate wildland fire protection measures have been included in the DEIR for the proposed Project. These measures would be in place with the additional 129 residences and the same potential for fire hazard would exist. Adherence to the Project's PDFs and mitigation measures would have the same benefit for reducing impacts as with the Proposed Project.

County of Orange
Esperanza Hills Project
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45. Page 6-90, Section 6.9.1, Population: The CEQA threshold is would Alternative induce substantial population growth, which is not addressed here. Note, 38% more population growth than Project. Also, verify 536 DU versus 469 DU (as stated on page 6-86, paragraph 1). L17-418

46. Page 6-91, Section 6.9.1, Public Services: Clarify 38% greater demand, therefore, greater impacts, although both this Alternative and Project would result in less than significant impacts. L17-419

47. Page 6-93, Section 6.10, Sentence 1: What about the Project's significant adverse traffic impacts? L17-420

7.0 SUMMARY OF CUMULATIVE IMPACTS

Global Comments

1. This Section does not adequately summarize the cumulative analyses provided in Sections 5.1 through 5.15. L17-421
2. Refer to General Comments on the Draft EIR Comment #3.

8.0 GROWTH-INDUCING IMPACTS

Global Comments

1. This Section fails to analyze whether the Project would:
 - Remove an impediment to growth (e.g., establishment of an essential public service or provision of new access to an area);
 - Foster population growth indirectly through extension of roads or other infrastructure. L17-422
2. The comments outlined above for Section 5.11, Population and Housing, apply to Section 8.0 also. L17-423
3. This Section should primarily address the Project's growth in population and housing, in the context of SCAG's growth forecasts for OC and the City of Yorba Linda. L17-424

9.0 INVENTORY OF MITIGATION MEASURES

Global Comments

1. This Section must be revised/updated for consistency with the comments presented in Sections 5.1 through 5.15 above. L17-425

- L17-418 Population growth would be in accordance with the City's General Plan goal for 1 dwelling unit per acre on the Murdock Property (536 acres) of which the Project is a part (468.9 acres). Therefore, the population growth has been anticipated in the City's General Plan if the Murdock Property is developed per those goals/policies.
- L17-419 As commenter notes, the increase in demand for public services would increase commensurately with the increased number of residences. However, since no significant impacts have been identified with the Proposed Project, and because the increase in dwelling units reflected in this alternative is consistent with the City's land use forecast for the affected property, the incremental impact would be expected to remain insignificant.
- L17-420 It is unclear what commenter is requesting as compared to the Yorba Linda General Plan Alternative. A significant impact has been identified if this Alternative were implemented due to the addition of 870 daily trips.
- L17-421 Commenter is referred to Table 7-1-2, page 7-4, where a summary of the cumulative impacts identified in Chapters 5.1 through 5.15 is presented. Commenter does not provide support for the contention that cumulative analyses are not adequately summarized.
- L17-422 The Project site has been identified as a substantially undeveloped parcel where the existing unpaved roads are used to service oil well and utility facilities on site. The potential for future residential development and growth was well established in both the County and Yorba Linda General Plans. Roads and infrastructure have been designed to accommodate the proposed Project. The potential for future extension or expansion of roads and infrastructure to other properties will be dependent on development approvals sought by adjacent property owners.
- L17-423 Commenter is referred to responses to Comments L17-267 through -287 regarding Section 5.11 (Population and Housing).
- L17-424 See response to Comment L17-423 above.
- L17-425 Revisions and additions to mitigation measures have been incorporated within this Responses to Comments document as noted.

County of Orange
Esperanza Hills Project
Draft EIR (December 2013)

10.0 INVENTORY OF SIGNIFICANT UNAVOIDABLE IMPACTS

- | | | |
|---|---|---------|
| 1. <u>Page 10-1, Paragraph 1</u> : The greenhouse gas emissions significant unavoidable impacts noted here are inconsistent with Page 5-273 (Section 5.6.8). Please replace text. |] | L17-426 |
| 2. <u>Page 10-1, Paragraph 2</u> : The noise significant unavoidable impacts noted here are inconsistent with Page 5-482 (Section 5.10.8). Please replace text. |] | L17-427 |
| 3. <u>Page 10-1</u> : The transportation/traffic significant unavoidable impacts identified in Section 5.14.7 are missing from this section. Please copy to this section. |] | L17-428 |

- L17-426 Project-related and cumulative greenhouse gas emissions are identified as significant and unavoidable (page 5-273). These impacts are also acknowledged on page 10-1. It is unclear where an inconsistency occurs per commenter's statement.
- L17-427 Page 5-482 and page 10-1 of the DEIR identify noise impacts as significant and unavoidable. It is unclear where an inconsistency occurs per commenter's statement.
- L17-428 As noted in Section 5.14 - Transportation and Traffic mitigation measures have been included in the DEIR to reduce potential traffic impacts to a level of insignificance. Fair share fees will be paid by the Project applicant in accordance with the mitigation provided. However, because the County cannot compel the City to implement the required improvement (i.e., installation of a traffic signal), installation of the signal cannot be assured. The level of significance will increase if the City of Yorba Linda does not implement the installation of a traffic signal as identified. Therefore, the impact would not result from the Project as mitigated, but rather from the City's decision regarding signal installation. In the event that the signal is not installed, either by the applicant(s) or the City of Yorba Linda, project implementation would result in significant unavoidable adverse impacts as indicated in Subsection 5.14.7.

Comment Letter L18
Engineering-Public Works Dept., City of Yorba Linda
February 3, 2014



CITY OF YORBA LINDA
Engineering-Public Works Department

February 3, 2014

Mr. Kevin Canning, Contract Planner
Current & Environmental Planning Section
County of Orange
OC Planning Services
P.O. Box 4048
Santa Ana, California 92702-4048

Subject: Comments on the November 2013 Esperanza Hills Draft Environmental Impact Report (Project No. PA120037)

Dear Mr. Canning:

The City of Yorba Linda Engineering/Public Works Department has reviewed the County's November 2013 Esperanza Hills Draft Environmental Impact Report (EIR). Given the site's proximity to the City of Yorba Linda, and the potential for the Project to affect our communities, residents, and infrastructure, we have identified concerns related to the adequacy of the analysis under the California Environmental Quality Act (CEQA). Several of these concerns were identified within the City's comment letter regarding the Notice of Preparation (NOP) and have not been properly addressed.

The City's Engineering/Public Works Department comments on the Draft EIR are attached for your consideration and review. The City requests that the County revise the Draft EIR to fully address the attached comments and recirculate the document for public review to ensure compliance with CEQA.

We appreciate the opportunity to review the Draft EIR for the Esperanza Hills Project, and request to be included on any future CEQA distribution pertaining to the Project. Should you have any questions, please do not hesitate to contact Matt Simonetti, Senior Civil Engineer, 714-961-7174, msimonetti@yorba-linda.org

Sincerely,

Matt Simonetti, PE
Senior Civil Engineer
City of Yorba Linda

L18-1

**Response to
Comment Letter L18
Engineering-Public Works Dept., City of Yorba Linda
February 3, 2014**

L18-1 The County acknowledges receipt of a letter from Matt Simonetti of the City of Yorba Linda dated February 3, 2014 with attached comments. The comments are addressed as follows.

County of Orange
Esperanza Hills Project
Draft EIR (November 2013)

TRAFFIC COMMENTS

- | | | |
|---|---|-------|
| 1. Potential line-of-sight issues and speeding (due to downgrade) may exist on some of the streets. The implementation of traffic calming measures is requested to enhance traffic safety. Sight distance studies and design criteria shall be applied at all intersections, horizontal curves, and vertical curves. Graded slopes and landscaping design shall be considered at all sight distance limited use areas. |] | L18-2 |
| 2. Page 5-546: Imperial Highway, north of Yorba Linda Boulevard is generally a 50 mph (not 45 mph) modified major arterial. The posted speed limit on Imperial Highway is 60 mph south of Yorba Linda Boulevard. |] | L18-3 |
| 3. Please prepare the traffic signal warrants to justify the installation of a traffic signal at the intersection of Yorba Linda Boulevard and Via Del Agua. |] | L18-4 |
| 4. Page 5-583/Table 5-14-12, Footnote d: the proposed widening and restriping to provide three westbound left-turn lanes along Savi Ranch Parkway may not be feasible due to right-of-way constraints. The traffic signal may have to operate as split-phasing, as a result of 3 westbound left turn lanes, for Savi Ranch Pkwy and therefore cause more delay for the traffic on Yorba Linda Boulevard. Please confirm with the City of Anaheim. |] | L18-5 |
| 5. The City's existing traffic signal system is running on time-of-day plans and it is not capable of handling special signal timing required for fire emergency evacuation. This project should contribute fair-share funding towards the cost to upgrade the city's current traffic signal system to a traffic responsive system with surveillance cameras. |] | L18-6 |
| 6. A minimum of two vehicle access points must be provided for better traffic circulation and fire safety concerns. |] | L18-7 |
| 7. The project applicant shall be responsible for installing a traffic signal at the intersection of Yorba Linda Blvd. and Via del Agua in compliance with the City of Yorba Linda standards. |] | L18-8 |
| 8. Page 5-587/Exhibit 5-144 and Page 5-612/Exhibit 5-158, the "T" intersection at the main entrance should have 3-way stop control. Change the "No Parking Any Time" restriction to "No Stopping Any Time". |] | L18-9 |

ENGINEERING COMMENTS

- | | | |
|--|---|--------|
| 9. Chapter 2, Section 2.5, page 2-17: Mitigation measures are required for storm water runoff. Revise the mitigation measures to state proposed BMPs that will treat storm water runoff. Add implementation of Low Impact Development and Green Street design features to the Mitigation Measures column. Add Project Impacts are Potentially Significant Impact and identify the proposed Water Quality Mitigation Measures and BMPs. |] | L18-10 |
| 10. Chapter 4 - Access: Include discussion of the proposed ingress/egress access for Bridal Hills and Yorba Linda Land. Indicate this access point on all Options exhibits. |] | L18-11 |
| 11. Chapter 5, Section 5.8.4: Provide Green Street design BMPs and Low Impact Development design BMPs throughout the project site. The project shall implement the Low Impact development design process to the project to arrive at the appropriate BMPs. Preferred site treatment options shall be applied to the maximum extent possible. |] | L18-12 |
| 12. Chapter 5, Section 5.8.4: The dry extended detention basin cross section in Exhibit 5-92 are not consistent with those shown in Exhibits 5-89 and 5-90. |] | L18-13 |

- L18-2 Regarding line of sight issues, the comment is acknowledged. Line of sight will be conducted, where necessary, as deemed appropriate by County of Orange staff, and appropriate measures will be implemented pursuant to County requirements to minimize potential hazards.
- L18-3 The speed limit on Imperial Highway north of Yorba Linda Boulevard in the study area is 45 mph, not 50 mph. Therefore, no change is needed. The speed limit on Imperial Highway south of Yorba Linda Boulevard is 60 mph; therefore, the DEIR will be revised accordingly.
- L18-4 Comment acknowledged. The Traffic Signal warrant for Yorba Linda Boulevard at Via del Agua is included herein. As shown, the Traffic Signal Warrant is satisfied.
- L18-5 Comment acknowledged. The City of Anaheim will be contacted; however, the third westbound left turn lane will not require split phasing of the traffic signal.
- L18-6 Comment acknowledged. This request will be forwarded the decision makers for consideration.
- L18-7 Comment acknowledged. This request will be forwarded to the decision makers for consideration.
- L18-8 Comment acknowledged. Mitigation measure T-1, which requires installation of the signal at the Yorba Linda Boulevard/Via Del Agua intersection, is included in Section 5.14.4 of the DEIR to mitigate project-related cumulative impacts. However, because that intersection is located entirely within the City of Yorba Linda, which has jurisdiction, the County cannot ensure that the signal will be installed. Nonetheless, this request will be forwarded to the decision makers for consideration.
- L18-9 Comment acknowledged. The recommended traffic control at this location is appropriate to avoid any queuing issues with the gate operation. The request regarding “No Stopping” versus “No Parking” will be forwarded to the decision makers for consideration.
- L18-10 The Project Design Features (PDFs), the Conditions of Approval (COAs), and the Best Management Practices (BMPs) are fully discussed in Section 5.8 - Hydrology and Water Quality. These measures are either incorporated into the design of the project or mandated by the responsible agencies to ensure that potential hydrology and water quality impacts would be avoided. Therefore, as indicated in the DEIR, the Proposed Project would not result in significant impacts, and no mitigation measures are required. The Final WQMP will identify BMPs and Low Impact Development required for Project implementation.
- L18-11 The DEIR acknowledges that access to Bridal Hills and Yorba Linda Land would be through the Proposed Project. The proposed ingress and egress access to Bridal Hills, LLC will be from the Proposed Project collector roadway. Two potential future roadway connections are provided and shown on the Esperanza Hills Vesting Tentative Tract Map. The proposed ingress and egress access to Yorba Linda Land, LLC will be from a proposed 60-foot dedicated easement located at the intersection of proposed “II” Street and “EE” Street as proposed by the Esperanza Hills Vesting Tentative Tract Map.
- L18-12 The Low Impact Development BMP as proposed in the Conceptual WQMP for the Proposed Project has been reviewed and approved by the County. The Proposed Project will utilize Urban Green Biofiltration systems and Low Impact Development BMPs. The Conceptual WQMPs for Option 1 and Option 2 have been included as Appendix L in the DEIR.
- L18-13 Dry extended detention basin cross sections are taken at different locations within the Proposed Project site. Exhibit 5-92 is a section taken at WQMP Basin #1, while Exhibit 5-89 and Exhibit 5-90 generally depict the configuration at WQMP Basins #2, #3 and #4.

County of Orange
Esperanza Hills Project
Draft EIR (November 2013)

13. Chapter 5, Section 5.8.4: The City of Yorba Linda and Orange County were faced with implementing Emergency Erosion and Sediment Control BMPs subsequent to the Freeway Complex Fire. Burn areas were susceptible to significant erosion, inlets required extensive protection, and pollutants were at high risk to reach receiving waters of the United States. The applicant should address areas of erosion in a post fire event and conditioned to produce a shelf ready Emergency Erosion and Sediment Control Plan. A fee study should be produced to ensure the funding of this plan can be implemented by the Home Owners Association.

14. Chapter 5, Section 5.8.6 Conditions of Approval, COA-9: Recommend revising prior to issuance of grading permit to prior to recordation of map such that the storm drain easements are to be show on the final tract map.

15. Chapter 5, Section 5.14: Add a Roadway Exhibit that indicates place holder street names "A", "B", "C", etc. and tentative street grades. Add typical Roadway Sections and reference the corresponding County of Orange standard plans. General Note: All roadway sections or street improvements that are not of a public agency standard shall be deemed private streets and privately maintained.

16. Chapter 5.13.4.2 Trails: The proposed Conceptual Trails Plan shall include the continuity of the public use Earthen Multipurpose Trails 35a and 36 as indicated in the City of Yorba Linda – General Plan Update - Riding, Hiking, and Bikeway Trails Component - April 5, 2005.

L18-14

L18-15

L18-16

L18-17

- L18-14 Comment noted. The Proposed Project will comply with the state's NPDES General Construction Permit and will be implementing erosion and sediment control BMPs throughout the site during grading activities to keep to a minimum any potential erosion and sediment issues. The Proposed Project will file a Notice of Intent (NOI) as well as submit all necessary Permit Registration Documents with the State Board prior to any grading activities. The Post-Construction BMP Section of the Storm Water Pollution Prevention Plan report to be prepared and accepted by the governing agency prior to construction will address erosion and sediment issues. Funding of a fee study is not an environmental issue.
- L18-15 The proposed main storm drain lines within the Project site are deep in some locations. These lines convey the off-site runoffs as well as the on-site runoffs through the Project site before outletting into the existing natural drainage course. These storm drain lines are likely to be constructed in conjunction with the Proposed Project's grading operations. Most agencies would prefer knowing that easements are going to be dedicated and recorded by the time the agency accepts the facility for maintenance. This could happen at various development stages, not necessarily at final tract map recordation.
- L18-16 Placeholder street names, tentative street grades, and typical roadway sections are included in the Esperanza Hills Vesting Tentative Tract Map, which is part of the Proposed Project approval process. The proposed roadways are shown to be privately maintained by the Homeowners' Association with a public utility easement across the proposed roadway for public maintenance of some of the utilities. Roadway sections are designed to be compatible with Orange County and City of Yorba Linda Standards. The issues raised by the commenter are not environmental concerns but will be addressed through the Specific Plan and Vesting Tentative Tract Map approval process.
- L18-17 The Proposed Project's Conceptual Trails Plan is included as Exhibit 5-23 (page 5-537) in the DEIR. The California Department of Parks and Recreation has the authority to formalize the connection to the Old Edison Trail in Chino Hills State Park.

Comment Letter L19
Orange County Coastkeeper
February 3, 2014



ORANGE COUNTY
COASTKEEPER.

3151 Airway Avenue, Suite F-110
Costa Mesa, CA 92626
Phone 714-850-1965
Fax 714-850-1592
www.Coastkeeper.org

February 3, 2014

OC Planning Services
Attn: Kevin Canning
300 N. Flower Street
Santa Ana, CA 92702-4048

Email: Kevin.Canning@ocpw.ocgov.com

RE: Esperanza Hills Project - Draft Environmental Impact Report (EIR No. 616)

Dear Mr. Canning,

Orange County Coastkeeper ("Coastkeeper") is an environmental organization with the mission to protect and promote sustainable water resources that are swimmable, drinkable, and fishable. As concerned Orange County residents and strong supporters of environmental quality and public health, we write to submit the following comments on behalf of our collective membership regarding the Draft Environmental Impact Report (DEIR) issued for the Esperanza Hills Project ("Project").

L19-1

Coastkeeper is an active participant in defending and advancing water quality countywide. Commenting on DEIRs and other development documents is common for Coastkeeper. In this instance, Coastkeeper was approached early in the DEIR process by representatives of Yorba Linda Estates, LLC, in order to discuss any water quality issues we believed the Project posed. We are encouraged to read the Project proponents listened to our concerns and submitted a DEIR that responsibly addressed many of the issues we raised.

After a thorough review of the Project's DEIR, Coastkeeper does not have any substantive comments on water quality issues, including the conceptual Water Quality Management Plans ("WQMPs"), for the Project. Of course, we reserve the right to change our position if the project is modified or WQMPs change.

L19-2

Coastkeeper thanks OC Planning Services for its consideration of our comments on the Esperanza Hills development. If you have any questions regarding our comments please feel free to call me directly at 714-850-1965 ext. 302 or email me at garry@coastkeeper.org

L19-3

Regards,

Garry Brown
Founder and President
Orange County Coastkeeper

**Response to
Comment Letter L19
Orange County Coastkeeper
February 3, 2014**

- L19-1 The County acknowledges receipt of a letter from Garry Brown of Orange County Coastkeeper dated February 3, 2014. Mr. Brown confirmed early consultation with the Project Applicant to identify and discuss potential water quality issues. The County notes that the DEIR addressed many of the issues raised by Coastkeeper.
- L19-2 The County notes that Coastkeeper does not have any substantive comments related to water quality, including the conceptual Water Quality Management Plan, but reserves the right to comment if the Proposed Project or the WQMP changes or is modified.
- L19-3 The County acknowledges that further comments or questions should be directed to Garry Brown at the phone number or email listed.

Comment Letter L20
Placentia-Yorba Linda Unified School District
February 3, 2014

**Placentia-Yorba Linda
Unified School District**

1301 E. Orangethorpe Avenue, Placentia, California 92670
Telephone (714) 986-7000 Fax (714) 524-3034

Doug Domene, Ed.D.
Superintendent

Board of Education
Carrie Buck
Judi Carmona
Carol Downey
Karin Freeman
Eric Padgett

February 3, 2014

Via email: Kevin.Canning@ocpw.com

Mr. Kevin Canning
Orange County Planning
300 N. Flower St.,
Santa Ana, California 92702-4048

Re: Comments on the Draft EIR for the Esperanza Hills Project

Dear Mr. Canning,

The Placentia Yorba Linda Unified School District (PYLUSD or District) welcomes this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Esperanza Hills Project (the "Project") being considered by Orange County Planning/Public Works (County).

L20-1

GENERAL COMMENTS

The District is committed to working cooperatively with the County for this Project. However, it is imperative that the County identify, analyze, and mitigate the potential environmental impacts that will occur with operation *and* construction of the Project. In particular, we request further review of the potential traffic impacts from *construction* of the Project. In addition, we request that future analysis and planning related to wildfire evacuation events, and associated hazards due to resulting traffic congestion, include consideration of impacts to the schools in close proximity to the Project. The District urges the County to seek additional review of these issues and delay approval of the EIR until a sufficient environmental analysis of construction traffic impacts is prepared, required fire evacuation planning -- that includes consideration of schools -- is completed, and appropriate mitigation is identified. The District is committed to working with the County to solve these critical issues.

L20-2

The DEIR does not include an evaluation of potential traffic impacts during the construction phase of the Project. In contrast, the DEIR¹ for the adjacent Cielo Vista project, a smaller project, includes discrete analysis of construction traffic impacts, and specifically analyzes the impacts to schools and students. Potentially significant construction traffic impacts are identified in the DEIR for the Cielo Vista Project and reasonable mitigation measures are proposed. The Esperanza Hills DEIR should include discrete analysis of construction traffic impacts prior to project approval. This

L20-3

¹ Orange County Planning/Public Works, 2013, Cielo Vista DEIR, November 7, 2013

Serving students in the communities of Placentia, Yorba Linda, Anaheim, Brea and Fullerton

**Response to
Comment Letter L20
Placentia-Yorba Linda Unified School District
February 3, 2014**

- L20-1 The County acknowledges receipt of a letter from the Placentia-Yorba Linda School District (PYLSD) dated February 3, 2014.
- L20-2 With regard to Project traffic, please refer to Section 5.14 (Transportation and Traffic), which provides a complete analysis of the Project impacts at the 15 key study intersections and road segments. Because the Proposed Project balances grading quantities on-site, there will be no import or export of earth materials. Construction traffic will be minimal because equipment will be left in place on-site for the duration of the specific construction phase. Daily traffic will consist of individual vehicles used to transport workers to the Project site. Maximum daily worker traffic will consist of 50 to 60 people on-site per day. Once construction equipment is in place, only fuel truck traffic will occur. The County will require that construction hauling will occur during non-peak traffic hours.
- Please refer to Topical Response 1 – Fire Hazard and Topical Response 2 – Evacuation Plans.
- L20-3 See response to Comment L20-2 above. Schools will not be impacted by movement of equipment, which will be delivered, stored on site during the construction phase, and removed at the conclusion of construction activity.

analysis must be performed in order to identify appropriate mitigation for the Project's potential construction traffic impacts to the schoolchildren and school staff. See the attached exhibit showing four schools in close proximity to the Project.

L20-3

Recent fire history in the area shows that fire evacuation traffic congestion at and around our schools can be significant. As a result, an adequate assessment of impacts is necessary to allow for the identification of appropriate mitigation measures for these fire evacuation impacts. The District appreciates that the DEIR specifically addresses the Project's potential traffic congestion impacts from wildfire evacuation events. The DEIR, for example, includes a Fire Protection and Emergency Evacuation Plan (FPP) and calls for a Fire Master Plan (FMP) and a Community Evacuation Plan (CEP) to address wildfire evacuation traffic induced hazards to the project and surrounding community. The District is optimistic these planning measures, once implemented, will provide a means to adequately evaluate and mitigate the Project's incremental impacts to the community – including schoolchildren and school staff – during wildfire evacuation events and associated traffic gridlock. The District requests that future planning (e.g., the required CEP and FMP), evaluation, and mitigation measures include consideration of affected school children and staff at the four schools near the Project.

L20-4

SPECIFIC COMMENTS

Evaluation of Incremental Fire Evacuation Traffic Impacts

The Orange County Fire Authority (OCFA), the City of Yorba Linda,² and others previously commented regarding the impacts the Project will have on fire safety and rescue services, particularly in the event of wildfire evacuation and related traffic congestion and gridlock. The District appreciates that the DEIR indicates "The Proposed Project will include a Community Evacuation Plan." The DEIR further states the CEP "will require the update of Orange County's Community Evacuation Plan and eventually the City's Community Evacuation Plan when it is completed." Going forward we request that the County work with OCFA and the District to develop a methodology for assessing the Project impacts to students at the District's schools that could occur in the event of a wildfire evacuation. Further we request that the CEP to be developed for the Project include consideration of our four nearby schools, and that the District is kept apprised of progress toward completion of the Plan.

L20-5

The DEIR notes that the Project site is located in an area susceptible to wildfire hazards and is designated a Very High Fire Hazard Severity Zone (VHFHSZ) and Special Fire Protection Area (SFPA). Based on an analysis of fire history in the area by Dudek, Inc., (2013), it is estimated that portions of the Chino Hills will be subject to wildfire at least every 5 to 6 years.³

L20-6

On November 15, 2008, the Project site was burned in what ultimately became one of the largest wildland fires ever to strike Orange County -- The Freeway Complex Fire

L20-7

² City of Yorba Linda, 2013, Comment letter on Esperanza Hills NOP, January 31, 2013

³ Dudek, 2013, Fire Protection and Emergency Response Plan, Esperanza Hill DEIR, Appendix J, June, 2013.

- L20-4 Please refer to Topical Response 2. The Proposed Project's proposed evacuation plan, in addition to the plan to be implemented by the Orange County Sheriff's Department, will include controlled movement of traffic at the intersections depicted in the plan. The OCSD will provide trained personnel to facilitate its evacuation plan. Preparation and implementation of evacuation plans specifically for the PYLSD is not within the County or the Project Applicant's jurisdiction and would be more appropriately addressed in the school district's plans for emergency evacuation.
- L20-5 Please refer to response to Comment L20-4 above.
- L20-6 Commenter correctly re-states information from the DEIR.
- L20-7 Comments noted regarding the analysis by OCFA of the 2008 Freeway Complex Fire factors and evacuation. No response is necessary.

(FCF). This fire started in the City of Corona on the border of Riverside and Orange Counties, and was driven by fierce Santa Ana winds as it spread quickly on a massive fire front, causing widespread damage in the cities of Yorba Linda, Anaheim, and Corona, as well as to Chino Hills State Park.

The OCFA released an "after action" report⁴ on the FCF in April 2009 that provided insight into the factors that were related to fire damage from the fire. The evacuation gridlock impacts associated with the FCF were critical aspects of the OCFA's after action report.

The FCF after action report indicated that within minutes of the fire reaching Yorba Linda, the first of hundreds of homes lost in Yorba Linda burned. The report estimated that 9,000 homes and 24,000 people were evacuated during the fire. The report also stated "*Traffic gridlocked as evacuating residents and incoming emergency apparatus tried to access the same neighborhood streets.*" In addition, the OCFA recounts that "*Because the fire had moved into the area so quickly and without warning, residents in these areas were trying to evacuate while firefighting resources were attempting to gain access.*" Also, the report notes "*extensive evacuation demands put a strain on local law enforcement, requiring mutual aid resources from agencies across the County to assist with evacuation needs.*"

The proposed Esperanza Hills project (as well as the adjacent proposed Cielo Vista development) would result in an increase in the number of residential units in an area that is historically known to be at risk of wildland fires. If a major fire event or another type of emergency were to occur, the additional residents associated with these developments would increase the number of vehicles on the roadways during an evacuation. As previously noted, when such an evacuation occurred during the 2008 FCF, the combination of vehicles evacuating the area and the emergency vehicles attempting to access the area resulted in extreme congestion and delays for the evacuees as well as the emergency vehicles.

There are numerous accounts of the gridlock in the close vicinity of several of our school immediately following the Freeway Fire. One account⁵ follows: *Anecdotal accounts from Yorba Linda residents describe the chaos of trying to evacuate during the firestorm. One resident stated, "people can't get out on San Antonio... [it was] a huge, huge traffic jam." When exiting their neighborhoods they also hit gridlock on the major arterial of Yorba Linda Boulevard. One resident who lost his home had no time to even drive his cars out of the driveway. With no car to drive, he ended up directing traffic at Via Del Agua and Yorba Linda Boulevard. Evacuees from his neighborhood couldn't leave because there was no traffic signal to stop the flow of traffic.*

The proposed residential developments (Cielo Vista, Esperanza Hills, etc.) potentially would aggravate this type of situation by increasing the number of vehicles evacuating the area and adding to the congestion. Traffic evacuating the Esperanza Hills Project,

⁴ OCFA, 2009, Freeway Complex Fire After Action Report, April 23, 2009.

⁵ Hills for Everyone, 2012, "A 100 Year History of Wildfires Near Chino Hills State Park," August 2012.

L20-7

L20-8

- L20-8 Comments noted regarding the congestion and delays occurring during the 2008 Freeway Complex Fire evacuation. Evacuation plans specifically addressing the implementation of the Proposed Project are analyzed in Section 5.7 - Hazards and Hazardous Materials in the DEIR. Topical Response 2 herein provides a summary of evacuation plans which include OCSD's evacuation plan for evacuating traffic through intersection control measures. The plans cover traffic movement through the adjacent community areas, including neighborhoods along Yorba Linda Boulevard. As noted in response to Comment L20-4 above, specific plans for the PYLSD are not within the jurisdiction of the County. The schools will be part of the larger evacuation plan, which would also reflect and account for the addition of the Proposed Project.

for example, would use the three roads mentioned in the above account of traffic gridlock caused by the FCF: Yorba Linda Blvd, San Antonio Road, and Via Del Agua. This Project thus could incrementally impact several of the schools in the Placentia – Yorba Linda Unified School District because the increased levels of congestion during an evacuation could result in increased delays for vehicles traveling to and from the schools to assist the students during an emergency. The District requests that the DEIR and the CEP analyze the potential incremental impacts of the Project on traffic congestion during a fire evacuation event.

L20-8
cont'd

This analysis would be particularly applicable to Travis Ranch K-8 School and Fairmont Elementary School, which are located adjacent to Yorba Linda Boulevard, which is a key evacuation route. Travis Ranch School, for example, is on Yorba Linda Blvd., less than 0.5 mile from San Antonio Rd. and Via Del Agua. Impacts would also be applicable to Yorba Linda High School, which is located on Fairmont Boulevard (which intersects with Yorba Linda Boulevard).

The DEIR addresses Emergency Response impacts and Wildland Fires impacts in the Hazards section (section 5.7). The DEIR proposes implementation of two mitigation measures: Haz-5 – preparation of a Fire Master Plan (FMP) to be reviewed and approved by the OCFA; and Haz-6 – preparation of the CEP to be reviewed and approved by the OCFA. While the DEIR determined that wildland fire and emergency evacuation impacts are potentially significant, it concluded they are reduced to less than significant with project design features and the mitigation measures cited above. The District is optimistic that the DEIR and the future fire/evacuation planning efforts (FMP and CEP) will serve to adequately evaluate and mitigate the Project's potential incremental impacts from fire evacuation traffic congestion and gridlock. To that end, we request that the FMP and CEP to be prepared for the Project specifically consider the Project's associated risks to the safety of our students and staff.

L20-9

Consideration of Evacuation and Contingency Planning for Schools

The District requests that the DEIR, the FMP, and the CEP consider the need to evacuate or otherwise protect many hundreds of school children concentrated at each of several individual school sites during a fire evacuation event. Each school will have its own transportation needs and concerns. However, all will involve large numbers of vulnerable school children concentrated in relatively small areas (e.g., staging areas and buses).

L20-10

On the third and fourth day of the FCF, Community Education Specialists affiliated with the OCFA conducted school programs for the entire school population of two of the elementary schools in Yorba Linda. The programs educated the children on the disaster in their community and helped to allay their fears. The school programs reportedly were very well received by the students and faculty.

The District requests that the DEIR, FMP and CEP pay similar attention to schools, hopefully *prior* to the next wildfire event. In particular, we request that the evaluation of evacuation routes address each of the four schools identified on the attached map

L20-9 Please refer to response to Comment L20-8 above.

L20-10 Please refer to response to Comment L20-8 above.

(Travis Ranch MS, Yorba Linda HS, Fairmont ES, and Bryant Ranch ES). The evaluations should address, as appropriate, bus storage/staging areas, travel time to and from schools, ingress and egress routes, and potential impacts and mitigation measures for each school.

The evacuation planning efforts also should include a contingency plan in the event unforeseen circumstances interfere with the preferred option of early evacuation. This contingency plan should consider the safety of school students and staff as well as that of neighboring communities.

The District reiterates its request that the County include in its planning and environmental analyses the Project's potential incremental impacts to students and school staff during a wildfire evacuation. Once the County has appropriately analyzed and planned for these Project impacts, the District can work with the County to identify and implement appropriate mitigation measures to reduce these impacts to the greatest extent possible.

L20-10
cont'd

Construction Traffic Impacts

The construction activities generated by the proposed project would result in trucks and heavy equipment traveling adjacent to schools in the area, particularly Travis Ranch K-8 School and Fairmont Elementary School, both of which abut Yorba Linda Boulevard. The DEIR anticipates heavy equipment (such as dozers and scrapers) will be used during the construction phase. The construction phase is estimated to be eight years, according to the DEIR scenario analyzed to determine construction air quality impacts (DEIR, Appendix C).

The DEIR "Transportation and Traffic" section (5.14) and the Traffic Impact Analysis (TIA) report that is provided in Appendix O of the DEIR state that the impacts of construction-related traffic were evaluated. However, a discussion of the construction-related traffic impacts was not provided in either of these documents. Moreover, there is no mention of construction traffic impacts to schools. In contrast, the Cielo Vista Project DEIR included discrete analysis of construction traffic impacts (including to schools), which were deemed potentially significant, and proposed mitigation measures designed to mitigate those impacts.

L20-11

Construction vehicles travelling to and from the project site would generally travel along Yorba Linda Blvd., to Stonehaven Drive or Via Del Agua (to main access Option 1) and along Yorba Linda Blvd., to San Antonio Road to Aspen Way or a new site access road (to main access Option 2 or 2A). These construction-related vehicles would have an adverse impact on pedestrian safety, pedestrian circulation, and vehicular access to the schools. The project applicant and/or the construction contractors should be *required* to avoid the movement of construction traffic adjacent to these schools except when school is not in session, and/or avoid student arrival and departure times. Further, the project applicant should contact each school to determine the appropriate time periods to avoid construction traffic past each school.

L20-12

L20-11 Please refer to responses to Comments L20-2 and L20-3 above.

L20-12 Please refer to responses to Comments L20-2 and L20-3 above.

The Esperanza Hills DEIR does not analyze or mitigate the potentially significant the impacts from construction traffic on school pedestrian routes and school access. In contrast, the DEIR for the Cielo Vista Project, a much smaller project, includes five mitigation measures (MMs 4.14-1, 4.12-4; 4.12-5; 4.12-6; and 4.12-7) to address the significant construction traffic impacts to schools and school routes resulting from that project. The Esperanza Hills DEIR must analyze construction traffic impacts, including impacts to schools and school routes. Following appropriate analysis of these impacts, the DEIR should include, as necessary, appropriate mitigation measures. Based on the analysis in the Cielo Vista DEIR, it is clear these impacts will be potentially significant for the Esperanza Hills Project as well. As such, mitigation measures identified for the construction phase of the Esperanza Hills Project also should include, at the minimum, on-going communication with school administration; presence of crossing guards and usage of temporary traffic control, signage, and/or flaggers; and avoidance of construction vehicles hauling past the schools, except when school is not in session.

L20-13

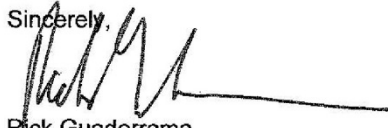
Travis Ranch School and Fairmont Elementary School both abut Yorba Linda Boulevard and will be subject to potentially significant construction traffic impacts. In addition, Yorba Linda High School is accessed by Yorba Linda Blvd. Therefore, we request that the DEIR analyze construction traffic impacts on Fairmont Elementary School, Travis Ranch School and Yorba Linda High School, and that mitigation measures be proposed for each school, as appropriate. The District looks forward to reviewing the construction traffic impact analysis, and associated mitigation measures, once they are available.

L20-14

In summary, the District requests that the County extend the EIR process, work with the District and the OCFA to address these concerns, then recirculate the revised document. The District restates its commitment to work with the County to solve these issues in a constructive and cooperative manner.

L20-15

Sincerely,



Rick Guaderrama
Director, Facilities & Maintenance
Placentia-Yorba Linda Unified School District
1301 E. Orangethorpe
Placentia, CA 92870

cc: Doug Domene, PYUSD Superintendent of Schools

Enclosures:

Exhibit A – Four PYLUSD Schools Near the Proposed Esperanza Hills Project

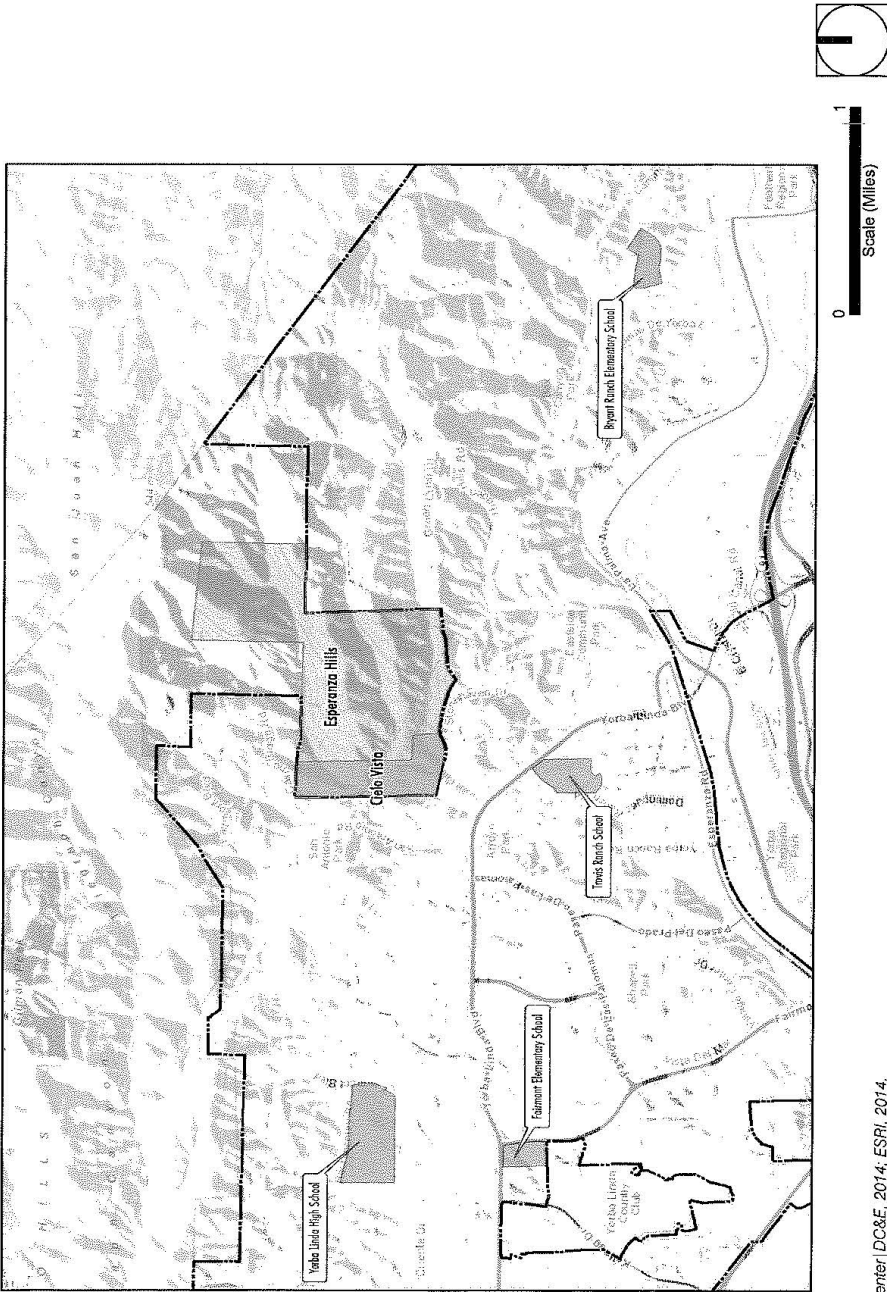
L20-13 Please refer to responses to Comments L20-2 and L20-3 above.

L20-14 Please refer to responses to Comments L20-2 and L20-3 above.

L20-15 All environmental impacts have been adequately addressed in the DEIR. Therefore, recirculation is not required.

PYUSD COMMENTS ON THE DRAFT EIR FOR THE ESPERANZA HILLS PROJECT
PLACENTIA YORBA LINDA USD PROJECT

Exhibit A – Four PYUSD Schools Near the Proposed Esperanza Hills Project



Source: The Planning Center|DC&E, 2014; ESRI, 2014.
January 7, 2014

The Planning Center|DC&E

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