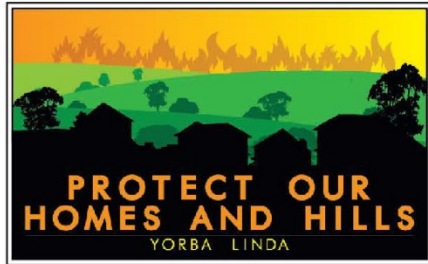


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Comment Letter L34
Rehmeyer, Sharon and Ted
February 3, 2014



From: Sharon & Ted Rehmeyer
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Cc: The Honorable Todd Spitzer, OC Supervisor, Third District
Cc: Mr. Kevin Johnson, Esq., POHAH Attorney
Date: February 3, 2014

SUBJECT: ESPERANZA HILLS DRAFT EIR (No. 616) —SECTION 5.12 PUBLIC SERVICES

OVERVIEW:

- The Public Services section—Section 5.12-- of the Esperanza Hills D-EIR No. 616 falls far short of providing a thorough, objective analysis of the proposed Project's likely impacts on public services and public safety. Anyone who lived in Yorba Linda during the 2008 "Freeway Complex Fire" knows all too well that public safety in hillside areas is not just a theoretical concern. It's a very tangible issue that **has real impacts on real people in our community**. In light of Yorba Linda's heightened sensitivity to this issue, it is especially disappointing that **the DEIR fails to meaningfully evaluate and fully disclose**

1

L34-1

**Response to
Comment Letter L34
Rehmeyer, Sharon and Ted
February 3, 2014**

- L34-1 The County acknowledges receipt of a letter from Sharon and Ted Rehmeyer specifically related to Public Services, Section 5.12 in the DEIR. Commenters are referred to Section 5.7 - Hazards and Hazardous Materials for analysis related to “public safety in hillside areas” and “potential threats associated with this high-risk development located in Very High Fire Hazard Severity Zone (VHFHSZ).” Section 5.12 - Public Services analyzes public services such as police and fire and the provision of such services to the Proposed Project. The information presented in these sections of the DEIR is based on information provided by the agencies responsible for providing the respective public service (e.g., police, fire, schools) and also reflects the findings and recommendations presented in specialized technical studies (e.g., the Fire Protection and Emergency Evacuation Plan and the Phase I Environmental Site Assessment).

the potential threats associated with this high-risk development located in Very High Wildfire Hazard Severity Zone (VHFHSZ).

L34-1
cont'd

- Overall, the Esperanza Hills DEIR lacks a genuine quantitative analysis of public services and instead relies on generalities and unsubstantiated assumptions. Whereas public safety impacts can be readily quantified in terms that the general public and the County's decision makers can clearly understand, the DEIR fails to do this. Specifically, the DEIR avoids quantitatively answering the critical question, **"How will the response feasibility of public safety agencies—notably, Orange County Fire Authority and Orange County Sheriff Department—be impacted by this Project for evacuating residents living in close proximity to the Project during wildfire events and earthquakes?"**

L34-2

The well documented data on the 2008 Freeway Complex Wildfire that swept through the entire Project area—as well as that of the other proposed Project, Cielo Vista -- shows that the Wildfire destroyed 76 homes within a half a mile of the Project site. Gigantic walls of flames, seen in a multitude of photographs and videos from that 2008 wildfire are forever embedded in ours and our neighbors' memories. Memories are still vivid of the intense heat, the wind-blown debris, smoke, ash, and soot, as flaming embers rained down on adjacent Yorba Linda neighborhoods at 60 mph, the rate the fast moving Santa Anas traveled that Saturday, Nov. 15, 2008.

QUESTIONS:

- How will public service agencies -- OCFA and OCSD -- be impacted when the next Wildfire or Earthquake occurs?** As pointed out by OCFA at the 5th Anniversary of the Freeway Fire, "It's not a question of 'IF' it will occur, but 'WHEN'!"
- How can Orange County's Planning Commission and Board of Supervisors make a responsible decision on this project without getting an answer to this basic question, and understanding the degree to which the project would put existing residents in jeopardy?
- How will the response time and effectiveness of OCFA and OCSD be impacted by the addition of more residents in the Project area as earthquakes and Wildfires driven by 60 mph Santa Anas whip through the Project yet again? This information needs to be collected and scrutinized.

L34-3

L34-4

L34-5

In addition to failing to provide a quantitative assessment of *future* response times, the DEIR even **fails to provide good baseline data indicating existing response times for these**

L34-6

- 34-2 As noted in the DEIR in Section 5.2 - Hazards and Hazardous Materials, a Fire Protection and Emergency Evacuation Plan (FPEP) has been prepared specifically addressing fire evacuation plans. In addition, the Orange County Sheriff's Department has provided an evacuation plan (Exhibit 5-66, page 5-291) designed to move traffic off Yorba Linda Boulevard and through local neighborhoods. Please refer to Topical Response 2 - Evacuation Plan, which explains the manner in which an evacuation would occur in the event of a fire.
- 34-3 Please refer to Topical Response 2 - Evacuation Plan.
- 34-4 The DEIR is an information document that describes and analyzes the environmental impacts related to potential fires and earthquakes. The County Planning Commission and the Board of Supervisors have been provided with all documentation related to the Proposed Project, including the DEIR and responses to all public comments for their review and consideration prior to hearings for Proposed Project approval.
- 34-5 As indicated in Section 5.12, response times by the OCSD to an emergency at the Project site are estimated to be less than five minutes; OCFA response times vary from about 6.5 minutes to 17.5 minutes, depending on the development option and distance to the site. OCFA and OCSD are fully trained and prepared to respond to emergency situations. In addition, fire and police personnel from adjacent jurisdictions can be requested to provide assistance. As noted in response to Comment L34-2 above, evacuation plans have been proposed to move all residents in the area to safety. Refer to Topical Responses 1 and 2 for additional information related to fire hazards and evacuation plans. Also refer to responses to Comments L34-7 through L34-13 below for additional information regarding response times and services.
- 34-6 Data in the DEIR was obtained from OCFA and OCSD reports and documentation as referenced related to response times. Please see Topical Response 2 - Evacuation Plan, for information related to proposed evacuation plans.

agencies. Without the analysis of this data—which should be readily available from public records—it makes it impossible to understand potential impacts on the existing homes, plus the addition of the Project’s proposed 340 houses.

L34-6
cont'd

The **four most significant concerns** regarding the Public Services section of the DEIR are summarized as follows:

1. Wildfire service impacts are understated. Although the DEIR correctly acknowledges that Esperanza Hills is a high-risk project by virtue of its location within a Very High Wildfire Severity Zone – VHFHSZ), its unsupportable conclusions regarding potential impacts to fire safety and fire protection services seem to ignore the project’s VHFHSZ status. In particular, the following deficiencies in the DEIR’s analysis of fire protection services are noted:

L34-7

- a. The DEIR (page 5-495) indicates that **OCFA’s goal for response time is arrive within seven minutes and 20 seconds 80% of the time. The DEIR then makes several confusing and possibly contradictory statements about current and projected response times.** On pages 5-495 and 5-500, the DEIR states that the response time to Esperanza Hills is projected to range from 6.4 minutes to 17.5 minutes, depending on which fire station responds to a call. On page 5-501, the DEIR states that two of the existing fire stations “can respond in less than 10 minutes, which is above the standard of 7 minutes, 20 seconds 80% of the time. However, this response is within reasonable limits 20% of the time.” **If the goal (according to OCFA’s standards) is to be met 80% of the time but according to the DEIR is being met only 20% of the time, how can the DEIR conclude that response times and service levels will not be adversely impacted by this sizeable new development?**

- b. Moreover, the DEIR makes the serious mistake of equating travel times to response times. Whereas the OCFA standards are stated in terms of response times, the projections provided in the DEIR (Table 5-12-1 on page 5-495) merely show the travel times (with theoretical, unsubstantiated dispatch and turnout times added). **Travel time and response time are two very different things. Travel times do not take into consideration the volume of calls or the levels of resources available to respond if multiple calls are received at the same time.** While an engine from the closest station might be able respond within 6.4 minutes under ordinary circumstances, when it most matters – **during an extraordinary event such as the Freeway Complex Fire of 2008** – response times may far exceed the goal of seven minutes and 20 seconds (although it’s

L34-8

L34-7 The commenters indicate that the DEIR understates wildfire service impacts. The OCFA's response time goal of 7 minutes 20 seconds 80% of the time is designated for the first responding engine. Therefore, based on the closest station, which is how response time is typically calculated, the Proposed Project is within a response time for first responder that meets OCFA's goal. This response time is based on a structure fire or a medical emergency. Fully sprinklered homes, like those within the Proposed Project would enable longer response times, because the sprinkler system has been shown to be very effective at minimizing fire spread and often extinguishing it in the room of origin; however, is not necessary for this project based on the location of Station 32. Medical response requires fast intervention for the most serious types of emergencies such as heart attack and stroke. Wildfires would not generally fall under the response time goals set for structures and medical emergencies. In addition to response times, there must be capacity to serve the number of new calls projected from a new development. The closest fire station has capacity to service the project with only 0.17 additional calls projected per day from the Proposed Project, and that is likely a very high estimate based on the type of development and its demographics. Therefore, the comment is incorrect in its assumptions that fire service is significantly impacted by the project.

Table 5-12-1 - OCFA Response Time Configuration in the DEIR (page 5-495), shows the FPEP modeled average response times from the nearest five fire station locations to the Project site.

L34-8 The commenters discuss travel times and response times and the response times during a major wildfire event. The purpose of the analysis of whether a station can respond to the project within the fire agency's response time goal is to determine whether the project can be serviced in a timely matter for typical day-to-day emergencies. Travel time is the time required once "wheels roll" until arriving at the scene. Response time is the total time from receiving the call, dispatch, and turnout (firefighter preparation before leaving the station). Studies indicate that dispatch is typically on the order of 60 seconds, and turnout takes slightly longer at 78 seconds, on average. Adding these additional times to the travel time results in response time. The project is located where it can be provided initial response and effective firefighting force (multiple engines and personnel) within OCFA's goals.

Conditions during large wildfire events are not modeled for purposes of determining impacts of a project on the fire service. These are rare events, and the nature of a large wildfire does not lend itself to a fire engine arriving at individual structures. Some engines are focused on structure protection, usually in a triage scenario where the most well prepared and defensible structures may be provided protection, and other engines are engaged in a "bump and run" tactic attempting to stay mobile and able to react to the fire without anchoring to a hydrant. Attempting to consider response times in these situations would not be consistent with the purpose of response time modeling, which is for the vast majority of calls. Response time to the initial fire call, which would likely be somewhere adjacent to the Chino Hills State Park would be modeled, but would more than likely be within another station's (not Station 32's) primary response area.

Please also see response to Comment L34-7 above. Specifically note that OCFA's response time standard is 7 minutes 20 seconds. The table shows the total estimated response time, including travel time (to the farthest point in the Proposed Project) and 1.3-minute turnout as indicated in the table heading. Since the Project site is currently vacant, and OCFA/OCSD does not respond to normal calls on the site, an estimate is provided for information and analysis. The numbers are intended to present a scenario under normal conditions and not wildfire conditions.

impossible for a reader of the DEIR to know, since the DEIR neglects to discuss response times during a major fire event).

L34-8
cont'd

- c. On page 5-498, the DEIR indicates that the project would generate up to 61 OCFA calls per year (0.17 calls per day), with only one of these calls being fire related (the others would presumably be EMS calls, etc.). While one fire-related call per year is seemingly insignificant, it is a terribly misleading number in that it is based on "average" circumstances. For a VHFHSZ-located project such as Esperanza Hills, it's not the "average" circumstance that is the most significant concern. The real issue that needs to be evaluated (and which the DEIR completely fails to evaluate) is how this project would alter OCFA's response times during a major wildfire. Frequently, in a wildfire situation, there are multiple wildfires, and with OCFA and OCPD participating in mutual aid agreements, especially with surrounding area Fire Departments, how does that impact our local public service personnel who might otherwise be available to serve the Yorba Linda Project area? With mutual aid agreements among cities and counties, local **firefighters** can easily be called elsewhere during a major wildfire, especially since Santa Ana wind conditions drive wildfires as fast as the wind itself can blow. In effect, during a major wildfire the proposed project would be "competing" with existing residents for fire protection resources, with the potential for significantly worsened response times, as demonstrated in the Nov. 15, 2008 Freeway Complex Wildfire. What happens to the residents of this 340 house Project if they either can't or won't "shelter in place"? Who will be there to aid them? **The DEIR's failure to evaluate response times during a major wildfire event is a fatal flaw in the overall document.** Furthermore, with regard to access to the hillside during a wildfire, there would need to be serious changes to Via Del Agua and Stonehaven, far beyond simply adding a traffic signal at Via Del Agua and Yorba Linda Blvd. With major egress/ingress to the Project at the intersection of Stonehaven and Via Del Agua, evacuation from the Project, and Esperanza Hills, plus emergency egress from Hidden Hills in an emergency situation, will be life threatening. During the 2008 wildfire, traffic evacuated existing homes down Stonehaven and Via Del Agua to Yorba Linda Blvd., and they evacuated with three cars abreast on the winding, narrow two-lane roads. There were no Fire responders until Sunday night, November 16, 2008, 36 hours later, well after the fire was over. They were checking gas leaks on properties adjacent to our neighbor's home which had burned to the ground and his gas line too. What are the issues with methane gas leaks if it's being

L34-9

L34-10

L34-9 The commenters argue that the analysis of the typical circumstances for emergency response is not appropriate and that the focus should be on how the Proposed Project would alter OCFA's response times during a major wildfire. As discussed in response to Comment L34-8 above, response during major wildfires does not conform to the typical response time modeling. Reports of wildfires within the Chino Hills State Park, for example, would result in response to the wildland fire, but not to individual homes within the Proposed Project or existing residential areas that are a mile or more from the ignition. OCFA response with the Proposed Project would be expected to be similar to its current response with the possible exception that with the Proposed Project, OCFA engines would be able to place engines at the WUI within the project at staging areas or other strategic locations. OCFA would be able to place engines at the WUI (where they could not during the 2008 Freeway Complex Fire) because they would have firefighter safety zones and temporary refuge areas throughout the Proposed Project that do not currently exist. As mentioned, response during a major wildfire is not measureable, because engines are not dispatched to individual properties. They are responding to the incident and then the Incident Command is directing where engines should focus structural protection, brush control, pre-treatments, etc.

It is true that OCFA engines may be assigned to wildfires out of the area, but this does not mean that they leave stations uncovered. Reserve engines are called up and stations like Station 32 would have coverage. During extended attack wildfires that last many hours, engine companies may be arriving from out of the area and are an important part of the overall response. During Red Flag Warning periods, OCFA has protocols that activate additional engines and firefighters to avoid the possibility of understaffing. However, even with full staffing, there are limitations to what firefighters can accomplish against a wind-driven fire. It would not be a safe assumption that full staffing and response would result in control of wind-driven wildfires. This important limitation is why it is critical that communities within the WUI include built-in protections that minimize their vulnerability to wildfires and embers. The Proposed Project includes a redundant layering of features that are designed to minimize the need for firefighter resources, thus enabling them to focus efforts where needed most.

With regard to sheltering in place and who will aid residents in the Proposed Project if they are unwilling to shelter in their homes, it is important to note that the community is not a "shelter in place" site. It is a community that will follow the early evacuation model adopted by OCFA and many fire agencies, including CAL FIRE, known as "Ready, Set, Go!". Early evacuation is the safest and preferred option for this community. Early evacuation means evacuations will occur hours before fire is threatening the community. It is only when officials determine that it is not safe to evacuate (such as if the roads are congested, or fire is burning close to the community) that a temporary refuge on site would be considered. The project and its structures are designed to enable citizens a brief refuge inside its homes while the fire front passes around the community. Wildfire safety education will be provided in a variety of formats to Proposed Project residents so that awareness levels are high. The internal alert system will include practice announcements and will assist with evacuations, on a conservative trigger so that the goal of evacuating early is the primary focus. The potential to remain in their homes is an option that is available due to the construction materials and methods, but is only to be used as a contingency or a last resort when it is considered safer than evacuating.

collected and transported out of the area? How does this impact public health and safety? But even if a fire truck had tried to access Via Del Agua or Stonehaven during the height of the flaming inferno, it couldn't have done so because of the traffic pouring downhill 3 abreast. To "shelter in place" in supposedly "fire safe" houses is not an acceptable alternative for this Project, given the project's location within this Very High Risk Fire Hazard Zone subject to the Whittier Earthquake Fault line. Who is going to "make" someone stay and shelter in place? What happens if they stay, and then become afraid and then try to evacuate? What's going to happen? Who will be there to help?

L34-10
cont'd

- d. On page 5-505, the DEIR states that "adding 0.17 calls per day [61 calls per year] is not anticipated to be a significant impact." Again, it's not the average impact over the course of year that really matters, but the impacts during a major event lasting perhaps just a few hours. How do concurrent multiple wildfires in the County or in Southern California impact the response effectiveness, as well as evacuation scenarios? The potential to adversely alter response times during an extraordinary event is the real "incremental" impact of this project, and the DEIR fails to adequately address this fundamental issue. Example: It took nearly 36 hours after the Nov. 15, 2008 Freeway Complex Wildfire before any OCFA trucks or personnel came to check for damaged gas lines or other major fire-related issues in four house cul de sac adjacent to the Project—this in spite of the fact that one of the two fire stations cited in the DEIR is located just a short distance from the County hillside Project. What are the problems of fighting wildfires with multiple regional wildfires, and what is the effect of this issue on the effectiveness of OCFA and OCPD personnel?

L34-11

- e. Compounding the above concerns, the DEIR makes the unsubstantiated claim (on page 5-498) that the projected impact of 61 OCFA calls per year is actually "over-estimated" (since it is based on OCFA jurisdiction-wide statistics, including areas that are presumably higher-risk than Esperanza Hills). This ridiculous assertion is completely at odds with the reality that the proposed project is located within a VHFHSZ, which by definition means that it is much higher risk project.

L34-12

2. **Police protection impacts are not adequately analyzed.** The DEIR's analysis of police protection impacts is vague and fails to quantitatively measure the degree to which the proposed project would affect OCSD's response times. To begin with, the DEIR doesn't

L34-13

The commenter's concern related to methane gas leaks and gas being transported is unclear with regard to an environmental concern. No additional oil wells are proposed, and there will be no change in operation of the existing wells. Commenters are referred to Topical Response 1 and Topical Response 2 regarding fire hazards and evacuation and Section 5.7 - Hazards and Hazardous Materials for discussion regarding sheltering in place. Please also refer to response to Comment L34-9 above.

L34-11 The commenters inappropriately apply travel time and response time goals to wildfires. Response time goals are intended for structure fires and medical emergencies. Wildfires, especially large fires that involve multiple jurisdictions, are not considered under the standard response time goals. Wildfires may very well be responded to within the agencies' goals, but in some cases, the fire is not controlled for many hours later and engines are engaged in a "bump and run" tactic with no particular end goal where the travel time would be terminated. The nature of wind-driven wildfires requires different strategies than a response to a structure fire or a medical emergency. The comment captures the situation accurately that there are not enough fire apparatus and personnel to provide protection for every home within a large wildfire perimeter. That fact has been analyzed and protections incorporated into the Proposed Project (e.g., interior automatic sprinklers, minimum one-hour rated doors and walls, and ember-resistant vents) so that fire agencies can allocate resources where they are most needed. It is the responsibility of the OCFA and OCSD to provide adequate personnel in the event of a wildfire. During wildfire events, resources will be recruited from adjacent jurisdictions.

L34-12 Commenters' opinion is noted. As noted in response to Comment L34-7 above, the average annual calls for emergency assistance are related to normal calls and do not include wildfire emergencies. Wildfire occurrences are sporadic, sometimes several years apart, and cannot be modeled with any degree of accuracy for purposes of analysis regarding the number of responses anticipated by OCFA and OCSD.

The commenters again confuse response statistics – which are based overwhelmingly on medical emergencies and structure fires – with that of response and risk associated with wildfires. The call volumes projected for the Proposed Project use average response calls for the entire Orange County area, which includes many different types of communities, some of which result in higher responses. For example, retirement communities and inner city communities statistically result in higher call volumes. Those call volumes are averaged into the factor used to calculate the Proposed Project's calls, even though the population would be expected to be younger families with demographics resulting in fewer than average calls. Therefore, the DEIR statement is correct and needs no additional revisions.

L34-13 As noted on page 5-493 in the DEIR, the information regarding the OCSD standard for response times was provided in a personal communication with Lt. Bob Wren of OCSD on 11/14/13. The reference on page 5-498 should have stated that the *average* response time is 6 minutes 24 seconds per the OCSD Dispatch Time records in 2012. This was the average for combined incorporated and unincorporated areas served by OCSD.

Commenters are referred to page 5-508 of the DEIR, Mitigation Measure PS-1. The DEIR provides an analysis of the estimated impacts resulting from Proposed Project implementation. Because the primary concern in the project area is related to the threat of wildfire, the Project Applicant is required, per Mitigation Measure PS-1, to coordinate with OCFA to determine if any additional facilities will be needed, and to pay a fair share fee for impacts to capital and infrastructure needs. OCFA is best equipped to determine if, cumulatively, additional facilities will be required.

even correctly state OCDS's standard for response times, making conflicting statements about this very important measurement. On page 5-493 the DEIR states, "The standard for response time, as confirmed by OCSD, is five minutes within the areas served by the OCSD." Then on page 5-498 the standard is described as "6 minutes, 24 seconds 80% of the time." Which one is it?! Regardless of which standard is applied, the DEIR provides virtually no useful information about existing response OCSD response times. The DEIR's only statement on this issue (on page 5-493) is that "Recently recorded response times are fewer than five minutes." This is far from a thorough analysis of this issue! What period of time is covered by "recently"? What are the long-term trends and how do they relate to the OCSD's foreseeable capacity to responding to an increasing number of calls? Without an accurate understanding of baseline conditions, how can the DEIR preparers credibly make the conclusion (page 5-498) that "it is not anticipated that the Proposed Project itself will generate the need for additional service from the OCSD beyond the personnel recently expanded and in place, and no additional personnel or equipment will be required to serve the Proposed Project"?

L34-13
cont'd

3. **Cumulative impacts analysis is grossly inadequate.** As with the rest of the Public Services section, the cumulative impacts discussion is lacking in substance and quantitative analysis. Notably, the project-specific discussions on fire and police services seemed to be based largely on correspondence/communication with OCFA and OCSD. However, the information provided by these service providers does not appear to address the substantial list of cumulative projects (although it's impossible for a reader of the DEIR to know, since the DEIR neglects to provide copies of correspondence from the affected agencies). How did the DEIR preparers make conclusions regarding cumulative impacts if the affected agencies did not specifically provide input regarding the cumulative projects? Furthermore, this Project should be considered by OC Planning and the City of Yorba Linda as one single Planning Package, along with Cielo Vista, and the potential development of another 48 unit housing development called Bridal Hills that depends on access through Esperanza Hills. There may be other developments that feed off of these projects as well in the hillside area. Any and all development proposed for the Project location is in a HIGH RISK WILDFIRE ZONE and faces the risks of potential oil well fires, which are far more dangerous and cause major harm to the environment and air quality. Many local homeowners, adjacent to the Project, cannot get adequate insurance on their existing homes because of the danger of policy cancellation because they live in a HIGH RISK WILDFIRE ZONE. If the potential buyers cannot get insurance for their houses, who will pay for the insurance gaps? Will people of Yorba Linda and/or Orange County end up paying for gaps caused by

L34-14

L34-15

With regard to OCSD, their jurisdiction includes unincorporated Orange County (including the Project site) and as of January 2013, the City of Yorba Linda, at which time additional deputies were hired. The Project site is undeveloped and has no history of service calls on which to base an accurate projection of calls per day or per year. The impact is less than significant, and the Project site will continue to be under the jurisdiction of the OCSD, whether or not annexation occurs.

- L34-14 Please refer to responses to Comment L34-12 and -13 above. Also refer to response to Comment L45-12 (Kevin K. Johnson).
- L34-15 Please refer to Topical Response 5 regarding segmentation. As previously noted, CEQA does not require analysis of insurance costs.

insurance companies failing to provide any or adequate coverage to potential home buyers in the Project or cancellation of insurance because of the risks involved with living in a HIGH RISK WILDFIRE ZONE. Shouldn't the potential dollar impact on the County and City because of lack of insurance issues be considered an impact on public services?

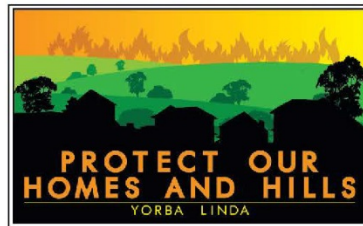
L34-15
cont'd

In the absence of a more comprehensive and even-handed analysis of these issues, it would be unconscionable and irresponsible for the County's Planning Commission and the Orange County Board of Supervisors to approve this project.

L34-16

L34-16 Comment noted regarding the Orange County Planning Commission and Board of Supervisors.

Comment Letter L35
Rehmeyer, Sharon and Ted
February 3, 2014



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Cc: Mr. Kevin Johnson, Esq., Attorney for POHAH

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DATE: February 3, 2014

RE: Esperanza Hills Project—Draft EIR (EIR No. 616)

SUBJECT: EXECUTIVE SUMMARY OF ENVIRONMENTAL IMPACTS

The Executive Summary of the Esperanza Hills Draft EIR (CH. 2-3 (Sec. 2.4) cites a summary of **Environmental Impacts** references **potentially significant adverse impacts of the Proposed Project** that cannot be avoided or mitigated to a level of “less than significant.”
(Ch. 2-page 2-11)

The following Project Impact is stated: “There is a potential for primary fault rupture in areas where active strands of the Whittier Fault are present. Project access could follow the principal trace of the Whittier Fault, depending on the access option approved. Mitigation measures state: “No habitable structures are proposed inside the limits of the Earthquake Fault Zones. Geo.-4 through Geo-7 will ensure that impacts related to fault rupture will be less than

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L35-1

**Response to
Comment Letter L35
Rehmeier, Sharon and Ted
February 3, 2014**

L35-1 The County acknowledges receipt of a letter with attachments from Sharon and Ted Rehmeier dated February 3, 2014. The commenters' concerns in this section are related to Hazards and Hazardous Materials, which have been discussed in Section 5.7 of the DEIR.

With regard to buildings on or near the Whittier Fault Zone, the potential bridge structure across Blue Mud Canyon is not considered "habitable." However, the bridge will be designed and constructed to be in strict and ongoing compliance with state and local building codes for projects within fire and earthquake zones. As noted on page 5-214 of the DEIR, based on its overall length, proximity to Los Angeles and Orange counties and recognition that earthquakes transfer seismic strain directly toward nearby metropolitan areas, the Whittier Fault represents one of the most prominent actively seismic hazards within southern California. A high magnitude earthquake at the Project site cannot be prevented or mitigated, but stringent code enforcement has the potential to reduce impacts. It is important to note that the potential exposure of the Proposed Project to strong ground shaking caused by seismic events is no greater than the exposure of existing homes. However, compliance with the mitigation measures, as well as with the California Building Code, will reduce structural damage and, most importantly, loss of life.

With regard to preventing harm to people in existing neighborhoods, commenter is referred to Topical Response 2 - Evacuation Plan, which describes the plan designed by the Orange County Sheriff's Department for evacuation.

The oil wells adjacent to existing development on the Project site are subject to regulation and oversight by the California Department of Conservation, Oil, Gas and Geothermal Resources and are operated independently of the Proposed Project. The commenter is referred to Section 5.2 – Air Quality in the DEIR. Off-site wells using the fracking method of extraction were not considered in the DEIR since they would have no impact on the Proposed Project.

significant.” But the **installation of a prefabricated bridge structure spanning Blue Mud Canyon under Option 1** (with egress/ingress on Stonehaven) **is proposed over the faultline.** What happens to that bridge and/or the cars **and people** on it, when the next big quake of 4.9-5.9 or above occurs on the Whittier Fault?

QUESTIONS: How close is “too close” to construct lots and houses near a fault line, given the 2002 lawsuit against the City of Yorba Linda regarding earthquake ruptures and damages to homes damaged or destroyed because of callous tactics on the parts of a developer, the City, and a hired geologist who took part in appears to be a deal for dollars type of scam? How can mitigation be formulated to **prevent harm to people** living in existing neighborhoods who will need to evacuate when the next Wildfire strikes, as well as the potential buyers of the Project’s “shelter in place” houses constructed in this documented **HIGH RISK SEVERE HAZARD WILDFIRE ZONE**, with a known **MAJOR ACTIVE EARTHQUAKE FAULT** running through it , plus three known **ACTIVE OIL PRODUCTION WELLS** and abandoned and inactive wells, each with a possible potential for hidden **Greenhouse Gases** once grading begins, and what about known **FRACKING SITES** near the Yorba Linda project? **How does Fracking affect the Whittier Fault line?** Does it impact the Project by its proximity to the EH and CV Projects—one in San Antonio Park, off San Antonio Rd., and the other on Dorinda Rd.? Finally there are concerns over the **AIR QUALITY**, plus **GREENHOUSE GASES** and other carcinogens, as more than **15-16 MILLION CUBIC AREAS OF DIRT** are moved around to form the wedding cake tiers of Esperanza Hills, not to mention its neighboring CV Project, **over the next 8 years or more.** Can all the dirt movement truly be controlled so the production dust, dirt particles, and debris for people to breathe, the layers of dust covering their homes, vehicles, and sifting into every nook and cranny of their neighborhood homes through windows, doors and vents be prevented and mitigated? What about the impact of all this earth moving and the resultant dust, dirt, and debris to the “sensitive receptors” in existing neighborhoods and for the potential new buyers in the Project? Who bares the cost for correcting any issues associated with these problems, from repairing earthquake damaged homes to paying for emergency care, doctor costs, hospital bills and/or funeral costs for air quality issues and for people injured or hurt during emergency wildfire or earthquake events? Who pays for insurance for these potential home buyers when those in existing neighborhoods face possible homeowner policy cancellation or are unable to secure insurance in the first place because of the high risk factors including High Wildfire Risk and High Earthquake Risk associated with this Project’s location within a series of health factors thrown in?

(CH 2 page 14) states:

“Short-term construction and long-term operation impacts from greenhouse gas emissions will be significant.... Greenhouse gas emissions will remain significant and unavoidable.” That is a MAJOR concern to all of us as residents adjacent to this proposed Project, and should be a concern to future buyers, if OC Planning adopts this project. **Greenhouse Gas cannot be mitigated.**

(CH 2 page 20) states: “The Proposed Project is consistent with the Orange County General Plan which allows areas designated as Open Space to be redesignated to residential to meet the County’s housing needs. The Proposed Project is consistent with the Sphere of Influence Guidelines and the City of Yorba Linda General Plan.” To be honest, I’m not certain this is true.

L35-1
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L35-2

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L35-4

- L35-2 Section 5.2 - Air Quality analyzed impacts from construction related to sensitive receptors. Page 4-25, Subsection 4.6, Construction Schedule, states that grading will occur over two phases. Phase 1 will last six to ten months and Phase 2 will last six to eight months. The health risk assessment discussed in Section 5.2, beginning on page 5-82, details the impacts to sensitive receptors would be below the ten in one million significance threshold for risk.
- Costs related to insurance and earthquake damage for the surrounding area are outside the scope of environmental review. Existing residences have been located within the fire and earthquake zones for many years, and the Proposed Project will not have an impact in that regard.
- L35-3 Contrary to the commenters' statement, GHG can be mitigated, and Section 5.6 - Greenhouse Gas Emissions includes mitigation measures to reduce impacts. Project impacts were analyzed using the SCAQMD working-group-recommended thresholds for residential and mixed use projects. However, in the absence of a County-approved Climate Action Plan or adopted significance thresholds by the SCAQMD, any contribution to GHG is likely significant.
- L35-4 The commenters are referred to the County General Plan consistency matrix and the City of Yorba Linda General Plan consistency matrix included in Section 5.9 - Land Use and Planning.

However, given the fact that there was no extension granted for turning in our comments beyond today for this Draft EIR for EH, I do not have the time or means with which to challenge this at this time, but I do intend to review it in the weeks ahead.

(CH 2 page 21)

Noise: Long term operational impacts due to increased traffic are significant and unavoidable. Traffic noise levels exceed the perceptible +3 dB CNEL threshold, notwithstanding that County noise levels of 65 dB CNEL will not be exceeded and are, therefore, considered significant. **No mitigation is offered.** This is a serious concern as a long time resident and homeowner adjacent to this project. What can be done?

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L35-5

OTHER MAJOR CONCERNS:

1. ALL PROJECTS IN THIS OC HILLSIDE AREA NEED TO BE ANALYZED AND CONSIDERED TOGETHER AS ONE UNIT FOR PLANNING PURPOSES by OC Planners and the City of Yorba Linda Planners as well, since this falls within the City's sphere of influence.

The Esperanza Hills Project (EIR No. 616), the Cielo Vista Project (EIR No. 615) , and any potential future developments--including Bridal Hills, Yorba Linda Trust, and others on this Orange County Hillside need to be considered as one unit for planning purposes by both OC County and the City of Yorba Linda since the individual projects share the same general geological location, the same planning issues, cumulative impacts, air quality, public services, public safety issues, and more.

L35-6

2. The EH DEIR fails to note the significant IMPACT ON PUBLIC HEALTH & SAFETY on current Residents, as well as potential future residents choosing to purchase in EH, if the Project is approved, because of the location in a HIGH RISK SEVERE WILDFIRE HAZARD ZONE adjacent to Chino Hills State Park.

(See Attachment A: "A 100 Year History of Wildfires Near Chino Hills State Park.")

- There is no attempt to explain in the EH DEIR the actual impact to people who might buy these Esperanza Hills "shelter in place" houses. To build "shelter in place" houses made of "non combustible materials" in this **HIGH RISK SEVERE WILDFIRE HAZARD ZONE**, even with plans to landscape Blue Mud Canyon, won't fully mitigate or eliminate wildfires in this historically documented HIGH RISK SEVERE WILDFIRE HAZARD ZONE. There will still be vegetation and fuel to burn, and the houses too will burn, no matter what, because fires generate fires because there are combustible materials utilized within their construction. (Examples: What happens if the home's gas pipeline ruptures during an earthquake along the Whittier fault? What happens if the electrical wiring ignites an interior blaze because of an earthquake situation or an exterior power pole goes down in an earthquake, despite the latest, greatest designs for flexible poles? And during a wildfire, embers find places to land inside garages that have fuel for

L35-7

- L35-5 As noted in Section 5.10 - Noise on page 5-482, the “With Project” traffic noise levels will not exceed the County noise standard of 65 dB CNEL. However, under CEQA Guidelines, a perceptible increase in ambient noise results in an impact. Because the noise increase exceeds the threshold, which is considered perceptible, the impact is considered significant. As indicated in the DEIR, off-site mitigation measures such as walls are typically not utilized in residential areas. Refer to Topical Response 8 – Noise Impacts (beginning on page 47) for clarification regarding noise impacts under each access option.
- L35-6 The commenters state that all future developments should be considered together for purposes of analysis. The commenter is referred to Topical Response 5 – Segmentation/Piecemealing.
- L35-7 The Proposed Project has considered the fire environment within which the Proposed Project would be constructed. Because the site is considered to have a high risk of recurring wildfires, special requirements must be provided that drastically reduce a structure’s and a community’s susceptibility to wildfire ignitions. California and Orange County have developed and adopted very restrictive code requirements that include a system of fuel modification, ignition resistant construction, interior sprinklers, water availability, and emergency access, among others that provide for hardened communities. The Esperanza Hills project site is similar to many other newer communities that have been built at the wildland urban interface. These communities, including Stevenson’s Ranch in Los Angeles County, 4S Ranch in San Diego County, and Foothill Ranch and Portola Hills in Orange County, and many others throughout southern California have proven to withstand wildfire very well, to the point that fire agencies do not have to commit as many resources to these communities for structure protection as they do older, less-fire planned, more vulnerable structures and communities.

The commenters list several examples of other, non-wildfire-caused fires, such as from ruptured gas lines or downed power lines from earthquakes or interior electrical fire. The fire protection plan is a requirement geared toward protecting structures against the hazard of wildfire. Other types of fires may occur, and the code requirements take these into account. For example, any cause of a vegetation fire – whether from a downed power line, a discarded cigarette, or a catalytic converter – will have the same effect on the community. The community is designed to withstand significant wildfire. Structure fires, from smoking or other causes, are also minimized through building and electrical codes that require specific means, methods, and materials. If a fire does occur, the interior sprinklers, including attic spaces for Esperanza Hills, are designed to provide life safety, assisting occupants by providing time for them to evacuate the building. Sprinklers have proven very effective at minimizing fire spread from the room of origin, more often than not, extinguishing the fire before firefighters arrive.

The Proposed Project’s technical studies indicate that wildfire will occur in the vicinity of the project again, and probably on a recurring basis. However, absent the Proposed Project’s construction, these fires would continue to occur, and with more wildland fuel to consume that is closer to existing, more vulnerable structures, than when the project is built out. The Proposed Project will provide a significant wildland buffer, converting a large area from easily ignitable fuels to low-flammability and non-combustible materials and moving the WUI area away from existing residential development to the west of the Esperanza Hills project. The Proposed Project will slow the spread of fire and reduce fire intensity in the area and will help reduce fire impacts on neighboring communities to the west.

lawnmowers or vehicles or the embers land on paint cans, etc., and can easily ignite a fire) The people impact also extends beyond the Project into existing residential neighborhoods impacted by this proposed Project.

- The EH DEIR **fails to take into account the human factor**. Will all people “shelter in place” within their development? People don’t do what’s necessarily planned for them to do—especially in an emergency situation. There can be **NO GUARANTEE that any individual or family will choose to shelter in place** inside their house within this Project **when**---NOT “IF,” but “WHEN,” as OCFA officials point out---the next wildfire roars through this hillside.
- The EH DEIR **fails to provide any Emergency Evacuation Plan** and fails to recognize that the addition of more houses to existing neighborhoods simply will not work. We saw what happened during the **2008 Freeway Complex Fire**. **Further analysis is needed in the EH DEIR for egress/ingress issues** for this Project. **Traffic studies need to be much more extensive than those done to date** and they need to take into account the need for **realistic EMERGENCY EVACUATION PLANS** in a community that is so directly impacted by what happens in this **HIGH RISK SEVERE WILDFIRE HAZARD ZONE adjacent to Chino Hills State Park**. (See Attachment A—A 100 Year History of Wildfires Near Chino Hills State Park. It is criminal to add houses to a county Hillside that has so many major reasons for not grading and developing it because of it’s high risk factors for public health and safety!

- We lived through the **2008 Freeway Complex Fire**. **(Attachment B is our own “fire story” based on our experience on Nov. 15, 2008)** We experienced first-hand the 60 mph Santa Anas driving the embers at the rate of the winds, the noise and intense heat, the embers and debris, the eye stinging heat and soot, the flaming embers, debris, soot and ash that swept into our garage, the lung-clogging smoke and debris-filled air, the loud noises of the crackling flames as they ate through the hillside and devoured our neighbor’s home on our small cul de sac. The flames flew at the rate of the 60 mph Santa Anas on a path from Green River through Chino Hills state Park and down through the Project area (EH and CV) into Brea. (**Timed video cameras on a water tower in Hidden Hills show the entire Project area was totally burned within 37 minutes as the Santa Anas raced through.) From our four house cul de sac we witnessed first-hand the 100 ft. high flames consuming the Emeterio home across from our house on Via De La Roca, and later saw the evidence of the burned home on Via Del Corral just above our next door neighbor’s home. These were but two of the 318 damaged or destroyed homes on Nov. 15, 2008. We’ll never forget the frightening wall of flames literally eating up Tommy Emeterio’s home at 4800 Via De La Roca, swallowing 23 year old trees and shrubs in his yard, his children’s playhouse, the sounds of exploding windows, the burning drapes, the burning cars in his driveway, and our fear of probably gas explosions, not only from the broken gas pipeline at his home but from the gas tanks of his two burning cars. No firefighters were able to access our area from Yorba Linda Blvd., despite the fact that we are just a few minutes (under “normal” conditions”) from the fire station on Yorba Linda Blvd. near Arroyo Park and the Police Station. In fact, neither OCFA nor Brea Police personnel (before OCSD) were available to check on our property until Sunday, Nov. 16, 2008, 30

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The Proposed Project will not increase the risk of wildfires or earthquakes. Potential homeowners will be provided with information regarding the risks of living in a Very High Fire Hazard Zone and an Earthquake Zone as part of the disclosure requirements imposed on the developer. Redundant layering of fire protection design components has been included in the Proposed Project. Enforcement of stringent building codes in earthquake zones will also reduce potential impacts. The commenters' questions regarding gas pipeline ruptures, electrical wiring ignition, etc. are speculative and beyond the scope of the DEIR hazards analysis, as they do not relate to environmental impacts.

L35-8 The commenters incorrectly refer to the Esperanza Hills project as a "shelter in place" community. The Proposed Project is not a shelter in place community. The Proposed Project includes many of the same fire protection features as a shelter in place project, and temporarily seeking refuge when evacuation is considered unsafe will be an available option during wildfires. However, even communities designated as shelter in place will evacuate as a preferred option. Esperanza Hills will follow the "Ready, Set, Go!" program adopted by many fire agencies in California, including OCFA. The community will evacuate as early as possible when a fire ignition occurs in the vegetated open space areas to the east, especially during Red Flag Warning events when fires are more likely to escape initial containment efforts. Law enforcement and fire officials will determine when evacuation occurs and the OC Alert and EH internal alert system will aid early evacuation of the community. The only anticipated wildfire scenarios where temporarily remaining on site within ignition resistant structures would be enacted would be when a wildfire ignites close to the community during extreme fire weather or when roadways are not available or are congested and fire and law enforcement officials determine that evacuation is considered more dangerous than temporarily remaining in the site's homes. As previously noted in several comments in this Responses to Comments document, law enforcement personnel cannot force people to evacuate or to shelter in place. However, information to educate the area residents will allow an informed decision.

L35-9 The Proposed Project's Fire Protection Plan includes an analysis of wildfire evacuation and indicates that the Proposed Project will follow the "Ready, Set, Go!" model, which includes informed and ready residents, a robust educational outreach program, ongoing training, and a contingency plan if evacuation is considered less safe than temporarily seeking refuge in the projects protected structures. The Proposed Project has duly considered evacuation during wildfire and analyzed the fire environment, the type of protective features that will minimize structure damage, the type of evacuation roadways that will service the community, and enhanced fuel modification along the Proposed Project perimeter and along the primary ingress/egress route. The evacuation planning for Esperanza Hills must tie into a broader Yorba Linda community evacuation plan, but that document has not been available/completed at the time of the EIR's preparation. At the time of the 2008 Freeway Complex Fire, the neighboring communities had no evacuation plan, whether at the City, community, neighborhood, or street level.

In October 2013, the Orange County Sheriff's Department presented their plans to ease traffic issues during evacuations, and the Proposed Project's evacuation plan is consistent with that plan. The plan focuses on controlling key intersections to keep traffic moving away from the wildland urban interface areas. This is a direct response to the issues experienced during the 2008 evacuation. A key will be for cities, communities, neighborhoods, streets, and individual homeowners to adopt a "Ready, Set, Go!" program and prepare for the eventuality that they will be evacuated.

hours after the fire had done its damage and left a blackened hill and soot covered properties all over our neighborhood. Police were in place by early Sunday morning to monitor looters at many intersections along Yorba Linda Blvd. and the major streets along the fire path, but no fire personnel came to our cul de sac until Sunday night, well after the fire event had ended. Fortunately no one died, though evacuation for Tommy and his oldest son had become impossible. They remained on foot as the cars in their driveway burned up. They ran down Via Del Agua to direct the CLOGGED traffic jams at Yorba Linda Blvd., helping neighbors—in the absence of police and fire personnel—to flee the ravages of the flames. Scared residents evacuated from beyond Heatheridge at the top of Stonehaven to Via Del Agua, including all side streets, traveling three cars abreast and totally clogging Via Del Agua as the wildfire spread. The homes that burned had been nicely landscaped, many with pools and lots of greenery, but 31 homes burned within a half mile of this Esperanza Hills Project site, and the total Project area was razed. Other houses, damaged by Santa Ana wind driven embers, joined the 318 Yorba Linda homes that burned on November 15, 2008. There is no way that the fire history will change, even with the “mitigation” ideas proposed in this EH DEIR. County planners need to carefully assess this HIGH RISK WILDFIRE ZONE since their decisions will force others to live or die by their decisions.

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- **OIL PRODUCTION POLLUTION ISSUES.** In addition to being within the HIGH RISK SEVERE WILDFIRE HAZARD ZONE, this Project is impacted by **at least 3 active and several inactive and abandoned oil wells** (with pools of oil at their bases that have been witnessed by us and by several neighborhood residents who have hiked these hills over the past 28 years.) It is stated in the Esperanza Hills DEIR that **“15 to 16 million cubic yards of earth that will be moved during grading and construction”** in the next five to eight years. Even with the developer’s assurances of testing, if this Project is approved, it will be hard to imagine that there won’t be unhealthy carcinogens, Greenhouse Gases, and other toxins released, as bulldozers and other heavy duty equipment overturn and overturn vast amounts of earth and soil in this former pastoral, agricultural area with it’s oil production residue.
- The OC Supervisors and OC Planning Commission need to give serious thought before approving any project within this High Risk Severe Wildfire Hazard Zone with three strikes against Public Health and Safety: (1) The 100 Year History of Wildfires in this High Risk Severe Wildfire Hazard Zone; (2) the location in relation to proximity of the Whittier Earthquake Fault (a subset of the San Andreas Fault) running through its southerly portion of the project and on through Brush Canyon in eastern Yorba Linda, and beyond. **Active oil production** will be continued on the Project site, and it would seem that this property is a true recipe for danger and destruction, In the interest of Public Health and Safety issues, shouldn’t the requested Zone Changes from agricultural to residential for this Project be carefully weighed? **Public Health and Safety are paramount.** There are good reasons **to keep the zoning as it is and to encourage a transfer of development of property rights situation for EH and CV landowners and developers.** The question is not one of property owners and developers “rights to sell” but one of “property owners and developers rights to obtain ‘just compensation’” for their properties. With Chino Hills State Park sharing a boundary with this

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L35-12

All homeowners in the WUI areas of Yorba Linda, including those with special needs persons, animals, or other special circumstances that may require longer to evacuate, need to proactively plan for evacuations whether the Proposed Project is constructed or not. The DEIR includes emergency evacuation information in Section 5.7 based on the preparation of the Fire Protection and Emergency Evacuation Plan. In addition, Exhibit 5-66 (page 5-291) depicts the above-referenced evacuation plan provided by the Orange County Sheriff's Department. Please refer to Topical Response 1 – Fire Hazard and Topical Response 2 – Evacuation Plan.

- L35-10 The commenters have provided a personal narrative of the 2008 Freeway Complex Fire experience. The existing residences are immediately adjacent to a Very High Fire Hazard Zone. The Proposed Project will not increase the risk of wildfire occurrences, and with the implementation of a wide fuel modification zone, may provide a degree of protection for existing homes to the west. Please refer to Topical Response 1.
- L35-11 See responses to Comments L35-1 and L35-2 above related to oil wells and grading impacts, as well as potential unhealthful emissions.
- L35-12 See responses to Comments L35-1, L35-2, and L35-7 above. As noted in the DEIR, the County General Plan and the Yorba Linda General Plan considered the eventual residential development of the Project site. Because the County does not own either the Esperanza Hills or Cielo Vista properties, it does not have the legal authority to exchange the properties for land in another location, to force the property owners to exchange property between themselves, or to compel any other governmental agency to purchase the property for other purposes such as inclusion into Chino Hills State Park.

development, it would seem logical for the County Planners to facilitate a property swap so that other more suitable land areas could be developed by the EH and CV property owners and developers. That would allow the OC hillside in question to be annexed to Chino Hills State Park to provide a much needed buffer zone for the State park, to assist in preserving an area known for deer, coyotes, mountain lions, bobcats, unusual birds, including Golden Eagles and Least Bell's Vereo, a state and federally listed endangered species.

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- It is noted on 2.6, page 2-23 in Table 2-6-1 that the **"Agricultural Resources" Environmental Issue was dismissed from EH DEIR Discussion because there was "no farmland" on or near the Project Site...."** However, as an aside, we have humorous memories of a summer day back in the early 1990's when some cows got loose from a ranch near the Murdoch Property-- where the EH Project is to be located, and had exited an open gate near the site of the proposed egress/ingress of Cielo Vista onto Via Del Agua. The cows had to be rounded up in our front yard at 4795 Via De La Roca. Someone summoned the police to do this, but it was not going well for the officers until our neighbor on Stonehaven Dr., just up the street from Via Del Agua showed up. She is from Germany and grew up on a farm. Using the officer's rope, she gave an excellent demonstration to the local police who had been sent to block the cows onto our cul de sac to keep them from going down to Yorba Linda Blvd. Our neighbor slipped a noose over the head of the nearest cow, and then demonstrated to the officers how the other cows would follow it back through the unlocked enclosure onto their hillside home. She led the parade through the open gate and latched it for them. I do not know if produce was grown on the ranch, but for many years there were cows on this property.

L35-13

- We already know, based on Doug Wymore's comments at the Esperanza Hills Public Meeting on Jan. 16, 2014, at Travis Ranch School, that this project, once approved by OC Planners and Supervisors, will be "flipped" to other contractors to actually develop, construct, and carry out the Project, so the actual "look" of the potential development is not known at this time, nor are the exact components of the housing construction, only the generalities recommended in the DEIR and the exclusion of wood burning fireplaces.

L35-14

- **QUESTIONS:** Given that fact that Esperanza Hills will be sold to another Developer or Contractor, or Contractors, if the County approves this Project, **what happens if actual grading discloses more than the current Project's testing of these oil well sites and land areas now indicate? A project that requires grading of 15 to 16 million cubic yards is mind boggling. What happens during this massive earth movement** if there is a release of Methane Gas, Nitrous Oxides, other carcinogens and Greenhouse Gases for which there is no mitigation? Will a now partially graded hill be left for months, years, as dust particles blow around and affect "sensitive receptors" in the existing Yorba Linda neighborhoods until decisions on how to proceed on the damaged hillside? How to proceed with a huge and unmitigated problem exposing carcinogens and other major unhealthy elements to all living near the project will be a major questions to solve? The results of really bad decision-making in real estate development in areas that should never have been allowed to be developed exist all across the US, including California. Can we guarantee that the Cielo Vista/Esperanza Hills

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- L35-13 The commenters' narrative regarding previous animal grazing in the area is noted. This comment does not raise an environmental issue.
- L35-14 This comment does not raise an environmental issue.
- L35-15 As noted, a Phase II Environmental Site Assessment (ESA) will be required (Mitigation Measure Haz-2, page 5-334) prior to the issuance of grading permits. The ESA will identify any hazardous substances in the soils, and remediation will be required if such substances are discovered to ensure that no hazardous or potentially hazardous conditions exist either during grading and construction or in the long term. Please also see response to Comment L35-2 above.

projects won't be another such disaster and added to the list of properties that should not have been developed?

L35-15
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4. The Whittier Earthquake Fault runs through the Esperanza Hills Project (and Cielo Vista). This fault line is active and has definitely impacted the east end of Yorba Linda. (See Los Angeles Times article---**ATTACHMENT D--"FAULT LINES IN LAW LEAVE HOMES ON SHAKY GROUND"**):

<http://www.ela-iet.com/LATimesonQuake81102.htm>

This is a Los Angeles Times article by Evan Halper, Los Angeles Times Staff Writer (Aug. 11, 2002), and the article details the reasons for a lawsuit filed by some Bryant Ranch homeowners at the east end of Yorba Linda against the City. The reason: A developer, following a highly questionable practice used by some others in his profession, sought input from a well recognized geologist regarding the impact of the earthquake fault that runs through Yorba Linda (including through the middle of the Cielo Vista and Esperanza Hills Projects---(including others planned for future in the area) into the Bryant Ranch section of Yorba Linda---and beyond. When learning from the reputable geologist that the property had housing pads designed to be built over the Whittier Earthquake Fault that could become a major issue, the developer fired that geologist, and finally got another geologist who would approve his plan to construct homes over the fault anyway. The news article details the issues and the resultant homeowner lawsuit against the City of Yorba Linda for (1) permitting this, but (2) for collaborating with the developer to cover the information up so potential buyers were clueless about how this could impact them.

L35-16

QUESTIONS: Who bears financial responsibility for legal settlements arising from a developer knowingly building his development very close to a known earthquake fault in a high risk wildfire zone. Not planning to build homes directly on the Whittier faultline is commendable, but to allow them to be CLOSE (even though permissible under current but outdated State law) is just plain morally wrong, but poses serious public safety issues as outlined in the LA Times article previously referenced. Apparently, allowing egress/ingress over a bridge across the fault line is okay. WHY? What happens when the fault line ruptures and cars are demolished and people are injured? Who bears the cost when the road goes down in a 4.8-5.9 or even higher earthquake on this Whittier faultline? Or who bears the cost when a home is seriously damaged though it does not sit directly on top of the quake rupture zone? Does the Orange County Planning Commission or Board of Supervisors take responsibility so that the County pays repair costs or buys back the damaged properties, pays for the damaged bridge or property damage, or for the hospitalization or funeral costs of people injured or killed in such an event? Does the City of Yorba Linda, which will be asked to annex this project after approval of the Project and construction timelines are underway, become the agency to take over financial responsibility? What about the original developer who supplies the plans to the County? Or will it be a subsequent contractor who purchases the Project once its approved at the County level? Or will it be left to the unwary new homeowners and their own home owners insurance, if they can secure it?

Just as an aside: My husband and I are 28 year residents at our Via De La Roca address, adjacent to this Project. We know our home and its contents are currently under insured, but we risk cancellation of our existing homeowners policy if we request an appraisal for additional coverage. Why? Because we now are know by insurance agencies to reside in a HIGH RISK WILDFIRE ZONE with a known history of WILDFIRES that are not only anticipated but WILL recur In this project. (See Attachment A---"A 100 Year History of Wildfires Near Chino Hills State Park").

As more and more becomes known about the Project area---with the HIGH RISK WILDFIRE ZONE, the known Whittier Earthquake Fault---an offshoot of the San Andreas Fault---which is expected to experience a massive earthquake within the next 20 years {CBS Evening News, Wed. Evening, Jan. 15, 2014, California Institute of Technology interview with seismologists}; and the further problems of

L35-17

- L35-16 The commenters' summary of information in Attachment D is acknowledged. As noted on page 5-231 of the DEIR, extensive trenching and mapping documented the fault locations on the Project site. A seismic setback zone has been established, and no habitable structures have been included within the setback zones. All structures, including the potential bridge in Blue Mud Canyon, will be constructed in compliance with California's building regulations and standards to ensure maximum structural integrity and safety (DEIR page 5-240). CEQA does not require analysis regarding financial responsibility for damage from natural occurrences such as fire and earthquakes.

Greenhouse Gases and soils contaminants because of presently active oil wells and inactive and abandoned oil wells on and near the Project, the less desirable our own property becomes for insurance purposes. Bottom line, we are a HIGH RISK property, the same as the potential houses of this Project will become. We have been turned down two insurance agencies when we sought to purchase a new policy—not because of our own outstanding credit ratings—but because our home on Via De La Roca is located in this HIGH RISK neighborhood. We are just too close to the Whittier Earthquake fault and the High Risk Wildfire Zone that last burned in 2008. Consequently, any potential buyers of the proposed houses within the Esperanza Hills Project will now face what we as existing neighborhood residents face with regard to our own insurance issues. We cannot raise our insurance to adequately cover any potential damage or loss from earthquake or wildfires for fear our existing homeowners policy will be cancelled, and we have yet to find a company eager to insure our home on a cul de sac where two homes have burned to the ground.

Who takes responsibility for the buyers---the people that sign the contracts to purchase these houses?

- During the 5.9 Whittier Earthquake of Oct. 1, 1987, \$358 million in property damage was sustained, primarily in the older historic part of town, and in the Whittier Village where many, many office buildings, churches, stores, and residences were knocked off foundations, or were severely damaged or destroyed. Eight people died, and several hundred were injured.

(See http://earthquake.usgs.gov/earthquakes/states/events/1987_10_01.php)

This article details the US Geological Survey's comments about the Oct. 1 & 4, 1987 Earthquake which destroyed the old part of Whittier. (See Attachment E)

Who will take responsibility for the people who unwittingly purchase a new house within the Project and are then hit with a major quake along this same Whittier fault line that runs through Yorba Linda and this Project? Will the County of Orange become financially responsible for any damages sustained—particularly for bodily injury or death --- because the Supervisors and OC Planners approved these houses to be constructed in a high risk wildfire zone near an active Whittier earthquake fault? Are there any studies showing what happens to people inside a home, particularly in a bathroom or kitchen area, when a 4.8 or higher earthquake hits? What happens in the event of an earthquake rupture which breaks gas lines or burns methane gas or oil from the existing oil wells on the Project? Many gas lines ruptured in the Whittier Oct. 1, 1987 earthquake and it's major 5.9 aftershock on Oct. 4, 1987. Broken gas lines cause fires. What happens in a known High Risk Wildfire Zone? We only need to look back to the November 15, 2008 records in Yorba Linda to see.

As an FYI: I lived through horrors of the 1987 Whittier Earthquake and saw the damage it caused first hand, both on Oct. 1 and again on Oct. 4. I was a teacher at Lincoln School, in the Whittier City School District, and helped to comfort not only mine, but all the frightened children and hundreds of families from adjacent apartments that poured onto our small school playground. Our school, a 4th to 6th grade school at that time, was shut down for a year following the Whittier quake and all of the faculty and students were sent to a neighboring district's school that had been closed that year for much needed reconstruction and refurbishment. I saw the damage it did to my mother's home at 6208 Alta Ave., Whittier, where she lived for over 65 years. I saw the damage done to my students' homes, as well as the life changes that occurred to the entire City as Whittier College's Founders Hall went down, and major landmarks in Whittier City itself were wiped out within a few shaky minutes. Gas lines ruptured, and fires had to be extinguished. Walls and roofs collapsed. Our Walter F. Dexter Middle School, the supplier for various school lunches at schools within the Whittier City School District, had damaged gas pipe lines, so the middle school kitchen was closed down and couldn't be used until repaired.

L35-17
cont'd

- L35-17 Potential buyers will be provided with information regarding the area and the risks. Full disclosure in real estate transactions is a legal requirement. As noted in response to Comment L35-16 above, CEQA does not require analysis of costs related to insurance and damage repair due to naturally occurring incidents.

3. "FRACKING" maps of Orange County Area show at least two fracking sites in Yorba Linda,
both very close to the Esperanza Hills and Cielo Vista Projects

See: MAPS ATTACHED: (MAP C-1 AND MAP C-2)

<http://baldwinhillsoilwatch.org/action-center/sc-aqmd-rule-1148-2-maps/>

L35-18

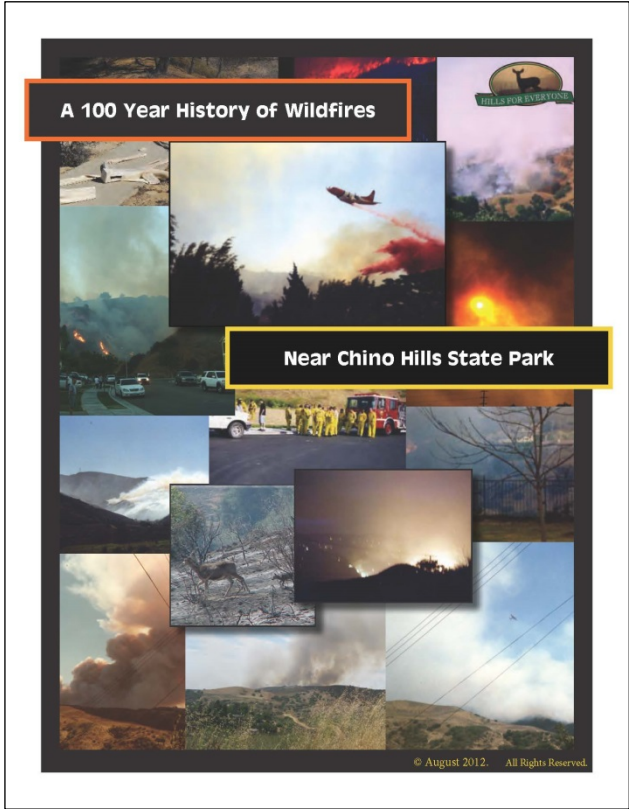
Map C-1 shows several Fracking Sites in Los Angeles and Orange County, including the City of Yorba Linda.

Map C-2 shows two Yorba Linda Fracking sites near the Esperanza Hills/Cielo Vista Projects. **One fracking site is just off San Antonio Rd., in San Antonio Park, and another one is between Dorinda Rd. and San Antonio Rd.**

Our Via De La Roca neighborhood has felt "minor earthquakes" recently, and we have heard unusual house rattles. **QUESTIONS:** Is the shaking and rattling caused by Fracking activities? Does the use of hydraulic fracking or acid fracking cause earthquakes to happen since this is near the Whittier fault? Does fracking impact the release of greenhouse gases, including methane? How will the Fracking activity affect neighborhood residents, as well as any potential Project residents?

There are many reasons this Esperanza Hills Project, as well as its sister project, Cielo Vista, should not be approved, but FIRST AND FOREMOST is the issue of Public Health and Safety, from Air Quality Issues to the dangerous issues of Greenhouse Gases, and the historically repetitive Natural Disasters of Earthquakes and Wildfires in this project area.

- L35-18 The existing wells on-site have been in place for several years. The wells that have been abandoned will be required to comply with California Department of Conservation standards for closure of wells. Operation of active wells will continue as they currently do (i.e., fracking is not currently employed to extract oil deposits under the property). Changes in operation, such as the use of fracking, would be subject to Department of Conservation regulatory compliance. Possible fracking occurring in wells that are not on the Project site is required to comply with California Department of Conservation standards, but these wells are not included as part of the Proposed Project. Analysis of fracking is, therefore, not included in the DEIR and commenter is referred to the Department of Conservation for further information in that regard.



ABSTRACT

After witnessing the devastation of the Freeway Complex Fire, the regional conservation non-profit Hills For Everyone undertook a study of fires in the region. Though fires are a natural part of the ecosystem, there is nothing natural about the size and frequency of the fires destroying our wildlands year after year. Data, mainly from fire agencies, the California Department of Parks and Recreation, and newspapers, have provided details on fire perimeters, points of origin, and fire causes. This paper is the culmination of research that documents a near 100-year fire history (1914-2011) in and around Chino Hills State Park. This paper articulates the problem months, weather conditions, and "hot spots" of fire ignition. Recommendations are included for residents, jurisdictions, and fire, transportation, and natural resource agencies to implement that would reduce the number of fires to a more natural fire regime. We will continue to work with fire and natural resource agencies to bring the necessary resources to this area.



INTRODUCTION

Fires are a natural part of the ecosystem. Many factors influence the natural fire regime: weather conditions, vegetation (fuel) types, vegetation moisture, and plant distribution, etc. The natural fire regime, however, has been drastically altered by humans who have caused many more fires than would have occurred naturally. "New" factors influencing this increased fire regime include the introduction and proliferation of flammable non-native vegetation (e.g., palm trees, pampas grass, *Arundo donax*, exotic annual grasslands, etc.), increased Wildland-Urban Interface (WUI), and roadways to name a few.

An article on global warming on the website of the State of California's Attorney General cites higher temperatures and decreased moisture in the vegetation will result in increased fires.¹ In fact, statistics show that the western United States now has a longer fire season (starting earlier and ending later) that is more intense than in previous decades.² A nearby example of a California landscape modified by wildfires is Chino Hills State Park in Southern California, where the dominant coastal sage scrub and chaparral vegetation is converting to highly flammable non-native annual grasses.³

In 2003 Southern California experienced 13 major wildland fires that swept through the region at an alarming rate.⁴ The Cedar Fire (San Diego) was called the state's most devastating as it burned down entire communities, including historic buildings in Cuyamaca, and killed 15 people.⁵ In 2007 the Santiago Fire (Orange County) burned 28,517 acres in the foothills of the Santa Ana Mountains, which damaged or destroyed 22 homes.⁶ Just a year later in 2008, two fires ignited at opposite ends of the hills and merged to create the Freeway Complex Fire which burned down 187 homes, damaged another 131 homes and other structures, burned 95% of Chino Hills State Park, and scorched a four-county region.⁷

Type conversion as seen after one fire.

¹ Department of Justice, "Global Warming Impacts in California." Retrieved 28 Dec 2011 from the California Attorney General's website: <http://www.ag.ca.gov/globalwarmingimpacts.php>

² Ibid.

³ Eng, Alissa. Environmental Scientist, Department of Parks and Recreation. Personal communication approximately June 2010.

⁴ CNN, "California Wildfires Burn Through 600,000 Acres" Retrieved 28 Dec 2011 from the CNN website: <http://articles.cnn.com/2003/10/28/california.wildfires.1.blossom.ourense.and.gilbert.dudgale.03/10/28/103>

⁵ Ibid.

⁶ Orange County Fire Authority. *After Action Report: Santiago Fire*. Retrieved 3 Aug 2012, from the OCFA website: <http://www.ocfa.org/afteractionreport/2007-2008.pdf>

⁷ Fire Department Network News, "Orange County Fire Authority Declares Full Containment Today of Triangle Complex Fire" Retrieved 3 Aug 2012 from the Fire Department Network News website: http://www.firedept.com/news.asp?Q=articleID_F_4468_A_106_F_Orange_County_Fire_Authority_Declares_Full_Containment_Today_of_Triangle_Complex_Fire

A 100 Year History of Wildfires Near Chino Hills State Park

After completing a lengthy review of the fires throughout the Chino Hills area, it is now known that the State Park and neighboring hillsides have experienced more than 100 fires in just as many years, though most of the fires have occurred since 1977. As a result of this information, conservation advocates are working with fire, transportation, and natural resource agencies to protect the landscape from continued wildfire assaults. Together through protective mitigation measures that can reduce the fire frequency toward a more natural fire regime, this approach will protect life and property, and ensure our human and natural communities are safer.

Chino Hills State Park — The Setting

The State Park sits at the juncture of four of Southern California's most urbanized counties: Los Angeles, Orange, Riverside, and San Bernardino. The Park has been assembled through more than 30 different acquisitions to grow to more than 14,100 acres. The Park's first acquisition was in 1981 and even 30 years later the Park continues to expand. Chino Hills State Park was secured to protect its many rare natural resources. Its gently rolling hills are covered in grasslands and dotted with oak and walnut trees. In the steep canyons of the interior, sycamore-lined streams and walnut woodlands abound.

Figure 1. Chino Hills State Park is located at the juncture of four Southern California counties.

A 100 Year History of Wildfires Near Chino Hills State Park

In 1771 the area was used for extensive grazing operations and by the early 1870s individuals began purchasing the land and using it for sheep and cattle ranching.⁸ This grazing damaged the native plants and allowed opportunistic non-natives to spread. Now that the land is protected as a State Park, the grazing has been stopped and habitat restoration is underway.

The Park protects five main plant communities: southern oak woodland (11%), native and non-native grasslands (70%), coastal sage scrub (13%), mixed chaparral (5%), and cottonwood riparian woodland and riparian zones (1%).⁹ In fact, the Park "supports 14 different vegetation series defined in the California Native Plant Society's classification,"¹⁰ and 10 are considered unique or significant in Southern California because of their importance as habitat and because they are rapidly disappearing due to development.¹¹ The State Park contains some of the best remaining stands of walnut woodlands in Southern California. Similarly, the northern most stand of the rare tateo cypress tree is found in Coal Canyon in the State Park and neighboring Ecological Reserve.

⁸ Department of Parks and Recreation. *Chino Hills State Park General Plan*. February 1999.

⁹ Department of Parks and Recreation. *Chino Hills State Park General Plan*. August 1986. p. 21.

¹⁰ Department of Parks and Recreation. *Chino Hills State Park General Plan*. (1999). p. 21.

¹¹ *Ibid*.

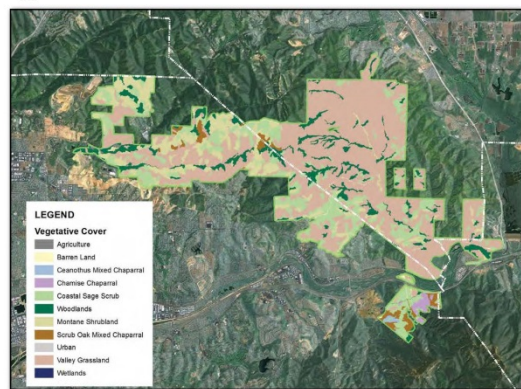


Figure 1. Chino Hills State Park's vegetative cover provided by USDA Forest Service (BYIG Data) from 2002-2003.

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A 100 Year History of Wildfires Near Chino Hills State Park



A wide variety of wildlife depend on the vegetative cover. Deer, bobcats, foxes, coyotes, raccoons, and the occasional mountain lion live in the hills. Falcons, hawks, owls, songbirds, and even golden eagles are protected in the Park. Several endangered birds are making a comeback as well.

Bicyclists, hikers, equestrians, photographers, campers, and other park enthusiasts frequent this natural area.



Hills For Everyone (HFE), a regional non-profit conservation organization, founded Chino Hills State Park in the early 1980s and has been working over the last 30 years to connect and protect this anchor parcel with protected lands in the Puente-Chino Hills Wildlife Corridor. Due to the work of HFE and State Parks, along with many other non-profits, agencies, and jurisdictions, a permanent connection at Coal Canyon was secured in 2001. Coal Canyon links the Trabuco District of the Cleveland National Forest in the Santa Ana Mountains with Chino Hills State Park and the greater Puente-Chino Hills ecosystem. This linkage provides

a critical connection that allows wildlife to move freely between the Santa Ana Mountains and the Puente-Chino Hills. It also provides a source to repopulate natural areas should a catastrophic event, like a fire or disease outbreak, occur.

THE STUDY

After three decades of witnessing fires race through the hills and, in the aftermath of the 2008 Freeway Complex Fire which devastated the State Park, HFE launched a study to try to understand why so many fires burned in or adjacent to the State Park and to see if any actions could be taken to reduce the number of fires, resulting in the protection of both houses and natural resources. The study has resulted in the digital history of more than 100 fires that have burned between 1914 and 2011.

The Study Area includes lands generally bounded on the west by the 57 Freeway, Grand Avenue to the north, the 71 Freeway to the east, and the 91 Freeway to the south. The region studied includes all of Chino Hills State Park, but due to the proximity of other protected natural lands, portions of the northern section of the Cleveland National Forest's Trabuco District, the northern portion of the Irvine Ranch Lands (OC Parks), and the Prado Wetlands were also reviewed. Numerous private ownerships in Orange, Riverside, San Bernardino, and Los Angeles Counties that abut these protected lands were also included due to proximity.



A 100 Year History of Wildfires Near Chino Hills State Park

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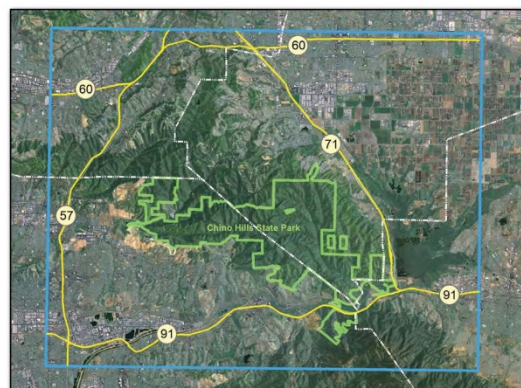


Figure 3. The Study Area, shown in blue, includes Chino Hills State Park and surrounding hillside.

HFE had three main objectives in carrying out this study:

1. Using the data available document the fire perimeters, points of origin, causes, and weather conditions for each fire that burned in, adjacent to, or near Chino Hills State Park;
2. Analyze the results of the research and determine any fire-prone areas that needed particular attention; and
3. Provide general recommendations for residents and agencies to reduce the number of fires and impacts associated with wildland fires, and concurrently protect homes, people, and parkland from unnaturally frequent fires.

There are important terms used throughout this study and their meaning is useful to understand:

Cause: The confirmed or unconfirmed source of the wildland fire's ignition.

Fire Perimeter: The farthest geographical extent, also known as the outer boundary, of a fire. Note: Not all areas within the perimeter necessarily burned.

Fire Frequency: The number of times a specific geographic region has burned. This is similar to how population density is displayed, the darker the color the more frequent the area has burned.

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A 100 Year History of Wildfires Near Chino Hills State Park



Natural Fire Regime: The general classification of the role fire would play in the natural environment in the absence of modern human intervention.

Point of Origin: The approximate or exact location where the wildland fire ignited within the Study Area.

Study Area: Chino Hills State Park and environs.

Wildland-Urban Interface (WUI): The boundary between developed regions and the natural wildland areas.



Information Sources and GIS Analysis

HFE secured the shapefiles (digital data sets) of fire perimeters and points of origin from the California Department of Forestry and Fire Protection (CalFire), the Orange County Fire Authority (OCFA), and Chino Valley Independent Fire District (CVFD). Where appropriate, newspaper articles/maps, State Park Wildland Fire Reports, and personal accounts were used to digitally create a fire perimeter and/or point of origin. HFE used the ArcMap 10.1, a geographic information system (GIS) program, to assimilate the fire data. To enable wide distribution, the files were exported from ArcMap for use in Google Earth.

Through this research, HFE was able to piece together a digital dataset that outlines where known fires burned and where, and in some cases why, the fires started. Unfortunately, not all fires that burned in the Study Area were formally documented or no details about the perimeter or point of origin were complete enough to include in the study. Consequently, there are actually many additional fires that were not included in the study due to lack of adequate data. Historic record keeping for wildland fires wasn't as complete as it is now.



A 100 Year History of Wildfires Near Chino Hills State Park

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Fire Regime

HFE analyzed the fire regime (both natural and human-caused) of all documented fires that burned in, adjacent to, or had the potential to burn into Chino Hills State Park from 1914 – 2011. It seems in that 97 year history only two fires occurred naturally due to lightning strikes. This means the natural fire regime was one fire every 50 years. The balance of the fires (101) was caused by humans, either intentionally or unintentionally.

Fire Perimeters

HFE accumulated 71 separate fire perimeters in this study with 37 of those fires having known points of origin. The smallest fire is less than one acre, while the largest is over 41,000 acres.

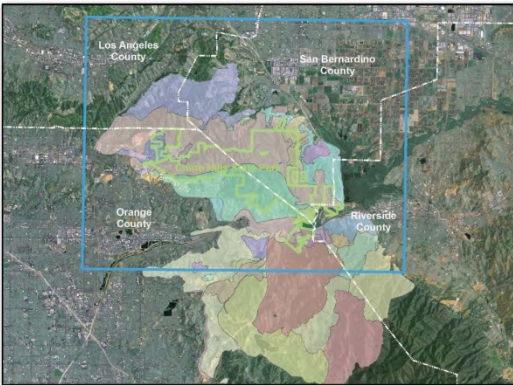


Figure 4. The Study Area included 71 fire perimeters between 1914 – 2011.



The three largest fires from the study include:

- Green River Fire - 41,285 acres
November 1948
- Paseo Grande Fire - 39,872 acres
October 1967
- Freeway Complex Fire - 30,306 acres
November 2008

The first acquisition of parkland occurred in 1981 and since that date there has been increased pressure from residential development and road creation or expansions that have increased access to the undeveloped hills and the Park. It appears that the added housing developments at the WUI surrounding the Park have increased threefold the number of fires burning the Park. There were 26 fires between 1914-1980 and 76 fires between 1981-2011.

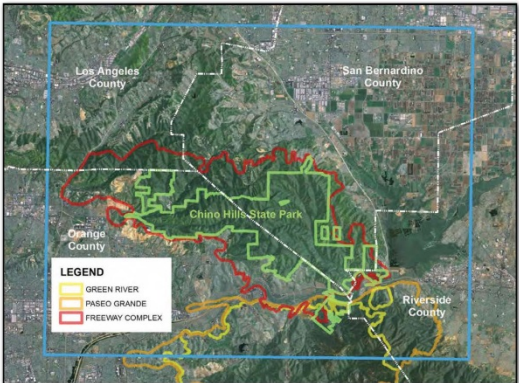


Figure 5. The Study Area's three largest fires included the Green River, Paseo Grande, and Freeway Complex Fires.



Fire Points of Origin

HFE documented 70 separate fire points of origin in this study, with 37 of the fires having known perimeters. The smallest fires are less than one acre in size, while the largest with a known point of origin is over 38,000 acres.



Figure 6. The Study Area included 70 points of origin between 1914 – 2011, with some known causes and some unknown.



The points of origin data indicate fires started due to a variety of causes. They are broken down as follows:

Table 1. Fire causes, quantities, and total acreage burned.

Cause	Number of Fires	Total Acreage Burned
Unknown	20	83,405*
Arson	9	9,349*
Power lines	7	53,048
Automobile	7	30,352*
Fireworks	5	10,316
Plane Crashes	5	829*
Machinery	4	393
Fire Agency**	2	14,150
Lightning	2	734
Total:	70	202,599*

* indicates some acreages are unknown and therefore the number is actually higher than shown.
** indicates a re-ignited prescribed burn.

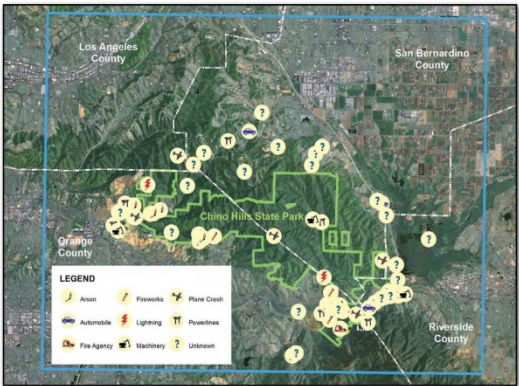


Figure 7. The fire causes have been broken down into different categories with arson, power lines, and automobiles as the three main causes.



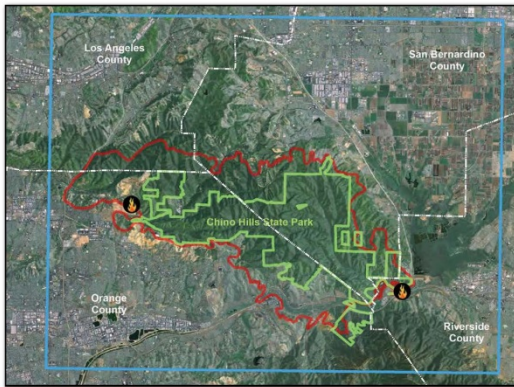


Figure 9. The red outline indicates the fire perimeter for the Corona Fire of 2006 with its two points of origin.

The Initial Timeline

The Corona Fire was reported at 9:01 AM. The first Orange County strike team arrived at 9:23 AM, and the first air assaults began at 10:10 AM. By 10:20 AM, OCEA reported the fire would reach the City of Yorba Linda within 30 minutes. The first 911 call to report the Brea fire arrived at 10:43 AM.¹⁹ A personal account from a 911 caller revealed the dispatcher dismissed the notion that a new fire had started in Brea, stating the smoke the caller was seeing was from the Corona blaze. The caller relayed that flames could be seen from Carbon Canyon Road (in Brea), which is no where near the Corona blaze.



¹⁹ Ibid.

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Firefighting crews arrived on scene for the Olinda Landfill Fire by 10:55 AM.²⁰ The presence of this second fire, which immediately threatened homes, shifted the firefighting strategy. By 10:58 AM Yorba Linda's first home had already been destroyed.²¹

Yorba Linda on Fire

With many residents at home on a Saturday morning, they were witness to the quick moving Corona Fire. Residents began self evacuating and quickly clogged traffic on the major thoroughfares. Evacuees streamed down from the higher elevations making it harder for those closest to the thoroughfares to enter the traffic flow. The flood of cars brought the main east-west traffic corridors of Imperial Highway and Yorba Linda Boulevard to a standstill. In addition, due to the Corona fire, traffic was stopped on the other east-west corridor, the 91 Freeway. Fire trucks struggled to get to the fire as residents struggled to leave from the oncoming flames.²²

*"The fire moved through residential neighborhoods from Brush Canyon to the San Antonio neighborhood—a 5.5 mile span in less than five hours."
—OCEA After Action Report, p. 36*



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."²³ 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.

A Predictable Disaster

This disaster was predictable since large fires on Santa Ana Wind days on east-west trending terrain have occurred over and over again. Land use decisions in the City of Yorba Linda may have contributed to placing residents, their homes, and businesses at risk. In late 2002 the City of Yorba Linda approved the Shapell project which allowed a threefold increase over the General Plan density.²⁴ It is uncertain whether mitigations for traffic impacts on major thoroughfares, in times of emergency, were adequate.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ The Weather Channel (Producer). *Weathering Disaster: "Yorba Linda Fire"* (Episode). (24 Sep 2011). Yorba Linda, CA: The Weather Channel.

²⁴ Los Angeles Times, "Yorba Linda Seeks to Reconsider Development Veto" 5 Dec 2002. Retrieved 2 Aug 2012 from the Los Angeles Times website: <http://articles.latimes.com/2002/dec/05/local/la-me-05yolinda-jan1>



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17



The Freeway Complex Fire burned down 187 homes, damaged another 131 homes and other structures²⁵ and burned 95% of Chino Hills State Park. According to the OCEA After Action Report: The Freeway Complex Fire burned "30,305 acres of watershed ... across six cities and four counties. [Fire] suppression costs exceeded \$16.1 million, and property loss has been estimated at nearly \$150 million."²⁶

Lessons Learned

If there are lessons to be learned, it seems there are opportunities for jurisdictions to revisit how their communities grow and where the most appropriate place for housing developments should be located. Cities and homeowners' associations must maintain defensible space at the WUI, buffering the homes from the edge of the WUI. When cities increase the density of a housing development but do not adequately increase the road capacity on arterials, evacuations during a fire storm are difficult, dangerous, and potentially disastrous.

Even with more stringent building codes and relatively new houses, hundreds of homes were lost or damaged. According to Kris Concepcion of OCEA, "embers were getting into the attics of homes."²⁷ It seems there is still work to be done to harden homes from both flame fronts and ember storms. Most importantly, fleeing residents need to be able to evacuate safely.



²⁵ Fire Department Network News, "Orange County Fire Authority Declares Full Containment Today of Triangle Complex Fire"

²⁶ Orange County Fire Authority, *Freeway Complex Fire—After Action Report* p. 28.

²⁷ The Weather Channel, *Weathering Disaster: "Yorba Linda Fire"* (Episode).

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Freeway Complex Fire Photos (11/08)



19 A 100 Year History of Wildfires Near Chino Hills State Park

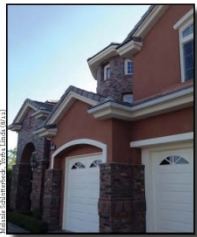
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RECOMMENDATIONS

The data demonstrate that there are three "hotspots" in the Study Area that show a propensity to burn: Santa Ana Canyon, Carbon Canyon, and Rim Crest. With that in mind HFE developed several suggestions for possible adoption by transportation and fire agencies, State Parks, cities, and homeowners. We recognize that these recommendations require appropriate staffing and reliable funding. HFE is willing to help develop the political will and partner on implementing these recommendations.

General Recommendations

- Enforcement of fire rules and regulations is essential if fires in this region are to be reduced. Develop an effective and funded mechanism for fining violators to improve safety.
- OCEA and citizens of Yorba Linda should organize and work together to increase fire safety as the neighboring Carbon Canyon Fire Safe Council has done.
- Communities around the hills should create volunteer Fire Watch programs that patrol streets on high wind days, like the Santiago Canyon area residents have implemented.
- Individual residents should take personal responsibility to improve the fire safety of their own homes.
- Jurisdictions should require the highest standard and state-of-the-art construction for fire prevention (e.g., installing passive closure attic vents, which close without human intervention).
- When planning for future development at the WUI, developers and lead agencies should involve fire agencies at the earliest planning stages.



Santa Ana Canyon Recommendations

- Harden the edges of the 91 Freeway that abut natural lands using K-rails or similar structures.
- Incorporate and enforce an appropriately frequent maintenance program for the power lines owned or operated by Edison and any other utility providers.
- The steep terrain and the wind tunnel effect of this east-west trending canyon heighten the threat of fire in this location. It seems prudent to add a new fire station at either Green River or Gypsum Canyon to improve response time to Santa Ana Canyon fires especially given that the 91 Freeway is often congested which reduces response time.
- Continue to increase fire patrols or fire agency presence on high wind/high heat/low humidity days on the 91 Freeway and neighboring streets/communities.
- Include Caltrans-type flashing signage on high fire hazard days alerting commuters to be cautious and report suspicious behavior.
- Improve safety by enforcing violations caused by agencies, contractors, and businesses that work along the Santa Ana Canyon. For example, agencies should require spotters and water trucks when working in or next to natural lands.

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Carbon Canyon Recommendations

- Caltrans should continue to improve consistency on fuel clearance in a more timely fashion along Carbon Canyon Road (Highway 142). Spraying of the plants in the Caltrans right-of-way should occur early in the growing season, when the plants are small making handcrew removal easier and more economical.
- Consider reducing the participation for fire agency mutual aid for cities with a WUI and a history of fires. For example, the fire agencies serving Brea, Yorba Linda, and Chino Hills should be "at the bottom of the list" for sending mutual aid to other areas on high fire hazard days since they may have their own fire to respond to. Requests for mutual aid should first be made to more urbanized communities with no WUIs.
- Continue to increase fire agency presence and patrols during high wind/high heat/low humidity days.

Rim Crest Recommendations

- Include a door-to-door homeowner education program before fire season begins each year.
- Incorporate proactive steps by OCEA and the City of Yorba Linda for retrofitting homes with hardening techniques e.g., boxed eaves, automatic attic vent closures, roofs cleared of leaf debris, no ladder fuels near the house, etc.
- Remove non-native highly flammable vegetation (such as palm trees and pampas grass).
- Give fire risk the highest consideration in approving housing projects on the WUI.
- Continue fire agency presence and patrols during high wind/high heat/low humidity days.
- Require new developments to use native, fire resistance landscape to reduce ignition at the WUI and incorporate defensible space within the development.

CONCLUSION

This study shows that Chino Hills State Park and environs have endured significantly more fires, 101 to be exact, than would have naturally occurred by lightning strikes (2). Instead of a fire burning every 50 years in the natural fire regime, humans have increased the ratio essentially to a fire a year. HFE recognizes that a sample size of two fires is not enough to draw firm conclusions. However, our local examples of natural fires indicate fewer acres burn (367 acres) on average than fires ignited by humans or human error (2,494 acres). Natural fires tend to ignite on ridge tops with a lightning strike. The fire then generally spreads downhill and does so more slowly allowing firefighters more time to attack the blaze. Human-caused fires tend to start at a canyon bottom, where roads usually are, and race uphill.

As communities arose and developments were built, opportunities for fires to ignite at the WUI increased. It is clear from this research that humans have changed the natural fire regime—both intentionally and unintentionally. Some of the causes, like machinery hitting a rock igniting dry brush could be prevented. Risk could be reduced with the incorporation of fire spotters, restrictions on work during certain weather conditions, and the presence of water trucks. Other fires ignited by power lines seem to indicate the region would benefit from an improved maintenance schedule before the fire season begins.



A 100 Year History of Wildfires Near Chino Hills State Park



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It is clear there are many more fires occurring here than would have occurred naturally and there are many consequences to having a fire a year burn in the region. First, there is an increased risk of loss of life, property, and natural resources, which all translate to a huge economic loss, not to mention personal losses, for a region each time it burns. Second, increased fires mean a shift in the type and location of vegetation that normally could have recovered in a natural fire regime. When burned too frequently the native vegetation does not have enough time, and in some cases stored energy, to regenerate or become mature enough to produce seeds. This stress on the native vegetation allows non-native plants to dominate the landscape. Finally, given the \$150+ million investment made by private and public agencies in protecting and restoring the hills, it challenges the sensibilities to think of the State Park merely as fuel load. In the short-term, reducing the fuel load exacerbates the long-term problem of type conversion to highly flammable non-native fuels, which generally dry earlier, ignite easier, and spread fire faster than native plants. It was reported during the Freeway Complex Fire (2008) that the non-native 30 foot tall water-loving *Arundo donax* spread the flames up Carbon Canyon Creek toward the community of Sleepy Hollow. Riparian corridors are natural buffers to flames, but not when they are choked by non-native, highly flammable plants.

The responsibility for protection of the community from wildland fires lies first with the developer during the planning phase of the development. Governmental jurisdictions also share in this responsibility because decision makers have the power to approve or deny inappropriate developments at the WUI. Finally, private homeowners have the responsibility to learn the vulnerabilities of their home and take proactive steps to remedy them where possible. Additionally, the city and homeowners' associations must ensure proper maintenance of the defensible space within the community.

To reduce the unnatural frequency of fires to a more natural pace: education, outreach, planning, and a shift in approach is needed. HFE is committed to working with planners, natural resource, transportation, and fire agencies to reduce the fire frequency to a more natural fire regime in the Study Area.

Suggestions for Further Study

Due to capacity and time limitations, HFE was only able to report on the wildland fires (perimeters and points of origin), however HFE believes there are additional areas of study that would benefit fire prevention, resource protection, and planning efforts at the WUI. These include:

- An analysis of the effect of repeated wildfires on wildlife habitat and its effect on wildlife
- A historical analysis documenting the loss of valuable vegetation types and type conversion
- The effects wildfires have on wildlife movement, foraging, reproduction, and survival
- Whether enforcement measures for fire prevention are adequate
- The expansion of the WUI and its impacts on the Park

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ACKNOWLEDGEMENTS

About the Authors

Claire and Melanie Schlotterbeck are conservation advocates specializing in the Puente-Chino Hills Wildlife Corridor. This mother-daughter team both work as long time consultants to HFE. Melanie is a technical consultant and works on GIS mapping, land acquisition, research projects, and outreach efforts. More recently, her efforts have resulted in acquisition and restoration projects that benefit the State Park. She earned her bachelor's degree in Environmental Geography and her Master of Science in Environmental Science from Cal State Fullerton. Claire Schlotterbeck is the Executive Director of HFE and has been involved in preservation of the Puente-Chino Hills for over three decades. She played a key role in the formation of the 14,100-acre Chino Hills State Park. Claire earned her bachelor's degree in Political Science from UCLA and a Master of Science from Purdue University.

HFE also gratefully recognizes the contributions of:

- CalFire, Orange County Fire Authority, and Chino Valley Independent Fire District for providing digital data for analysis and inclusion in this study.
- Chino Hills State Park staff, Ron Krueper, Kelly Elliott, Ken Kietzer and Alissa Ing, for providing important reports, expertise, critiques, and personal accounts that led to a more complete study.
- Scott Carpenter of the National Weather Service for assisting HFE accumulate weather statistics on the wildland fires.
- GreenInfo Network for providing the initial mapping for this project.
- Dan Nowe for his expertise in converting the GIS data to Google Earth and refinement of the maps for this project.
- Carbon Canyon Fire Safe Council, for its support of this project and efforts to educate canyon residents through its outreach and annual Wildfire Awareness Fair.
- The City of Brea, California Fire Safe Council, and the Santa Ana Watershed Association for their funding and work in restoring Carbon Creek through the *Arundo* removal project post Freeway Complex Fire.
- Drs. Rod and Carol McKenzie for their able editorial assistance.

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APPENDIX A

Fire Perimeter Data

Fire Name	Fire Date	Acreage Burned	Cause	Point of Origin
Fuel Break (Historical)	—	132	—	—
Irvine Ranch	1914	14,830	Unknown	Unknown
Fresno Canyon*	1928	1,007	Unknown	Unknown
Gypsum*	1929	1,085	Unknown	Unknown
Carbon Canyon*	1930	733	Unknown	Unknown
Santa Ana Canyon	Nov. 8, 1943	9,375	Unknown	Unknown
Gaines	Sep. 22, 1944	270	Unknown	Unknown
Shell	July 2, 1947	118	Unknown	Unknown
Green River	Nov. 4, 1948	41,285	Unknown	Unknown
Nohl	June 21, 1951	176	Unknown	Unknown
Santiago	Oct. 15, 1958	110	Unknown	Unknown
La Vida	Nov. 29, 1959	611	Unknown	Unknown
91 Freeway*	1962	139	Unknown	Unknown
Paseo Grande	Oct. 29, 1967	39,872	Unknown	Known
Firestone	Oct. 30, 1967	236	Unknown	Known
Tonner Canyon	June 13, 1971	9	Unknown	Unknown
Serranos	Sep. 9, 1973	304	Unknown	Known
Mine	July 28, 1977	4,956	Unknown	Unknown
Soquel	Oct. 23, 1978	5,428	Unknown	Known
Soquel Canyon*	Oct. 25, 1978	251	Unknown	Unknown
Los Sarranos (Serranos)	June 19, 1979	172	Unknown	Known
Paseo	Sep. 15, 1979	3,644	Smoldering Sleeper Fire	Known
Corona	1980	116	Unknown	Unknown
Green River	July 13, 1980	379	Unknown	Known
Owl	Oct. 28, 1980	18,332	Unknown	Known
Carbon Canyon	Nov. 16, 1980	14,613	Unknown	Known
Euclid	Oct. 30, 1981	714	Unknown	Known
Fresno Canyon*	Oct. 1982	211	Unknown	Unknown
Gypsum	Oct. 9, 1982	19,986	Power lines	Known

* Indicates the fire name was assigned by Hills For Everyone.

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A 100 Year History of Wildfires Near Chino Hills State Park



Fire Perimeter Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Point of Origin
Santa Ana Canyon*	Fall 1983	443	Unknown	Unknown
Fresno*	July 12, 1983	642	Unknown	Unknown
91 Freeway*	July 13, 1983	1,618	Unknown	Unknown
Bane Canyon*	Sep. 14, 1983	581	Unknown	Unknown
Wardlow Wash*	July 8, 1984	114	Unknown	Unknown
Coal Canyon	July 9, 1984	450	Fireworks (Bottle Rocket)	Known
Coal Canyon	July 2, 1985	540	Plane Crash into Power lines	Known
Shell	Aug. 11, 1985	1,635	Unknown	Known
Green River	Oct. 6, 1985	Less than 1	Unattended Children	Known
Fresno Canyon*	Aug. 2, 1986	95	Unknown	Unknown
Bane Canyon*	June 24, 1988	820	Unknown	Unknown
South Ridge	May 24, 1989	5	Mower hit rock, ignited brush	Known
Aliso Canyon	June 29, 1989	44	Unknown	Unknown
Carbon Canyon	June 27, 1990	6,664	Arson	Known
Yorba	July 12, 1990	7,884	Model Rocket	Known
91 Freeway	July 5, 1991	50	Machinery	Known
San Juan Hill	June 10, 1992	249	Plane Crash	Known
Stagecoach	Oct. 26, 1993	581	Unknown	Unknown
91 Freeway*	1994	41	Unknown	Unknown
Carbon Canyon (Wagon)	June 25, 1994	757	Unknown	Known
91 Freeway*	Aug. 5, 1994	28	Unknown	Known
Highway 91	Aug. 26, 1995	177	Unknown	Unknown
Carbon Canyon	Aug. 31, 1998	733	Lightning	Known
Green	Feb. 9, 2002	2,234	Downed Power lines	Known
Evening	Apr. 21, 2002	893	Fireworks	Known
Blue Gum	Nov. 20, 2002	497	Arson	Known
Coal Canyon	July 12, 2003	2	Arson	Known
Green River	July 24, 2004	16	Car Crash	Known
Carbon Canyon	Sep. 25, 2004	18	Car Fire	Known

* Indicates the fire name was assigned by Hills For Everyone.



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Fire Perimeter Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Point of Origin
Yorba Linda	July 5, 2005	1,079	Fireworks	Known
Carbon Canyon	Aug. 4, 2005	1	Arson	Unknown
Sierra Peak	Feb. 6, 2006	10,506	Backfire	Known
Brush Canyon	July 11, 2006	1	Unknown	Unknown
Blue Gum	Aug. 2, 2006	3	Illegal Campfire	Unknown
241 Incident	Aug. 22, 2006	Less than 1	Unknown	Unknown
Windy Ridge [241 Incident]	Mar. 11, 2007	1,618	Burning Car (Arson)	Known
Rose	Apr. 12, 2007	8	Machinery	Known
Freeway Complex	Nov. 15, 2008	30,306	Auto Exhaust & Power lines	Known
241 Incident	Sep. 25, 2009	Less than 1	Unknown	Unknown
91 Freeway Incident	June 16, 2010	47	Unknown	Known
Carbon Canyon	July 11, 2011	518	Arson	Known
Rose Drive*	Nov. 2, 2011	5	Power lines	Known

* Indicates the fire name was assigned by Hills For Everyone.

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APPENDIX B

Fire Causes and Points of Origin Data

Fire Name	Fire Date	Acreage Burned	Cause	Perimeter
Sonoma Canyon	Unknown	Unknown	Plane Crash	Unknown
Paseo Grande	Oct. 29, 1967	39,872	Unknown	Known
Firestone	Oct. 30, 1967	236	Unknown	Known
Serranos	Sep. 9, 1973	304	Unknown	Known
Soquel	Oct. 23, 1978	5,428	Unknown	Known
Los Sarranos (Serranos)	June 19, 1979	172	Unknown	Known
Paseo	Sep. 15, 1979	3,644	Smoldering Sleeper Fire	Known
Green River	July 13, 1980	379	Unknown	Known
Owl	Oct. 28, 1980	18,332	Unknown	Known
Carbon Canyon	Nov. 16, 1980	14,613	Unknown	Known
Euclid	Oct. 31, 1981	714	Unknown	Unknown
Gypsum Canyon	Oct. 9, 1982	19,986	Electric Lines	Known
Coal Canyon	July 9, 1984	450	Fireworks (Bottle Rocket)	Known
Coal Canyon	July 2, 1985	540	Plane Crash into Power lines	Known
Shell	Aug. 11, 1985	1,635	Unknown	Known
Green River	Oct. 6, 1985	Unknown	Unattended Children	Known
Coal Canyon	Apr. 21, 1987	25	Vehicle Fire	Unknown
Gypsum Canyon	May 12, 1987	20	Incendiary Device	Unknown
Coal Canyon	July 7, 1987	5	Unknown	Unknown
Coal Canyon	July 28, 1987	10	Unknown	Unknown
Rim Crest	Mar. 13, 1988	10	Kids with Matches	Unknown
Coal Canyon	May 13, 1988	3	Unknown	Unknown
La Vida	Dec. 4, 1988	Unknown	Unknown	Unknown
South Ridge	May 24, 1989	5	Mower hit rock, ignites brush	Known
Carbon Canyon	July 5, 1989	Unknown	Unknown	Unknown
Featherly Regional Park	July 14, 1989	Unknown	Unknown	Unknown



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Fire Causes and Points of Origin Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Perimeter
Chino Hills State Park	Oct. 10, 1989	400	Unknown	Unknown
Carbon Canyon	June 27, 1990	6,664	Arson	Known
Yorba	July 12, 1990	7,884	Model Rocket	Known
Carbon Canyon	July 22, 1990	1	Unknown	Unknown
Carbon Canyon	July 27, 1990	2	Downed Power line	Unknown
91 Freeway	July 5, 1991	245	Machinery	Known
Coal Canyon	May 10, 1992	3	Unknown	Unknown
San Juan Hill	June 10, 1992	249	Plane Crash	Known
Chino Hills State Park	Sep. 8, 1992	500	Power lines	Unknown
Carbon Canyon	Nov. 15, 1993	40	Plane Crash	Unknown
Carbon Canyon [Wagon]	June 25, 1994	757	Unknown	Known
91 Freeway	Aug. 5, 1994	28	Unknown	Known
71 Freeway	Dec. 19, 1994	4	Unknown	Unknown
Carbon Canyon	June 24, 1998	20	Road Flare (Arson)	Unknown
Carbon Canyon	Aug. 31, 1998	733	Lightning	Known
Chino Hills State Park	Jan. 19, 1999	Unknown	Plane Crash	Unknown
Woodview	Sep. 12, 2000	200	Unknown	Unknown
Chino Hills Parkway	Sep. 18, 2000	2	Unknown	Unknown
Green	Feb. 9, 2002	2,234	Downed Power lines	Known
Evening	Apr. 21, 2002	893	Fireworks	Known
71 Freeway	Aug. 3, 2002	10	Car Exhaust Pipe	Unknown
Blue Gum	Nov. 20, 2002	497	Arson	Known
Coal Canyon	July 12, 2003	2	Arson	Known
71 Freeway	Aug. 19, 2003	3	Unknown	Unknown
Coal Canyon	May 30, 2004	2	Unknown	Unknown
Green River	July 24, 2004	16	Car Crash	Known
Carbon Canyon	Sep. 25, 2004	18	Car Fire	Known

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A 100 Year History of Wildfires Near Chino Hills State Park



Fire Causes and Points of Origin Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Perimeter
Yorba Linda	July 5, 2005	1,079	Illegal Fireworks	Known
Sierra Peak	Feb. 6, 2006	10,506	Back Fire	Known
Brush Canyon	July 23, 2006	1	Lightning	Unknown
Feldspar	Sep. 26, 2006	Unknown	Car Crash	Unknown
Red Star	Jan. 7, 2007	175	Unknown	Unknown
Windy Ridge [241 Incident]	Mar. 11, 2007	1,618	Burning Car (Arson)	Known
Rose	Apr. 12, 2007	3	Machinery	Known
Coal Canyon	May 7, 2007	140	Caltrans Machinery	Unknown
Western Hills	May 16, 2008	15	Downed Power lines	Unknown
Freeway Complex	Nov. 15, 2008	30,306	Auto Exhaust Power lines	Known
Windy Ridge	Nov. 25, 2009	80	Unknown	Unknown
Coal Canyon	Mar. 16, 2010	Unknown	Car Accident	Unknown
91 Freeway Incident	June 16, 2010	47	Unknown	Known
Quarter Horse	Sep. 4, 2010	10	Fireworks	Unknown
Carbon Canyon	July 11, 2011	518	Arson	Known
Rose Drive	Nov. 2, 2011	5	Power lines	Known

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A 100 Year History of Wildfires Near Chino Hills State Park



APPENDIX C

All Fires Combined (Perimeters and Points of Origin) Data

Fire Name	Fire Date	Acreage Burned	Cause	Data Type
Fuel Break (Historical)	—	132	—	Perimeter
Sonoma Canyon	Unknown	Unknown	Plane Crash	Point of Origin
Irvine Ranch	1914	14,830	Unknown	Perimeter
Fresno Canyon*	1928	1,007	Unknown	Perimeter
Gypsum*	1929	1,085	Unknown	Perimeter
Carbon Canyon*	1930	733	Unknown	Perimeter
Santa Ana Canyon	Nov. 8, 1943	9,375	Unknown	Perimeter
Gaines	Sep. 22, 1944	270	Unknown	Perimeter
Shell	July 2, 1947	118	Unknown	Perimeter
Green River	Nov. 4, 1948	41,285	Unknown	Both
Nohl	June 21, 1951	176	Unknown	Perimeter
Santiago	Oct. 15, 1958	110	Unknown	Perimeter
La Vida	Nov. 29, 1959	611	Unknown	Perimeter
91 Freeway*	1962	139	Unknown	Perimeter
Paseo Grande	Oct. 29, 1967	39,872	Unknown	Both
Firestone	Oct. 30, 1967	236	Unknown	Both
Tonner Canyon	June 13, 1971	9	Unknown	Perimeter
Serranos	Sep. 9, 1973	304	Unknown	Both
Mine	July 28, 1977	4,956	Unknown	Perimeter
Soquel	Oct. 23, 1978	5,428	Unknown	Both
Soquel Canyon*	Oct. 25, 1978	251	Unknown	Perimeter
Los Serranos [Serranos]	June 19, 1979	172	Unknown	Both
Paseo	Sept. 15, 1979	3,644	Smoldering Sleeper Fire	Both

* Indicates the fire name was assigned by Hills For Everyone.

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A 100 Year History of Wildfires Near Chino Hills State Park



All Fires Combined (Perimeters and Points of Origin) Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Data Type
Corona	1980	116	Unknown	Perimeter
Green River	July 13, 1980	379	Unknown	Both
Owl	Oct. 28, 1980	18,332	Unknown	Both
Carbon Canyon	Nov. 16, 1980	14,613	Unknown	Both
Euclid	Oct. 30, 1981	714	Unknown	Both
Fresno Canyon*	Oct. 1982	211	Unknown	Perimeter
Gypsum	Oct. 9, 1982	19,986	Power Lines	Both
Santa Ana Canyon*	Fall 1983	443	Unknown	Perimeter
Fresno*	July 12, 1983	642	Unknown	Perimeter
91 Freeway*	July 13, 1983	1,618	Unknown	Perimeter
Bane Canyon*	Sep. 14, 1983	581	Unknown	Perimeter
Wardlow Wash*	July 8, 1984	114	Unknown	Perimeter
Coal Canyon	July 9, 1984	450	Fireworks (Bottle Rocket)	Both
Coal Canyon	July 2, 1985	540	Plane Crash into Power lines	Both
Shell	Aug. 11, 1985	1,635	Unknown	Both
Green River	Oct. 6, 1985	Less than 1	Unattended Children	Both
Fresno Canyon*	Aug. 2, 1986	95	Unknown	Perimeter
Coal Canyon	Apr. 21, 1987	25	Vehicle Fire	Point of Origin
Gypsum Canyon	May 12, 1987	20	Incendiary Device	Point of Origin
Coal Canyon	July 7, 1987	5	Unknown	Point of Origin
Coal Canyon	July 28, 1987	10	Unknown	Point of Origin
Rim Crest	Mar. 13, 1988	10	Kids with Matches	Point of Origin
Coal Canyon	May 13, 1988	3	Unknown	Point of Origin
Bane Canyon*	June 24, 1988	820	Unknown	Perimeter
La Vida	Dec. 4, 1988	Unknown	Unknown	Point of Origin
South Ridge	May 24, 1989	5	Mower hit rock, ignited brush	Both
Aliso Canyon	June 29, 1989	44	Unknown	Perimeter
Carbon Canyon	July 5, 1989	Unknown	Unknown	Point of Origin
Featherly Regional Park	July 14, 1989	Unknown	Unknown	Point of Origin

* Indicates the fire name was assigned by Hills For Everyone.

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A 100 Year History of Wildfires Near Chino Hills State Park



All Fires Combined (Perimeters and Points of Origin) Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Data Type
Chino Hills State Park	Oct. 10, 1989	400	Unknown	Point of Origin
Carbon Canyon	June 27, 1990	6,664	Arson	Both
Yorba	July 12, 1990	7,884	Model Rocket	Both
Carbon Canyon	July 22, 1990	1	Unknown	Point of Origin
Carbon Canyon	July 27, 1990	2	Downed Power lines	Point of Origin
91 Freeway	July 5, 1991	50	Machinery	Both
Coal Canyon	May 10, 1992	3	Unknown	Point of Origin
San Juan Hill	June 10, 1992	249	Plane Crash	Both
Chino Hills State Park	Sep. 8, 1992	500	Power lines	Point of Origin
Stagecoach	Oct. 26, 1993	581	Unknown	Perimeter
Carbon Canyon	Nov. 15, 1993	40	Plane Crash	Point of Origin
91 Freeway*	1994	41	Unknown	Perimeter
Carbon Canyon [Wagon]	June 25, 1994	757	Unknown	Both
91 Freeway*	Aug. 5, 1994	28	Unknown	Both
71 Freeway	Dec. 19, 1994	4	Unknown	Point of Origin
Highway 91	Aug. 26, 1995	177	Unknown	Perimeter
Carbon Canyon	June 24, 1998	20	Road Flare (Arson)	Point of Origin
Carbon Canyon	Aug. 31, 1998	733	Lightning	Both
Chino Hills State Park	Jan. 19, 1999	Unknown	Plane Crash	Point of Origin
Woodview	Sep. 12, 2000	200	Unknown	Point of Origin
Chino Hills Parkway	Sep. 18, 2000	2	Unknown	Point of Origin
Green	Feb. 9, 2002	2,234	Downed Power lines	Both
Evening	Apr. 21, 2002	893	Fireworks	Both
71 Freeway	Aug. 3, 2002	10	Car Exhaust Pipe	Point of Origin
Blue Gum	Nov. 20, 2002	497	Arson	Both
Coal Canyon	July 12, 2003	2	Arson	Both
71 Freeway	Aug. 19, 2003	3	Unknown	Point of Origin

* Indicates the fire name was assigned by Hills For Everyone.

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A 100 Year History of Wildfires Near Chino Hills State Park



All Fires Combined (Perimeters and Points of Origin) Data Continued...

Fire Name	Fire Date	Acreage Burned	Cause	Data Type
Coal Canyon	May 30, 2004	2	Unknown	Point of Origin
Green River	July 24, 2004	16	Car Crash	Both
Carbon Canyon	Sep. 25, 2004	18	Car Fire	Both
Yorba Linda	July 5, 2005	1,079	Fireworks	Both
Carbon Canyon	Aug. 4, 2005	1	Arson	Perimeter
Sierra Peak	Feb. 6, 2006	10,506	Backfire	Both
Brush Canyon	July 11, 2006	1	Unknown	Perimeter
Brush Canyon	July 23, 2006	1	Lightning	Point of Origin
Blue Gum	Aug. 2, 2006	3	Illegal Campfire	Perimeter
241 Incident	Aug. 22, 2006	Less than 1	Unknown	Perimeter
Felddar	Sep. 26, 2006	Unknown	Car Crash	Point of Origin
Red Star	Jan. 7, 2007	175	Unknown	Point of Origin
Windy Ridge [241 Incident]	Mar. 11, 2007	1,618	Burning Car (Arson)	Both
Rose	Apr. 12, 2007	8	Machinery	Both
Coal Canyon	May 7, 2007	140	Caltrans Machinery	Point of Origin
Western Hills	May 16, 2008	15	Downed Power lines	Point of Origin
Freeway Complex	Nov. 15, 2008	30,306	Auto Exhaust & Power lines	Both
241 Incident	Sep. 25, 2009	Less than 1	Unknown	Perimeter
Windy Ridge	Nov. 25, 2009	80	Unknown	Point of Origin
Coal Canyon	Mar. 16, 2010	Unknown	Car Accident	Point of Origin
91 Freeway Incident	June 16, 2010	47	Unknown	Both
Quarter Horse	Sep. 4, 2010	10	Fireworks	Point of Origin
Carbon Canyon	July 11, 2011	518	Arson	Both
Rose Drive*	Nov. 2, 2011	5	Power lines	Both

* Indicates the fire name was assigned by Hills For Everyone.



A 100 Year History of Wildfires Near Chino Hills State Park

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REHMEYER: ATTACHMENT B

TO: Mr. Kevin Canning, OC Planning
Esperanza Hills D-EIR (No. 616)
300 N. Flower St.
Santa Ana, CA 92702-4048
Email: Kevin.Canning@ocpw.ocgov.com

FROM: Sharon & Ted Rehmeier
Members of Protect Our Homes and Hills Leadership Team
and 28 year residents of:
4795 Via De La Roca
Yorba Linda, CA 92887-1816
(714) 777-6818
Cell: (714) 323-4101
Email: ssrehmeier@gmail.com

Subject: Our Experience During the Freeway Complex Fire of November 15, 2008
For Esperanza Hills D-EIR (No. 616)

NOVEMBER, 1985:

My husband Ted and I moved into our two-story Brock home on a 4 house cul de sac--4795 Via De La Roca, Yorba Linda, CA 92887-1816-- when it was completed in November, 1985. We have lived in our home 3100 sq. ft. home on our 20,992 sq. ft. lot (zoned for horses at the time we purchased it) for over 28 years.

We bought our Yorba Linda home in 1985 because of its location. We loved the rural hillside. We loved the natural walnut trees and occasional oaks along Mud Canyon, plus the wild birds, deer, occasional bobcats, and coyotes. We've enjoyed over the years seeing eagles, hawks, owls, gold finches and many other birds and critters that feed and drank water from nearby natural water sources, especially those in the area next to our small cul de sac (just east of Tommy Emeterio's home on Via De La Roca off Via Del Agua, the area designated by Cielo Vista for egress/ingress into their L shaped development plan) and close to the proposed Optional egress/ingress on Stonehaven for Esperanza Hills.

We were unaware in 1985 of the potential for wildfires in this area. We were also unaware that our home's location is very close to the Whittier Earthquake Fault line that runs through the adjacent OC County hillside. This is the area now under consideration by OC Planning for two huge county developments--Cielo Vista and Esperanza Hills--with potential for more to come within this county area in the City of Yorba Linda's sphere of influence. We did know about the active oil wells, however, because we can occasionally smell the petroleum odors emanating from them when the winds blow the odor towards our house.

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Over the years, we have frequently consulted with the local fire department (OCFA) because we wanted to maintain our home's landscaping in keeping with OCFA regulations. We have met regularly since November 2008 with OCFA representatives since November, 2008, most recently about 6 mos. ago for a personal evaluation of our property because of its location in the HIGH RISK WILDFIRE HAZARD ZONE. We now know that there is a historical record for the past 100 years of wildfires burning from Chino Hills State Park area through this county hillside near our home.

We also know we are seriously under appraised for our homeowners' insurance, but we are fearful of contacting our current insurance carrier or any other insurance firms because we fear policy cancellation or not being able to obtain homeowners insurance because our property's location in the HIGH RISK WILDFIRE HARD ZONE near the Whittier Fault line and in an area of active oil production that could have Air Quality issues and soil contaminants.

OUR FIRE STORY:

NOVEMBER 15, 2008--THE FREEWAY COMPLEX FIRE AND ITS IMPACT ON US

Returning home on Nov. 15, 2008, around 11:15 a.m. from a Saturday morning meeting in Fullerton, we saw a dark pillar of smoke rising in the area near Chino Hills. As we drove east on Yorba Linda Blvd, we received a call from our daughter and family that they were evacuating their Yorba Linda home on Feather Grass Rd., near Brush Canyon Park, and were heading to our house with their two dogs, five cats, our two teenage granddaughters and two vehicles. Thinking the fire was more on their side, we continued on to our home without realizing the emanant danger we would soon face. When we reached home, the pillar of smoke was still going strong. Our daughter called and had difficulty traveling down La Palma because of fire along that rural wildlife area near Costco, Savi Ranch and Weir Canyon Honda on Yorba Linda Blvd. After being sidetracked into Box Canyon (which ultimately burned down the playground there), they made it to Albertson's on New River Rd. and Yorba Linda Blvd.

Because of the smoke coming from Chino Hills I began to assemble photos and other personal items in order to evacuate with important items should that become necessary. Suddenly an orange flame about the size of a tip of a thumb nail appeared at the top of the hills as I looked out our Bonus Room toward Chino Hills State Park. The Santa Ana Winds were whipping through trees, brush, and increasing in strength. They would quickly reach speeds of 60 mph or greater.

Ted opened the heavy metal RV gates and began filling our motor home with water in an effort to prepare to evacuate in it.

On the opposite corner from our house, Tommy Emeterio and his three children, plus other family members, had just returned from a soccer game in Brea. He had ridden his bike to the top of the hill above Stonehaven Dr. to see what was going on with the fire because cars--now three abreast--were trying to flee the hilltop flames by driving down Stonehaven onto our

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narrow winding Via Del Agua towards Yorba Linda Blvd. Traffic was streaming up and over Stonehaven and down Via Del Agua onto Yorba Linda Blvd. in a horseshoe pattern. "RUN!" Tommy yelled to his children who were standing in their front yard. "The fire is coming!!!" A relative had her car parked in his driveway with the ignition running. Tommy's car was parked just slightly ahead of hers in the driveway. The windswept sparks from flaming hillside brush quickly ignited palm and eucalyptus trees, jumped into roof vents, the playhouse in his side yard, climbed a trellis. Tommy's yard and house were quickly engulfed in flames. The result was a literal explosion, with 100 ft. flames, high heat, fire embers, ash and debris blowing everywhere onto our property and into our open garage.

I helped Tommy's young daughter put their family's cat in one of our dog crates and had time to put the cat and carrier in the backseat of a relative's car as Isabella jumped into the front seat. The youngest children, Isabella and Benjamin, were evacuated with the relatives, but Tommy and his oldest son, Thomas, then about 13, remained behind and ran to Yorba Linda Blvd. to begin directing traffic which was now impossibly backed up on Stonehaven, Via Del Agua, and all along Yorba Linda Blvd. There was no space for a fire truck to have entered this chaos into our neighborhood, even if one had been available to do so. (The fire department didn't show up until the next day, about 30 hours after the fire, to check for gas leaks, though police were on duty at major Yorba Linda Blvd. intersections from 7 a.m. Sunday morning.) The downhill traffic from those hit first by the fire (from Hidden Hills to Heatheridge at the top of Stonehaven) crowded the only egress/ingress into our area, and our own Via De La Roca to Via Del Agua to Yorba Linda Blvd. route was impossible with cars jam-packed three abreast, and sometimes four, pouring downhill toward Yorba Linda Blvd.

We abandoned any thought of getting out in the RV, and grabbed our three dogs, stuffed them into the Ted's Toyota SUV, and with the shirts on our back, fled the raging fire and heat. Ted drove the SUV with our three dogs and all their gear, and I drove our Honda CRV. I had my purse, driver's license, cell phone and eye glasses. That and some dog leashes were all I could bring. I had left all of our doors unlocked for firemen who would never come, and I phoned 911 to notify them where the fire was when Tommy's home ignited, but I didn't have time to grab anything else as we attempted to leave. The thick smoke, heavy heat wave, loud sounds of the high flames whipped by 60 mph Santa Anas quickly engulfed Tommy's house. Windows exploded, drapes burned, the playhouse was consumed, as were the eucalyptus, palms and other trees and shrubs. The resultant wind-driven embers and debris rained across our yard and into our garage. We closed our garage door with flaming debris still inside it. Inch by slow inch we edged from our driveway at 4795 Via De La Roca onto Via Del Agua, and finally made it to Yorba Linda Blvd. which was an unbelievable nightmare of evacuation traffic. It took well over an hour to drive west on Yorba Linda Blvd. toward Imperial Hwy.--past Fairmont, Village Center, turning right onto Lakeview to head to Lemon Dr. and our church.

We spent that night at our Yorba Linda church at 18343 Lemon Dr. Ted was able to get back into our home before 6 a.m. Sunday to discover the damage to our property. Electrical and phone wiring were melted into a baseball size glob on the northwest side of our garage which

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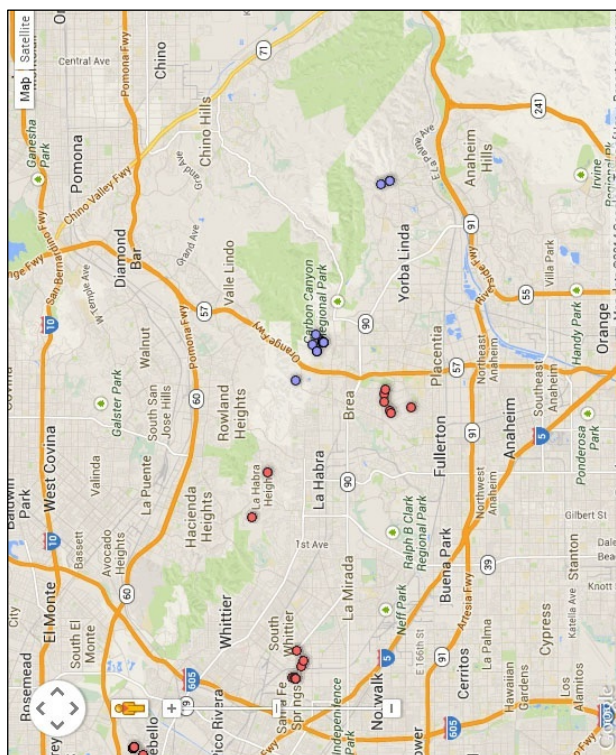
had been scorched. Our RV lost a tire, and there was damage to the passenger side of the vehicle. Compared to Tommy's loss, our \$5,000 damage was nothing.

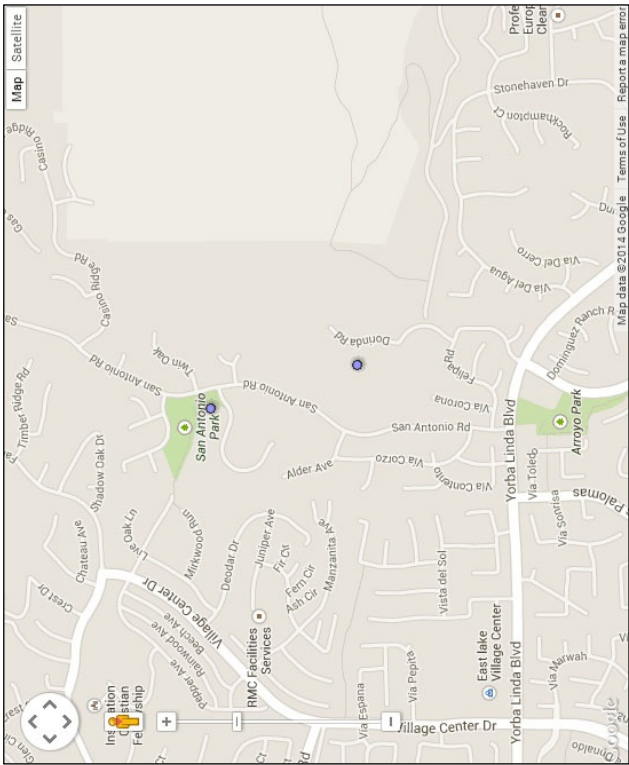
The path of the Santa Ana winds directly controlled whose home would be spared and whose would burn. Tommy's and another neighbor's just above and adjacent to the Nelsons' home on Via De La Roca were among the 318 homes destroyed or damaged by the Freeway Complex Fire.

Our next door neighbor's home, Scott Kirby's, was spared, but with property damage. Scott's grown son, Michael, who had been asleep in the house, managed to evacuate at the last minute with one of their two cats. Later we learned that their property was saved thanks to efforts by neighbors who lived in the cul de sac at the foot of Via Del Agua near Yorba Linda Blvd. The teenage boys and their father, a retired policeman, created a fire brigade to save the Kirbys' hillside yard. Their redwood ties and PVC sprinkler system, pines and shrubs were burned, but, because of the wind pattern, their home was amazingly spared. Nelsons' home next to Tommy's was spared because Ken Nelson stayed behind and continually hosed down his and Marlene's house and kept embers at bay from Tommy's flaming inferno and from the home above theirs that ended up burning to the ground three hours later from embers that got under the eaves.

We have been told by OCFA to be "Ready, Set, GO!" The say, "It's not just a question of 'IF,' but 'WHEN' the next fire will occur in this area!" These proposed developments in the OC hills pose many, many concerns to us, but chief among them is our concern for fire, traffic, and public safety. We have lived through one fire, and hope we never have to experience it again.

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Fault Lines in Law Leave Homes on Shaky Ground

Land that has passed inspection can still prove unstable for homeowners.

August 11, 2002, LA Times

By EVAN HALPER, TIMES STAFF WRITER

When Ron Muranaka paid \$564,000 for a stucco Colonial in Yorba Linda with dramatic views of the Chino Hills, he was vaguely aware that the area was earthquake-prone. But so was the rest of California, he figured. Seven years later, his yard cracked apart. Then the driveway split. The living room walls separated and door frames warped.

But all that paled next to what happened early one summer morning in 1999: With a roar, much of the backyard slid 40 feet down a cliff. Geologists hired by Muranaka and his wife, Dawn, reported grim news: The Whittier fault system, which their real estate agent had told them was miles from their house, actually ran right beneath it. The land was shifting constantly, trapping water beneath the foundation and undermining the property.

"The dirt underneath us is totally unstable," said Dawn Muranaka. "We're terrified."

Owners of at least two dozen other houses in Yorba Linda's Bryant Ranch development are in the same predicament. Their plight illustrates the limitations of the Alquist-Priolo Act, the 30-year-old state law intended to prevent construction atop active earthquake faults. When Bryant Ranch was being planned in the late 1970s, geologists hired by the developers warned that an active fault line ran through parts of some neighborhoods. The developers hired new geologists, who declared the faults inactive. That allowed more homes to be squeezed onto the hillsides than otherwise would have been permitted. It was all perfectly legal. Those familiar with the Alquist-Priolo Act say it's a common pattern: When one geologist says not to build, developers find another to tell them to go right ahead.

"I don't know why so many developers work so hard to make the faults disappear, but they do," said J. David Rogers, whose firm, Geolith in Pleasant Hill, has reviewed hundreds of geological reports for California cities. One of the most notorious examples occurred in the Bay Area city of Pleasanton in the late 1980s. Detailed federal and state maps showed that the Calaveras fault ran through a 258-acre site where 80 homes were proposed. The presence of the fault was confirmed by the first geologist hired by the developers.

Then another expert was brought in. He reached a different conclusion: that the 110-mile-long fault hopped over the project site, stopping just south of the property and picking up again beyond the northern boundary. State officials expressed concern about the finding, and the U.S. Geological Survey offered to help locate the fault lines. Pleasanton officials declined the assistance, and the development was approved. The homes have not suffered fault damage. City officials say they followed the law to the letter.

Critics say that is the problem: The Alquist-Priolo Act relies on developers and their hired experts to assess seismic risks, and on local officials to ensure that everything is aboveboard. Some cities thoroughly review geologists' reports, but others lack the interest or the expertise. Yorba Linda officials acknowledge that their review of the Bryant Ranch project was limited.

"That's for the developer to do," said Roy Stephenson, who was city engineer when the subdivisions were approved. "We assume the developer wouldn't want to submit false reports. That could just bring them trouble later on." Earlier this year, 80 Bryant Ranch homeowners collected a \$6-million settlement from the developers and subcontractors after a six-year court battle. The Muranakas and several others are pursuing a separate lawsuit against the city of Yorba Linda.

The developers say the damage to the Bryant Ranch homes is unrelated to the Whittier fault system. They blame bad landscaping. El Nino rains, over-watering of lawns and ill-advised pool installations. "No one we have consulted has said this damage is being caused by faults," said Bob Carlson, an attorney for Brighton Homes of Orange County, one of the companies that developed Bryant Ranch. The homeowners say doubters are welcome to stop by the next time the fault shudders.

Steve Patterson lives with his wife in a five-bedroom Bryant Ranch house they bought in 1990 for \$584,500. Patterson woke up one morning in the summer of 1999 to find that a large section of his backyard had disappeared. It is now at the bottom of a 50-foot cliff, along with a fence he had installed days before. "The city should have investigated this," Patterson said of the conflicting geological findings. "There were reports that said not to build."

* Labeled Quake-Prone

Planning for the Bryant Ranch development—high on jagged ridges above the Riverside Freeway in north Orange County—began in 1978, when the land was controlled by the Campeau Corp. of Canada and John Wartin, a local real estate tycoon.

The historic ranch was carved out of the massive Rancho Canon de Santa Ana by John Bisby in 1875. His daughter, Susanna Bisby Bryant, took over the cattle and citrus grove operations in 1911 and later added a large botanical garden in memory of her father. Her descendants managed the property until they decided to sell it for development. Campeau and Wartin merged to form CW Associates and in early 1982 hired a former assistant city manager of Yorba Linda, Brian Johnson, to oversee development of the land.

A major obstacle loomed. In 1980, about a quarter of the 3,300-acre ranch was declared an active earthquake zone under the Alquist-Priolo Act. The law had been passed after the San Fernando Earthquake of Feb. 9, 1971, killed 65 people and caused more than \$500 million in damage. Much of the destruction resulted from "surface ruptures," which occur when fault movements deep underground tear gashes in the Earth's surface. This is one of many kinds of earthquake damage, but geologists say it is the easiest to prevent because areas prone to surface ruptures are readily identified. The Alquist-Priolo Act sought to stop construction of houses and offices in such places. State maps show generally where the main branch of a fault runs. It's up to developers and their geological consultants to locate the dozens of active, secondary branches and "threads" that run underground in all directions. The act prohibits building homes within 50 feet of them.

Early drafts of the law provided for rigorous state oversight of development in active earthquake zones and strict guidelines for determining whether a site was safe for building. Real estate interests lobbied hard against those provisions. Geologists also objected, complaining that the law would leave them vulnerable to lawsuits. Legislators removed the tough oversight language.

In the case of Bryant Ranch, the state maps show that the Whittier Fault passes through Yorba Linda as it runs 25 miles from Corona to the Los Angeles Basin. State studies project that a 7.4-magnitude quake is possible on the fault within the next few decades. In the mid-1980s, the Bryant Ranch developers hired Leighton & Associates of Irvine to map the neighborhood where Ron and Dawn Muranaka's home sits.

The firm determined that an active fault ran through that parcel and at least four others were in the area. It advised building fewer homes, with construction kept a safe distance from the fault lines. The discovery affected a proposed subdivision of 50 homes. The 3,300-acre site has 1,700 homes in several neighborhoods, each developed separately.

"The fault crossed right along the ridge just south of [the Muranakas'] house," said Eldon Gath, a geologist with Leighton who is regarded as an expert on the Whittier Fault system. "Then we found another fault there we were concerned about." Campeau had withdrawn from the project by then, selling the ranch to a partnership controlled by Wartin and George Argyros, now the U.S. ambassador to Spain. The new partnership kept Leighton on for a while. Then the firm was fired.

"That had never happened to me before," Gath said. "To be involved with a project all of the way up through design and then be told, 'You're out of here'—that's pretty stunning. 'Maybe they thought we were too conservative,' he said. "It costs money to be that conservative. Some people would rather take a risk."

Another group of geologists with a now-defunct firm, Soil and Testing Engineers, took over from Leighton and concluded, after their own investigation, that half a dozen more homes could safely be built on the tract. A similar pattern played out with a different cast of consultants in the other neighborhoods on the ranch. At least 18 additional homes were built against the advice of geologists and are now cracking. "Builders can keep buying, buying reports until they find someone who doesn't see it, or someone whose ethics are compromised," said Patrick Abbott, a professor of geology at San Diego State University and author of a widely used textbook on natural disasters. "I remember a developer telling me he had six studies all saying don't build. But, he said, 'The seventh one said we can build, and that's what we are going to use.'"

Argyros and David Ball, the principal developers for Bryant Ranch, declined to be interviewed. Soil and Testing Engineers has long since gone out of business. Efforts to reach the geologist who wrote the company's report were unsuccessful. It was up to the city of Yorba Linda to review the geologist's findings.

Jim Slosson, who oversaw the Alquist-Priolo program as California's state geologist in the late 1970s, said many cities don't have the resources to spot-check the work done on site. A thorough review would involve boring holes in the ground to test the engineers' findings. That rarely happens. "There are all kinds of tricks being used to get around that law," Slosson said. "It's easy."

* Officials Accused

Bryant Ranch homeowners contend that Yorba Linda's government, at best, had been lax in its oversight and, at worst, had engaged in self-dealing. They point out that Johnson, the former assistant city manager, went to work for the developer less than a year after leaving his city position—a violation of state lobbying laws. Johnson, now based in Dana Point, refused to comment. "We had former employees of the city acting as representatives for developers," said Barbara Kiley, a former Yorba Linda councilwoman. "There were no checks and balances." In addition, City Atty. Leonard Hampel oversaw the approval process for Bryant Ranch while working for Argyros at another real estate company in Orange County.

Hampel disclosed his connection to Argyros in a letter he sent to then-City Manager Arthur Simonian, who ruled that Hampel need not recuse himself. Simonian later left the city's employ after an outside auditor found that he had awarded unauthorized raises to himself and colleagues on the city payroll. Kiley and other council members said they learned only years later that Hampel had been working for Argyros. "I had no idea," said former Mayor Gene Wisner. "He never recused himself."

City meeting minutes also show that Yorba Linda officials accommodated the developers' wish to downplay the seismic hazards at Bryant Ranch. Johnson asked the Planning Commission in 1982 for permission to delete the term "active earthquake zone" from disclosure documents to be given to prospective home buyers in the neighborhood where the Muranakas now live. He expressed concern that such a designation would be too "stark" and might frighten off buyers.

The commission obliged, and said home buyers could be told that they were moving into a "potentially active" earthquake zone—a description that applies to nearly all of California. When the City Council approved the project in 1987, it sanctioned the "potentially active" language. Disclosure has consistently been a problem with the earthquake law. State studies show that many homeowners living in Alquist-Priolo zones have no idea what that means.

In some cases, the homeowners have been told that the so-called earthquake special study zones are the safest places to be, because scientists have studied the areas and certified them as safe. A 1991 State Department of Conservation report on the law said that the risk of buying a house in an earthquake zone is "typically

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<p>underestimated and not even known about" by purchasers. That conclusion remains valid today, said the report's author, Robert Reitherman. "Some people think being in the zone means there is no earthquake hazard," he said.</p> <p>* Financial Effects</p> <p>For Hans Spitz, who lives across the valley from the Muranakas in a neighborhood called Brighton Ridge, the "potentially active" disclosure simply stated the obvious for any California real estate purchase. He didn't realize, he says, that he was actually in an area of elevated risk when he bought his luxury six-bedroom house in December 1989.</p> <p>Today, a giant crack runs down the wall in the master bedroom of the Spitz home on La Fiesta. One side of the living room is four inches lower than the other. The floor between the kitchen and dining room has a deep gap an inch wide, and the cabinets have become detached from the wall. The foundation has been warped by shifts and tremors. Spitz paid \$609,000 for the house. City officials valued it at \$160,000 in their most recent assessment. "We have to suffer," Spitz said, whose mortgage payment is \$3,400 a month. "We cannot refinance or anything with the house in this condition."</p> <p>A few blocks away, on Avenida de Marcia, Tim and Lucy Pham can't open most of the doors and windows in their home because the frames are warped. Large cracks are visible everywhere: through a marble mantel, across the ceiling, in some Roman columns installed along the walls. The wallpaper is torn in spots. "I called them many times," Lucy Pham said of developer Brighton Homes. "They said I would have to sign a paper saying I wouldn't sue them if I wanted to get the house fixed."</p> <p>The Phams refused to sign and instead joined Spitz and 79 other property owners in a lawsuit that was settled several months ago. The Spitzes and Phams have been offered \$60,000 each out of the \$6-million settlement pool. The families rejected the money and have hired a new lawyer in an attempt to get a larger piece of the settlement. The Muranakas say they have spent \$260,000 on lawyers, engineers and other consultants in their quest to get out and get compensated. The bills ate up all but \$12,000 of a separate settlement they reached with the developers and subcontractors last month. The Muranakas and their neighbors still have a suit pending against the city.</p> <p>Real estate agents have told the couple that the house is close to worthless. Dawn Muranaka says she lives in fear that the entire hillside will collapse before this is all settled. "They need to buy our house back and pay the attorneys fees," she said. "They can't just fix a few things and walk away. No one will buy this house after the problems we discovered. The city should condemn it and not let anyone live here again."</p> <p>xxx</p>	

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<p>Fault Lines in Law Leave Homes on Shaky Ground</p> <p>Land that has passed inspection can still prove unstable for homeowners.</p> <p>August 11, 2002, LA Times</p> <p>By EVAN HALPER, TIMES STAFF WRITER</p> <p>When Ron Muranaka paid \$564,000 for a stucco Colonial in Yorba Linda with dramatic views of the Chino Hills, he was vaguely aware that the area was earthquake-prone. But so was the rest of California, he figured. Seven years later, his yard cracked apart. Then the driveway split. The living room walls separated and door frames warped.</p> <p>But all that paled next to what happened early one summer morning in 1999: With a roar, much of the backyard slid 40 feet down a cliff. Geologists hired by Muranaka and his wife, Dawn, reported grim news: The Whittier fault system, which their real estate agent had told them was miles from their house, actually ran right beneath it. The land was shifting constantly, trapping water beneath the foundation and undermining the property.</p> <p>"The dirt underneath us is totally unstable," said Dawn Muranaka. "We're terrified."</p> <p>Owners of at least two dozen other houses in Yorba Linda's Bryant Ranch development are in the same predicament. Their plight illustrates the limitations of the Alquist-Prilo Act, the 30-year-old state law intended to prevent construction atop active earthquake faults. When Bryant Ranch was being planned in the late 1970s, geologists hired by the developers warned that an active fault line ran through parts of some neighborhoods. The developers hired new geologists, who declared the faults inactive. That allowed more homes to be squeezed onto the hillsides than otherwise would have been permitted. It was all perfectly legal. Those familiar with the Alquist-Prilo Act say it's a common pattern: When one geologist says not to build, developers find another to tell them to go right ahead.</p> <p>"I don't know why so many developers work so hard to make the faults disappear, but they do," said J. David Rogers, whose firm, Geolith in Pleasant Hill, has reviewed hundreds of geological reports for California cities. One of the most notorious examples occurred in the Bay Area city of Pleasanton in the late 1980s. Detailed federal and state maps showed that the Calaveras fault ran through a 238-acre site where 80 homes were proposed. The presence of the fault was confirmed by the first geologist hired by the developers.</p> <p>Then another expert was brought in. He reached a different conclusion: that the 110-mile-long fault hopped over the project site, stopping just south of the property and picking up again beyond the northern boundary. State officials expressed concern about the finding, and the U.S. Geological Survey offered to help locate the fault lines. Pleasanton officials declined the assistance, and the development was approved. The homes have not suffered fault damage. City officials say they followed the law to the letter.</p> <p>Critics say that is the problem: The Alquist-Prilo Act relies on developers and their hired experts to assess seismic risks, and on local officials to ensure that everything is aboveboard. Some cities thoroughly review geologists' reports, but others lack the interest or the expertise. Yorba Linda officials acknowledge that their review of the Bryant Ranch project was limited.</p> <p>"That's for the developer to do," said Roy Stephenson, who was city engineer when the subdivisions were approved. "We assume the developer wouldn't want to submit false reports. That could just bring them trouble later on." Earlier this year, 80 Bryant Ranch homeowners collected a \$6-million settlement from the developers and subcontractors after a six-year court battle. The Muranakas and several others are pursuing a separate lawsuit against the city of Yorba Linda.</p>	

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Today, a giant crack runs down the wall in the master bedroom of the Spitz home on La Fiesta. One side of the living room is four inches lower than the other. The floor between the kitchen and dining room has a deep gap an inch wide, and the cabinets have become detached from the wall. The foundation has been warped by shifts and tremors. Spitz paid \$609,000 for the house. City officials valued it at \$160,000 in their most recent assessment. "We have to suffer," Spitz said, whose mortgage payment is \$3,400 a month. "We cannot refinance or anything with the house in this condition."

A few blocks away, on Avenida de Marcia, Tim and Lucy Pham can't open most of the doors and windows in their home because the frames are warped. Large cracks are visible everywhere: through a marble mantel, across the ceiling, in some Roman columns installed along the walls. The wallpaper is torn in spots. "I called them many times," Lucy Pham said of developer Brighton Homes. "They said I would have to sign a paper saying I wouldn't sue them if I wanted to get the house fixed."

The Phams refused to sign and instead joined Spitz and 79 other property owners in a lawsuit that was settled several months ago. The Spitzes and Phams have been offered \$60,000 each out of the \$6-million settlement pool. The families rejected the money and have hired a new lawyer in an attempt to get a larger piece of the settlement. The Muranakas say they have spent \$260,000 on lawyers, engineers and other consultants in their quest to get out and get compensated. The bills ate up all but \$12,000 of a separate settlement they reached with the developers and subcontractors last month. The Muranakas and their neighbors still have a suit pending against the city.

Real estate agents have told the couple that the house is close to worthless. Dawn Muranaka says she lives in fear that the entire hillside will collapse before this is all settled. "They need to buy our house back and pay the attorneys fees," she said. "They can't just fix a few things and walk away. No one will buy this house after the problems we discovered. The city should condemn it and not let anyone live here again."

xxx

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Comment Letter L36
Ensign, William and Cynthia
February 3, 2014

William and Cynthia Ensign
4805 Via Del Corral
Yorba Linda, CA 92887

February 3, 2014

Mr. Canning,

We urge you to extend the comment period for the Esperanza Hills DEIR. The level of sudden urgency regarding Esperanza Hills and Cielo Vista is disturbing. Both public comment periods seem to be rolled into one of "jam it down their throats" as soon as possible before concerned citizens realize it. We are being denied the right to comment, and have never been contacted about the issues that we have raised concerning both these developments.

L36-1

Enclosed is a letter written to Ron Tippetts/OC Planning that STILL apply.

Regards,

William Ensign



**Response to
Comment Letter L36
Ensign, William and Cynthia
February 3, 2014**

- L36-1 The County acknowledges receipt of a letter from William Ensign dated February 3, 2014, including attachment of a letter to Ron Tippetts dated January 21, 2014. Responses are included herein for the commenters' February 3, 2014; January 21, 2014; and August 6, 2012 letters. The public review and comment period on the Draft EIR was extended an additional 17 days, from 45 days to 62 days.

William Ensign
4805 Via Del Corral
Yorba Linda, CA. 92887

January 21,2014

Ron Tippetts/OC Planning
300 No. Flower St. 3rd Floor
Santa Ana, CA. 92702

RE: Proposed Cielo Vista Development

Mr. Tippetts:

After attending EIR Community Open House's for Cielo Vista (Dec. 16,2013) and Esperanza Hills (Jan. 16,2014) it is our belief these two projects must be addressed as ONE! (They work very hard at distancing themselves from one another.) Cielo Vista is proposing 112 homes, Esperanza Hills (a possible) 380 homes. These 500 homes will use the same ingress, egress that connect with Via Del Aqua, a small 2 lane street, which would be expected to carry 4,000 to 5,000 cars per day, over and above the existing residents. This does not even begin to address emergency situations. Could the fault be with Yorba Linda planning, who have known of these future projects since the mid 90's. and took NO ACTION?

L36-2

Has the county (that professes to be neutral) done a traffic study? Has the Yorba Linda Traffic Commission done a study? Any kind of study? The only studies done, including traffic, fire(emergency response and evacuation), water and flood control (this is important to us because there is a flood control easement on our property) have been done by developers! We would welcome independent studies. Developers can buy experts to say what they want. As taxpaying residents we lack funds, and it appears we have no ally in this endeavor. Our city supervisors are not neutral, and have gone against the will of the people.

L36-3

In closing, Cielo Vista hopes to annex into Yorba Linda upon completion, however the project does not comply with Measure B, voted on by the citizens. In this current environment, is bad behavior once again going to be rewarded?

L36-4

Enclosed is a letter written Aug. 6, 2012 addressing the concerns(many listed on the comment form) that we STILL have regarding Cielo Vista.

Thank you for your consideration,


William Ensign
lynnbeefbill@roadrunner.com

- L36-2 Commenter is referred to Topical Response 5 - Segmentation/Piecemealing. The analysis presented in the DEIR included a thorough assessment of each of the environmental issues affected by the Proposed Project. In addition, the DEIR addressed cumulative impacts anticipated as a result of the Proposed Project and the adjacent Cielo Vista project.
- L36-3 Commenter is referred to Section 5.14 - Transportation and Traffic, page 5-54, which states that the Traffic Impact Analysis (Appendix O in the DEIR) identified key intersections for analysis based on consultation with the County and the City of Yorba Linda. In addition, County and City standards for levels of service were analyzed, and impacts were based on those standards. All of the technical reports were prepared by independent consultants and reviewed by County of Orange staff to ensure their adequacy.
- L36-4 The Proposed Project is currently within the jurisdiction of the County, and the development application for the Proposed Project was submitted to and is being processed by the County. The County of Orange is the “lead agency” under CEQA. Project Applicant’s application for annexation has not been processed by the County Local Agency Formation Commission at this time.

Kevin Canning, OC Public Works/OC Planning

OC Public Works

300 N. Flower St.

Santa Ana, CA. 92702-4048

Esperanza Hills Specific Plan (PA120037/VTM 17522)

1. Aesthetics

Our homes have 1/2 - 1 acre lots. The proposed homes have small lot sizes that are inconsistent with our existing neighborhoods. Second concern: The land will be developed and the economic downturn (especially in new housing) still continues. Will we have empty pads, unfinished houses and streets to plight the neighborhood?

L36-5

2. Biological Resources

Protection and active management of wetland and wildlife communities for hundreds of dependant species. CA has lost approximately 95% of these types of habitats.

L36-6

3. Cultural Resources

The change in topography, e.g., grading hillsides, will destroy the reason why we chose to live in this area of Yorba Linda rather than an urban one.

L36-7

4. Geology/Soils

We are nearly on top of the Whittier Fault (earthquake July 2008). Can the movement of large amounts of earth contribute to seismic activity? In 2012 while the developer was excavating to find the Whittier Fault, we had several area earthquakes. (Smaller than 2008, but still an earthquake!)

L36-8

In the last 26 years we have experienced vibrations throughout our home. Could this be low level seismic activity? Would that activity increase by large amounts of earth being relocated?

5. Hazard/Hazardous Materials

The Esperanza Hills Plan has several (or more) producing oil wells located on it. How will these existing wells and storage be effected when earth is being moved and housing is in place? (Could spillage and seepage be an issue? For the new residences as well as us.)

L36-9

6. Hydrology

We have a natural flow of water across the lower part of our property. For 26 years we have never had a flooding issue. Will the reformation of the hills have an impact on the natural water flow thus creating a heavier flow (of water) undermining the slope to the higher section of our property?

L36-10

- L36-5 As noted on page 4-12 of the DEIR, the Proposed Project proposes an average lot size of 18,553 square feet with lots ranging from 12,044 square feet to 39,354 square feet. Building pads are clustered to maximize open space and preserve natural ridgelines. Construction of the homes will occur in several phases, based generally on market demand.
- L36-6 Section 5.3 (Biological Resources) identifies the existing biological resources on the site. Field surveys were conducted to assess and map the habitat, wildlife, and special status plants and animals. Where necessary, the DEIR provides mitigation to reduce or eliminate potential impacts to biological resources (beginning on page 5-164).
- L36-7 Commenter is referred to Section 5.4 (Cultural Resources) where results of an Archaeological and Paleontological Resources Assessment are presented. There was no evidence of historical or archaeological resources, fossils, or human remains within the project boundaries.
- L36-8 Analysis of the geology and seismicity of the Project site is included in Section 5.5 - Geology and Soils. As indicated in the DEIR, the Proposed Project is located in a seismically active region of Southern California. A seismic setback zone has been delineated in which no habitable structures can be built. The Whittier Fault is recognized as being the most active branch of the greater Whittier-Elsinore Fault Zone. The entire area, therefore, is subject to seismic ground shaking, but it is difficult to confirm a direct correlation between grading and seismic activity.
- L36-9 Section 5.7 (Hazards and Hazardous Materials) discusses the existing oil wells on the Project site. Exhibit 5-67 depicts the location of the active and inactive/abandoned wells. All oil wells are subject to Department of Conservation overview for operations, including well closures. A Phase II Environmental Site Assessment will be conducted prior to grading to ensure that all inactive/abandoned wells are in compliance with the Department of Conservation regulations. The Proposed Project does not propose any grading activities in close proximity to the active wells, as the wells will continue in operation.
- L36-10 Commenter is referred to Section 5.8 (Hydrology and Water Quality), which identifies the impacts to existing drainage patterns. The DEIR includes project design features and conditions of approval (beginning on page 5-387) designed to ensure that runoff volumes do not exceed existing flows. As a result, changes in the hydrologic conditions of the site will not adversely affect downstream properties, because the project design and Best Management Practices will effectively reduce impacts to a less than significant level.

7. Land Use and Planning

The developer emphasizes plans for parks, equestrian trails, open spaces in the community, however it will be a PRIVATE community, so not a benefit for nearby residents. They will use our streets to come and go, but we will not be allowed on theirs.

L36-11

8. Population/Housing

What a huge burden on Stonehaven/Via Del Aqual During certain times of the day it is impossible to exit onto Yorba Linda Blvd, as it is! An additional traffic light would only increase congestion on Yorba Linda Blvd. We have been told the developer conducted a traffic study; favorable to him. We're skeptical about that. We travel Via Del Aqua daily.

L36-12

9. Public Services

If it wasn't such a serious matter, we could be somewhat amused by OC Fire Authority approving the Esperanza Hills developments access/evacuation plans. They (nor police) , were here for the chaotic exodus on November 15, 2008 during The Freeway Complex Fire. Cars were three abreast on Stonehaven/Via Del Aqua exiting the area (It's a two lane street). How does OC Fire Authority think they can get to the fire zone area going in the opposite direction? We don't have enough emergency exit routes for the residence who already live here!

L36-13

Increased burden on our already overcrowded schools.

L36-14

10. Utilities and Service Systems

During the Freeway Complex Fire of 20008 many in the area encountered water shortages which led to the loss of many homes. How does the county intend to address this issue? We live in a high fire danger area. Additional housing will increase this danger.

L36-15

William H. Ensign

4805 Via Del Corral

Yorba Linda, CA. 92887

714-779-8806

lynnbeefbill@roadrunner.com

Post-Script: Many of these same issues we raised when it pertained to the Cielo Vista Project. (Project No. PA 100004). However, we have never been contacted to discuss our concerns.

L36-16

- L36-11 Section 5.13 - Recreation details the parks and trails that are included in the Proposed Project. All parks and trails are available to the public and accessible through pedestrian, bicycle, or equestrian access.
- L36-12 Commenter is referred to Section 5.14 - Transportation and Traffic, and Appendix O – Traffic Impact Analysis in the DEIR. As indicated in the DEIR, the Yorba Linda Boulevard/Via Del Agua intersection is currently operating at LOS F during the morning peak hour. Project-related traffic will contribute to the deficient operating conditions of that intersection. As a result, the Proposed Project will be required to pay a fair share fee for the installation of a traffic signal to return the intersection to an acceptable level of service. Please also refer to Topical Response 3 – Traffic Ingress/Egress.
- L36-13 The DEIR includes a thorough analysis of the potential fire hazards associated with the project area and emergency response based on information provided by the OCSD and OCFA, as well as technical studies prepared for the Proposed Project. Commenter is referred to Section 5.7 - Hazards and Hazardous Materials for details regarding the Proposed Project's Fire Protection and Emergency Evacuation Plan (FPEP) and the evacuation plan presented by the Orange County Sheriff's Department (Exhibit 5-66, page 5-291). Also please refer to Topical Response 2 - Evacuation Plan.
- L36-14 As noted in Section 5.12 - Public Services (page 5-505), the Placentia-Yorba Linda School District has experienced a trend towards declining enrollment overall. The addition of 177 potential new students will not result in a significant impact. Nonetheless, the Proposed Project will be responsible for paying the applicable school fees.
- L36-15 The Proposed Project will not, in and of itself, increase the danger of wildfires. As indicated in Section 5.15 - Utilities and Service Systems, the Proposed Project includes two underground water reservoirs with a combined storage capacity of 1.3 million gallons. Water pipe infrastructure has been designed to meet OCFA fire flow requirements, and on-site hydrants will be gravity fed from two reservoirs that are to be built at 1,200 and 1,390 feet above mean sea level. These facilities will also result in improved water pressure and supply for firefighting.
- L36-16 Comment noted regarding the same issues as related to the proposed Cielo Vista project.

William and Cynthia Ensign
4805 Via Del Corral
Yorba Linda, CA 92887

February 3, 2014

Mr. Canning,

We urge you to extend the comment period for the Esperanza Hills DEIR. The level of sudden urgency regarding Esperanza Hills and Cielo Vista is disturbing. Both public comment periods seem to be rolled into one of "jam it down their throats" as soon as possible before concerned citizens realize it. We are being denied the right to comment, and have never been contacted about the issues that we have raised concerning both these developments.

Enclosed is a letter written to Ron Tippetts/OC Planning that STILL apply.

Regards,



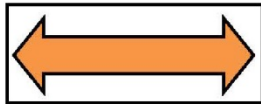
William Ensign

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Comment Letter L37

Kuan, David

February 3, 2014



TRAFFIC CONTROL ENGINEERING, INC.

February 3, 2014

OC Planning Services
County of Orange

Re: Response to Draft EIR on Esperanza Hills Project

Dear Ron:

Thank you for the opportunity to submit our responses to the above Draft EIR. I am a resident of City of Yorba Linda.

One major consideration that has not been mentioned in the previous open house, public meetings... is that the additional traffic generated by the proposed development should call for a "Traffic Calming" study in an effort to slow down the traffic, especially down-hill direction on Via Del Aqua, Stonehaven Dr. and San Antonio Rd. . Mitigations from similar studies include landscaped raised median, neighborhood traffic circles, diagonal diverters, half street closure, stop signs, traffic humps., chokers, ... Some of the mitigation measures may involve on-street parking restrictions and possibly street closures. Therefore, it is imperative that an in-depth neighborhood public workshop program be developed to solicit residents' input for the final traffic calming study recommendations.

Further, the proposed development should also consider widening the intersection of Yorba Linda Blvd. and Via Del Aqua to accommodate added traffic due to the development. Via Del Aqua should have a landscaped raised median and an outbound right turn lane and a left turn lane. Northbound Yorba Linda Blvd. should be widened to accommodate a new right turn lane and a continuous bike lane. Southbound Yorba Linda Blvd. has a vertical and horizontal curve approaching Via Del Aqua. It is critical that southbound left turn traffic shall not be allowed to back up onto the southbound through lane due to the limited sight distance. Therefore, the southbound left turn lane should also be lengthened to ensure that such a problem will not occur. Likewise, Yorba Linda Blvd. should be widened at San Antonio Rd. and Stonehaven Dr. for additional right turn lane (northbound or westbound) and a continuous bike lane.

With respect to the DEIR Transportation/Traffic Element, I have the following comments:

o. The reported existing Level of Service at the intersection of Yorba Linda Blvd./Via del Aqua is F. Being a daily user (at least half a dozen trips through this intersection during both AM and PM peak hours and having lived here over 10 years) and a licensed Traffic Engineer for over 30 years, I have to respectively disagree with your analysis. I have never witnessed any excessive delays at this location. The existing LOS at this location cannot be F.

2687 Saturn St.
Brea, Ca 92821

TEL (714) 447-6077
FAX (714) 447-6081

L37-1

L37-2

L37-3

**Response to
Comment Letter L37
Kuan, David
February 3, 2014**

- L37-1 The County acknowledges receipt of a letter from David Kuan, Traffic Control Engineering, Inc., dated February 3, 2014. Comment noted regarding the installation of traffic-calming measures, which will be forwarded to decision makers for consideration.
- L37-2 Comment acknowledged. The approved TIA adequately addresses the capacity utilization at the intersection of Yorba Linda Boulevard and Via del Agua with the recommended mitigation measure to install a traffic signal and add a westbound left-turn lane. Northbound right turn lanes along Yorba Linda Boulevard are not needed, because the curb lane width provides for a “de facto” right-turn lane. In addition, the median modification issue is fully addressed in Section 11.5 of the approved TIA and Figure 11-3 shows the concept median modification plan.
- L37-3 The Level of Service (LOS) calculations at the intersection of Yorba Linda Boulevard and Via del Agua are correct based on the appropriate guidelines. The LOS F is a result of the delay to traffic attempting to access southbound Yorba Linda Boulevard in the AM peak hour.

o. Traffic analyses should be conducted at all 3-way and 4-way stop-sign controlled intersections along Stonehaven Dr., Via del Aqua and San Antonio Rd..

L36-4

o. Mitigation measures for Year 2035 call for widening and restriping the westbound approach to provide additional (third) westbound left-turn lane at Yorba Linda Bl./Savi Ranch Pkwy.. Have you contacted the City of Yorba Linda regarding installing triple left turn in City of Yorba Linda? I don't believe such an operation exists in the City and don't believe City will be in favor of triple left turn operation.

L36-5

o. The Project recognizes the need to have a "4-lane roadway from the gated entry to the roundabout" in order to address just the project traffic. The problem is that the rest of the supporting street system, namely Stonehaven Dr., Via del Aqua and San Antonio Rd. are only two lane local streets and they have to accommodate both existing traffic and the added project traffic. It would seem if the developer realizes the importance of a 4-lane road for his project, the connecting street system should be at least comparable in size if not larger.

L36-6

o. Similarly, for emergency access, the Project recognizes the need to have a four-lane section of the Aspen Way extension with a curb-to-curb width of 66 feet to accommodate two lanes of travel with two 26-foot travel ways and a 14-foot median. But the rest of the supporting street system fails to match the cross section as required for the project, and the rest of the street system has to dissipate both existing traffic and the added project traffic during an emergency. San Antonio Rd. has 42' of curb-to-curb distance. Via del Aqua has less than 40' of width. To best address emergency access, the project must have at least two access points from both Via del Aqua/Stonehaven and San Antonio as no one knows where the future emergency will take place. Also, if the DEIR states that "All internal roadways have been designed with adequate width to accommodate emergency vehicles", for the safety of both existing and future residents, the entire street system, both existing and proposed, has to be updated and upgraded to accommodate emergency vehicles.

L36-7

o. Queuing Assessment at the intersection of San Antonio Rd. and Yorba Linda Blvd.: The study is correct in pointing out the need to extend the southbound (eastbound) left turn pocket at this intersection. Given the amount of traffic and the proximity of a fire station, the traffic study should include the analysis of installing double left turn lanes at this location to best address the added traffic impact and emergency access for the fire station.

L36-8

o. Mitigation Measures:

The traffic signal and associated street improvements at the intersections of Yorba Linda Blvd. at Via del Aqua, Stonehaven Dr. and San Antonio Rd. should paid for entirely by the new development(s). The LOS is well within acceptable level today and any mitigation measures to address new traffic impact should be the responsibility of the new development(s).

L36-9

Lastly, **this is Yorba Linda** and we should not simply accept a design that barely meets the minimum standards. Yorba Linda residents are entitled to and will demand for a higher standard of projects. The end result will benefit both the existing residents as well as the new comers.

L36-10

- L37-4 The TIA Guidelines do not require the analysis of local street intersections. The scope of the analysis was determined in consultation with the County and City traffic engineers (page 5-544 of the DEIR).
- L37-5 This location is in the City of Anaheim, and the DEIR was submitted to the City of Anaheim for comment. No comments were received from the City of Anaheim.
- L37-6 The four-lane roadway segment provided within the Proposed Project is a Project Design Feature and was not required based on traffic volume needs. The approved TIA adequately addressed the traffic impact to Stonehaven Drive and Via del Agua.
- L37-7 The four-lane roadway segment provided within the Proposed Project is a Project Design Feature and was not required based on emergency access needs. The Proposed Project design includes two emergency access points as shown in Figures 11-2 and 17-2 of the approved TIA. Via del Agua satisfies the minimum emergency access requirement.
- L37-8 The single eastbound left-turn pocket (with improvements) will be able to accommodate the forecast left-turn volume at Yorba Linda Boulevard/San Antonio Road. San Antonio Road only has one receiving lane and, therefore, cannot receive dual left turn lanes.
- L37-9 It is standard practice that new development is required to pay a fair-share portion towards mitigation of the projected impacts. However, the request regarding payment of the entire traffic signal improvement will be forwarded to the decision makers for consideration.
- L37-10 Comment noted.

We appreciate your consideration of our responses and all your hard work on this project.

Sincerely,

TRAFFIC CONTROL ENGINEERING, INC.



David Kuan, T.E., P.E.

↑ L36-10
cont'd

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Comment Letter L38

Hosford, Karen

February 3, 2014

February 3, 2014

Mr. Kevin Canning
300 North Flower Street, 3rd Floor
Santa Ana, CA 92702-4048

Re: Esperanza Hills Project

Dear Mr. Canning:

I have reviewed the EIR for the Esperanza Hills Development Project and have a number of concerns after attending the Developer Open House. Our concerns begin with the way in which the project was approached and ends with the critical impact on public safety and the and the negative impact to the environment.

L38-1

The County should never have allowed these two separate projects to be considered independently but combined into one EIR and assessed from the standpoint of 460 homes. In addition, since these housing projects will ultimately be part of the City of Yorba Linda, it is difficult to understand why the County of Orange is involved with the approval of homes that will fall under the City laws, protection, and city jurisdiction. Why doesn't the City of Yorba Linda have the ultimate authority over a development project that is going to impact the traffic, security, public safety, and impact to our hills and wildlife?

L38-2

The Traffic/Transportation assessment did not include the intersection of La Palma and Yorba Linda Blvd, which is a high traffic intersection due to congestion on the 91 freeway and motorists taking side streets to avoid the gridlock. In addition, the major flaw of the traffic assessment is that it did not take into account the evacuation of all residents in the event of a fire. With only one access road out of the development, it will be a deathtrap for residents when the next fire occurs. We experienced this situation first hand in 2008 and adding 450 more homes to the hillsides evacuation will be impossible. In fact, the access roads for ingress and egress into the developments are the property of the City of Yorba Linda, but our city is not a party to the approval of this project, which is a major concern to the residents of Yorba Linda since the City of Yorba Linda will ultimately be responsible for providing access to the development through Aspen Way or Via Agua, as these are city streets and will be under the purview of the city of Yorba Linda. In no way do we support having another access point on San Antonio Road, which would impact the hillside and wildlife.

L38-3

Public Safety should be a major concern of the Planning Committee, the County of Orange, and the City of Yorba Linda. The way in which this development and the sister development of Cielo Vista are being submitted, is an outrage to the citizens of Yorba Linda. It is appalling to us as lifelong residents of the County of Orange, that this development can circumvent the City of Yorba Linda's authority by submission to the County. In essence, the City of Yorba Linda will be responsible for these residents in terms of public safety, so the County has the ability to approve these two development projects and walk away and leave the City of Yorba Linda liable for the protection and welfare of the inhabitants. When the next fire occurs, it will be impossible to evacuate all the residents in time to avoid fatalities as there will be an additional 1500 residents in the hills. We experienced this first hand in November 2008, when residents are evacuating, there was no emergency access for fire, ambulance, or police as the access roads are filled with cars exiting the hills. Without additional access roads that will be utilized by

L38-4

**Response to
Comment Letter L38
Hosford, Karen
February 3, 2014**

- L38-1 The County acknowledges receipt of a letter from Karen Hosford dated February 3, 2014. Commenter's concerns related to public safety and the environment are addressed herein.
- L38-2 Commenter is referred to Topical Response 5 - Segmentation/Piecemealing. While the Project Applicant has submitted an application to the County Local Agency Formation Commission (LAFCO), the application has not moved forward to approval at this point. Therefore, the Project site remains within the jurisdiction of the County. However, the commenter is referred to Section 5.9 - Land Use and Planning, which includes analysis of consistency with City of Yorba General Plan goals and policies.
- L38-3 The Traffic Impact Analysis (TIA) was prepared consistent with the appropriate Guidelines and did include traffic analyses of Yorba Linda Boulevard and La Palma Avenue. As stated on page 5-544, the Traffic Impact Analysis key study intersections were selected by Linscott, Law and Greenspan Engineers in consultation with the County and the City of Yorba Linda. The intersection of Yorba Linda Boulevard at La Palma Avenue is key intersection #12. As reflected in Table 5-14-10, Table 5-14-11, and Table 5-14-12, this intersection is forecast to operate at acceptable levels of service (i.e., LOS D or better) in each future development scenario. Commenter is referred to Topical Response 3 - Traffic Ingress/Egress for additional information regarding traffic movement in the event of an evacuation. Section 5.3 - Biological Resources discusses the impacts to wildlife and vegetation under both access options proposed.
- L38-4 Fire and police protection would be provided by OCFA and OCSD whether the Proposed Project is within County or City jurisdiction. The DEIR includes a thorough analysis of the provision of fire and police protection during a fire. The analysis is based on information provided by each agency, as well as technical analysis related to wildfire. Commenter is referred to Section 5.7 - Hazards and Hazardous Materials for information related to the Proposed Project's Fire Protection and Emergency Evacuation Plan (Appendix J in the DEIR) and the OCSD proposed evacuation plan (Exhibit 5-66, page 5-291).

emergency vehicles, it will be impossible to gain access to San Antonio Road and Via Agua during a fire. Not to mention the gridlock on Yorba Linda Blvd, La Palma, and Fairmont.

L38-4
cont'd

The EIR does not address how an additional 340 homes will be serviced by the existing 1 fire engine and 3 fire fighters at station 32. The mitigation measures in 4.7-11 do not address the fire hazards or safety of the existing residents, only the fact that the existing one engine will be able to handle the needs of not only the 340 homes in Esperanza Hills, but also the additional 119 homes being built in the sister development Cielo Vistas. Fire station 32 cannot handle the expansion of 450 homes and would require a secondary fire station to be built to support these developments near La Palma and Yorba Linda Blvd.

L38-5

Hazards and Hazardous Materials Mitigations indicate that there is an extreme hazard due to the oil drilling and oil impact to the soil surrounding these hills. The grading of this area will cause significant harm to the air quality and the impact on the residents during this extensive grading process. Although, there are steps taken to mitigate the impact, it is not stringent enough to protect the residents from the health impact of breathing this contaminated air and pollution. Due to the Santa Ana Winds which blow through the canyon at speeds of over 30 miles an hour, there must be additional mitigation includes daily air quality readings and discontinuance of grading if the air quality is impacted. The SCQMD Rule 1166 should be monitored daily to ensure the project complies with the AQMD regulations and an AQMD assessor should be at the Esperanza Hills site daily to take readings to ensure enforcement of satisfactory air quality. If the air quality does not comply with regulatory limits then the construction process must cease until the AQMD readings are compliant. In addition, if wind speeds are over 5 miles per hour on any day during the grading or construction period, the process should be halted until wind speeds decrease to prevent additional contamination to the surrounding areas. The AQMD assessor should validate this on a daily basis.

L38-6

Another concern of this project is the density and zoning considerations. This property is zoned R1 and would require a zoning change to allow construction in the density indicated. I am opposed to this zoning change and want to keep the hills undeveloped. The impact on wildlife and vegetation will be severe. We want to protect Yorba Linda from the overdevelopment and overcrowding of surrounding areas. Protect the wildlife and open undeveloped space.

L38-7

In closing, the Esperanza Hills project should be rejected due to the damage to the environment, public safety, security, and wildlife. The projects mitigation efforts cannot offset the permanent negative impact not to mention the loss of life when the next fire occurs.

L38-8

Respectfully,

Karen Hosford
21155 Ridge Park Drive
Yorba Linda, Ca

- L38-5 Commenter is referred to Section 5.12 - Public Services, page 5-498. Table 5-12-1 summarizes the OCFA fire stations that serve the area. As indicated in that table, Station 32 is the first responding station; however, other fire stations would be available in the event of an emergency to provide back-up firefighting support. In addition, OCFA maintains mutual aid agreements with other firefighting agencies. Subsection 5.12.3.2 (Fire/Paramedic Services) details the analysis provided in the FPEP related to the number of calls generated by the Proposed Project per day (0.17) and per year (61). The Project Applicant will be required to pay fair share fees if the OCFA determines that additional facilities will be required by new development in the area.
- L38-6 As noted in Section 5.7 - Hazards and Hazardous Materials, the active and inactive oil wells must comply with California Department of Conservation regulations for operation and closure/abandonment. A Phase II Environmental Site Assessment is required prior to grading to ensure remediation if contaminated soils are present. Commenter is referred to Section 5.2 – Air Quality pages 5-88 and 5-89 for Mitigation Measures that are specifically designed to minimize dust. To ensure that all of the mitigation measures prescribed in the DEIR are implemented, a Mitigation Monitoring and Reporting Program (MMRP) will be adopted in the event the Proposed Project is approved. The MMRP identifies each mitigation measure, the timing of implementing the mitigation measures, the method of verifying the mitigation measures, and the individual or agency responsible for ensuring that each mitigation measure will be implemented.
- L38-7 As stated in Section 5.9 - Land Use, the Proposed Project density is consistent with the proposed amended County General Plan and the City General Plan, as well as the zoning. The County and City both considered that the Murdock Property, of which the Proposed Project is a part, would be developed with residential uses at 1 dwelling unit per acre. The Proposed Project density is .73 units per acre.
- L38-8 The DEIR analyzed all environmental topics and found that unavoidable adverse impacts will occur due to greenhouse gas emissions and noise (DEIR page 10-1). All other impacts can be mitigated to less than significant with the application of conditions of approval, project design features, and mitigation measures included in the DEIR.

Comment Letter L39
Schlotterbeck, Melanie
February 3, 2014

Melanie Schlotterbeck
19042 Alamo Ln
Yorba Linda, CA 92886

February 3, 2014

Via E-Mail

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

Re: Esperanza Hills Project Draft Environmental Impact Report

Dear Mr. Canning:

As a resident of Yorba Linda I would like to submit the following comments and attachment on the Esperanza Hills Draft Environmental Impact Report (DEIR).

L39-1

The DEIR fails to address the economic costs of the inevitable damage related to wildfires, etc. As was witnessed in the Freeway Complex Fire and resulting lawsuits by residents due to lack of water and loss of homes and property, the Esperanza Hills DEIR must address this impact. And as evidenced by the Hills For Everyone Fire Study and Friends of Harbors, Beaches and Parks comment letter this site has burned numerous times already, so it will burn again. By bringing more structures and people into this Very High Fire Hazard Severity Zone you would be creating a major financial obligation to the City, County, and other public agencies in the future when the fires do come. Ultimately there is the issue of how to repair the damages to the structures and the environment. This economic impact needs to be addressed in the DEIR.

L39-2

As recently reported in the Orange County Register article the costs associated with just one major fire event could completely eliminate any economic benefits of this project. (See Attachment 1) Further, in Yorba Linda lawsuits could reach, according to the article, \$70 million because of just one fire event—the Freeway Complex Fire. And therefore, the potential positive and immediate economic benefits associated with this project need to be closely evaluated and compared to the permanent, negative impacts this project will have plus those potential catastrophic wildfire costs.

L39-3

Sincerely,

Melanie Schlotterbeck

Melanie Schlotterbeck

CC: Todd Spitzer

Attachment: 1 – Orange County Register Article “Economic Costs of Fire Could Outweigh Madrona Benefits”

**Response to
Comment Letter L39
Schlotterbeck, Melanie
February 3, 2014**

L39-1 The County acknowledges receipt of a letter from Melanie Schlotterbeck dated February 3, 2014. The commenter's concerns related to wildfires are discussed in Section 5.7 - Hazards and Hazardous Materials in the DEIR. Additional information is provided in Topical Response 1 and Topical Response 2.

L39-2 It is acknowledged that the Project site is within a Very High Fire Hazard Severity Zone. However, it must be noted that none of the wildfires recorded since 1943 within a two-mile radius have started on the site of the Proposed Project. Further, there is no factual evidence provided that the type of development proposed, which includes fire protection and prevention measures as listed in the DEIR Section 5.7 (also see Topical Response 1), will result in additional fires or exacerbate any future fires in the Proposed Project vicinity. It should be noted that the article referenced in commenter's letter states that all homes that burned in the 2008 Freeway Complex Fire were built prior to 1996 fire codes. The Proposed Project will be built to current building codes, which are significantly more stringent and more effective in protecting structures and reducing damage caused by fires.

Commenter does not provide any factual information about how the Proposed Project would create a major financial obligation to the City, the County, and other public agencies. Rather, the Proposed Project will provide fuel modification zones, hardened buildings, and a gravity-fed water system for firefighting, among other features, none of which were in place during previous wildfire events. This ability to reduce the intensity and spread rate of a fire would likely reduce damage and thus reduce impacts from fires.

L39-3 The article provided by the commenter pertains to costs and lawsuits related to fire events. CEQA does not require cost analyses related to project implementation, but rather focuses on environmental concerns and impacts. However, as noted in the response to Comment L39-2 above, the Proposed Project provides fire protection and prevention measures to increase safety and protect lives and property.

Print Article: Economic cost of fire could outweigh Madrona benefits

<http://www.ocregister.com/common/printer/view.php?db=ocregister&id...>

Attachment 1



Economic cost of fire could outweigh Madrona benefits

By [CHRIS HAIRE](#)

2014-01-07 11:11:58



The potential multimillion dollar benefits of the Madrona housing project in Carbon Canyon could be at risk if even a single fire erupts in the historically blaze-prone Chino Hills, say fire experts and development opponents.

The Brea City Council will have to determine whether the possible revenues from the development are enough to override the possible economic toll of fires, which several studies, experts and historical precedent suggest is inevitable. The council is scheduled to continue its hearing Jan. 21 on the Madrona plans.

Madrona officials say they are taking precautions and are adhering to updated fire codes that would prevent damage.

"People tend not to think of the economic impact of fires," said former Mayor Bev Perry, who is trying to block the project and has experienced three fires in her more than 25 years in Brea. "There is an economic cost of fighting the fire and an economic cost of the aftermath."

Developers of the Madrona project, the Old Standard Life Insurance Company, have argued that building the 162 estate-style homes over 368 acres would net the city more than \$9 million over 20 years. In addition, it could bring in \$14 million in fees that would benefit the city and the Brea Olinda Unified School District.

The city could also receive a boost in sales tax, if future residents choose to shop in downtown Brea.

In the short term, the project would create 935 construction jobs, according to a city-commissioned study.

But the costs of a fire could be devastating, impacting local, state and federal agencies, some experts say.

The site lies in a "Very High Fire Hazard Severity Zone," with one major fire occurring in the area each decade for the last half-century, according to a Madrona report.

The most notable of those blazes was the 2008 Freeway Complex Fire, which burned more than 30,000 acres and damaged or destroyed 381 homes in the region, including the canyon and Yorba Linda, according to the Orange County Fire Authority. The authority's report, however, noted that all the homes that burned were built prior to 1996 fire codes.

That blaze was the sixth largest wildland fire in terms of property damage in U.S. history, causing \$853 million in damage, according to a National Fire Protection Association study.

Also, in July 2012, the Yorba Linda Water District settled a suit brought by 19 homeowners alleging the district did not provide sufficient water to fight the fires. The suit cost \$70 million.

Yorba Linda, one of the hardest-hit cities, spent \$3.8 million to rebuild infrastructure and facilities, said Finance Director Dave Christian of Yorba Linda. Most of that was recouped from federal grants.

"A lot of areas develop without thinking about the fire risks," said Michele Steinberg, a project manager for the National Fire Protection Agency's wildland fire operations division. "I think cities tend not to take a long-term

Print Article: Economic cost of fire could outweigh Madrona benefits

<http://www.ocregister.com/common/printer/view.php?db=ocregister&id...>

view.”

Beyond the freeway fire, a study by the University of Oregon's Institute for a Sustainable Environment found there were 135 large wildfires that cost between \$1 million and \$86 million for fire suppression between 2004 and 2008.

The San Diego County wildfires of 2003, which burned 376,000 acres, prompted more than 5,000 unemployment claims, according to a San Diego State University study.

Still, preventive measures are available, such as using modern technology for construction, clearing vegetation that would act like fuel in a fire and mandating fire sprinklers – all of which the Madrona development calls for, according to the developer's fire-protection plan, developed by Fire Safe Planning Solutions. The developer will also build a six-foot retaining wall to help prevent fires from reaching the homes.

Madrona's fire-protection plan meets all standards required by the California Fire Code, said David Otis, the principal fire-protection planner for Fire Safe Planning Solutions.

“If all the protection systems are in place, it is highly unlikely the houses will burn,” Otis said. “All of these measures have been tested and we have learned lessons from previous fires. The chance of (houses) surviving a fire is very good.”

Otis also noted that several communities built under newer codes survived blazes the would have destroyed older homes, including Yorba Linda's Casino Ridge community that survived the 2008 fire and other areas during the 2007 Santiago Fire. Madrona's standards go above them all, he said.

“This project actually exceeds the requirements,” he said. “When it is done, it will be a model for the entire county for fire protection. Because of that, the economic impact of a fire in the area will be minimal.”

But some experts question if those efforts can ever truly prevent fires from devastating communities.

“Most elected officials are going to say, ‘How can we not build just because there is a risk’” Steinberg said. “And then a fire will happen and they will say that it's an act of God that couldn't be predicted. That's not true. We can map fires. If you make a decision to build, then make that decision with the risk in mind.”

Contact the writer: 714-704-3707 or chaire@ocregister.com

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Comment Letter L40

Kanne, Diane D.

February 3, 2014

Diane D. Kanne

4825 Via del Corral • Yorba Linda, CA 92587
Phone: 714-779-2808 • E-Mail: ddktec2000@aol.com

Date: February 3, 2014

Kevin Canning
300 North Flower Street
Santa Ana, California 92702-4048
Kevin.Canning@ocpw.ocgov.com

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

Dear Mr. Canning:

Outlined below are my comments on the Draft Environmental Impact Report (EIR No. 616) for the Esperanza Hills Project dated December 2, 2013.

Summary of Comments

More time should have been allocated for concerned community members to respond to this DEIR. With both Cielo Vista and Esperanza Hills DEIRs being issued at almost the same time, and this Esperanza Hills Project being much larger than Cielo Vista, the County of Orange should have extended the comment period for this DEIR. Lack of an adequate comment period has severely limited my ability to completely review and comment on this DEIR.

This Draft Environmental Impact Report (DEIR) is totally inadequate at addressing the severe environmental impacts from the rezoning and development of the proposed Esperanza Hills Project. All of these impacts need to be fully analyzed and avoidance migration strategies fully addressed.

County representatives told us that both the Cielo Vista and Esperanza Hills DEIRs would address the combined impact of the two developments. That has not been done in this Esperanza Hills DEIR. Without an analysis of the combined impacts of these two projects, the County of Orange, City of Yorba Linda, and the various regulatory agencies responsible for protecting resident health and safety and avoiding irreparable environmental damage cannot adequately assess the environmental impacts of turning a natural area teaming with

L40-1

L40-2

**Response to
Comment Letter L40
Kanne, Diane D.
February 3, 2014**

- L40-1 The County acknowledges receipt of a letter from Diane D. Kanne dated February 3, 2014, which included a request that more time be provided for public review of the DEIR. It is important to note that the public comment period for the Esperanza Hills DEIR was extended 17 days, to 62 days rather than the state-mandated 45 days.
- L40-2 Commenter suggests that analysis of the Proposed Project and the proposed Cielo Vista projects should be combined. Cumulative impacts are discussed in each topical section of the DEIR in addition to Chapter 7 - Summary of Cumulative Impacts.

Page 2

wildlife into relatively high-density housing. **This DEIR should be revised to include the combined impact of both Cielo Vista and Esperanza Hills developments.**

L40-2
cont'd

Moreover, even without the combined impacts of the two projects being evaluated in this Draft EIR, the Report does not adequately address environmental impacts in several key areas. The most egregious of these are:

L40-3

- Scenic Vista, Visual Character, and Visual Quality
- Scenic Resources
- Consistency with Air Quality Plan
- Compliance with Emissions Standards
- Sensitive Receptor Exposure to Pollutants
- Seismic and Geologic Stability Hazard
- Emergency Response Plan
- Wildland Fires
- Provision for Public Services
- Park and Recreation Facilities
- Circulation System
- Emergency Access

- L40-3 The DEIR prepared for the Proposed Project addressed each of the issues identified below. The analysis presented in the DEIR is based on existing current information relevant to facilitate that analysis as well as detailed technical analysis in several areas, including traffic, noise, air quality, soils and geology, and wildland fires. The potential impacts anticipated to occur as a result of project implementation have been extensively and thoroughly analyzed; the findings and recommendations are detailed in the DEIR. Without additional information provided by the Commenter as to the nature of the inadequacy, it is not possible to provide further responses related to the issues enumerated in this comment. Please refer to response to Comment L40- 2 above.

General Comments:

This project should never be built. The enormous impact of this project on public safety, traffic, air quality, biological resources, geology and soils, greenhouse gas emissions, and increased exposure to hazardous materials cannot be ignored and should not be ignored.

L40-4

Additionally, the scope of the project, including the enormous amount of earth moving, rearrangement of the landscape to make a mountainous area flat enough for house to be built, and grading required to complete this project would significantly impact property owners directly downwind or next to this property. The owners of Esperanza Hills are asking you to ignore the substantial impact this earth rearranging will have on property owners abutting and down wind of their property. **This massive earth moving and its environmental impacts cannot and should not be ignored.**

L40-5

The Esperanza Hills Project is surrounded by the city of Yorba Linda **on three sides**. The project site is within the City of Yorba Linda Sphere of Influence. There is no other city that this project could join. **This land should be annexed into the city of Yorba Linda before it is developed.** All of the services that will be provided to the residents of any new development, outside the actual development itself, including roads, schools, police, the fire department, libraries, parks, recreational facilities, sports fields, and commercial businesses are located in the city of Yorba Linda, yet the residents of this new development will not be equally financial responsible for these services. For example, Travis Ranch Elementary and Middle School is a joint use facility with the City of Yorba Linda, yet the residents of this proposed development would not financially support the City's obligation to this joint facility. **The residents of any new development will be using facilities in Yorba Linda that they will not pay for equally with their Yorba Linda neighbors right next door. This inequity should not be ignored.**

L40-6

Moreover, the proposed development is not congruous with the surrounding community. **There are currently no gated communities in the City of Yorba Linda.** Thus, there are **no parks behind gates, no roads behind gates, no sidewalks behind gates, no view overlooks behind gates, no trails behind gates, and no sports fields behind gates** that cannot be accessed by any member of the general public, let alone just the residents of the City of Yorba Linda. **This is not Newport Coast where all the communities are gated. It is totally incongruous to build a very large community with private parks, roads, sidewalks, views, and sports fields next to a city that has no private communities within their boundaries and then imply that the community could be easily annexed into the City of Yorba Linda.**

L40-7

- L40-4 Comment noted. The commenter does not identify specific individual concerns for each topical category listed.
- L40-5 Project impacts related to air quality and greenhouse gas emissions are analyzed in Section 5.2 (Air Quality) and Section 5.6 (Greenhouse Gas Emissions). Results of a health risk assessment for the Proposed Project construction phase impacts to sensitive receptors are found beginning on page 5-83 of the DEIR.
- L40-6 The Orange County Local Agency Formation Commission is the agency responsible for review and approval of annexation requests from the landowner or the city. Pre-annexation proceedings were initiated, but at this time LAFCO has not taken action. Therefore, the project remains under the jurisdiction of the County of Orange.
- Contrary to the commenter's statement, the Proposed Project will be required to pay fees for public services such as schools and fire/police protection. The commenter is referred to Section 5.12 - Public Services for specific information regarding fees.
- L40-7 Comment noted. CEQA does not require analysis of this aspect of a project, and whether the project is gated or not does not raise an environmental issue. Access to the community will be provided via pedestrian, equestrian, hiking, and biking trails. Because the Proposed Project is located in an unincorporated portion of the County, the responsibility for land use decisions rests with the County of Orange. However, as noted in several sections of the DEIR, development is consistent and compatible with the existing land uses and has been designed to comply with development standards prescribed by the City of Yorba Linda given its location within the City's sphere of influence.

Page 4

The developers of Esperanza Hills have said in their meetings with the community, including in their meeting on January, 2014 at Travis Ranch School, that the residents of Yorba Linda Community would have access to this gated community and its amenities by walking into the community. **However, the developers are providing no parking outside the gate or just inside the gate for city residents to park.** City residents will need to have permission of a resident of Esperanza Hills to drive into their community to use their parks, roads, and other public benefits, but Esperanza Hills residents will be allowed into all areas of the City of Yorba Linda. **A natural area with aesthetically pleasing natural views and wildlife will be turned into a community of residents who restrict access to their community by those residents living right next to them. The totally incongruous nature of this large gated community within the County of Orange but next to the City of Yorba Linda that has no gated and restricted communities should not be ignored. This should not be a gated community. This attempt to avoid Yorba Linda's planning process cannot and should not be ignored.**

L40-7
cont'd

Certainly, with plans to build homes in such steep and hilly terrain, it is expected that much of the land cannot be developed and must be left as open space. This is obvious in the Esperanza Hills development plan as they are planning "buffers" of natural open space, including riparian corridors and preserved native habitat. Much of this land will be "managed for wildlife" including the endangered Least Bell's Vireo. This is an oxymoron. If left in its natural state, the land would be just fine for wildlife. **No development or management is needed.** The land should be left in its natural state for wildlife.

L40-8

Also planned is managed open space that will need to be irrigated and maintained by the Homeowner's Association. The plans look generous with respect to open space and parks as the open land will include 11 active and passive parks. **But, where are the new soccer fields, baseball fields, basketball courts, tennis courts, and other recreational fields needed for the children of this new community and the residents of Yorba Linda who they will play with and against?** City facilities are already impacted and have little room or time slots to accommodate new residences. **This lack of new sports fields and facilities for these new residences should not be ignored. Esperanza Hills developers should be required to provide soccer fields, baseball fields, basketball courts, tennis courts, and other recreational facilities for their residents and these new facilities should be made available for use by City of Yorba Linda community members.**

L40-9

Additionally, after 15 years of residence on Via del Corral, we have noticed recent, unexplained lifting of our driveway at 4825 Via del Corral that prevents us from opening our garage door, cracks in our hardscape that have become more plentiful over the past two years, unexplained cracks in our street that crisscross the entire street and formed

L40-10

- L40-8 Commenter is correct that a significant part of the Proposed Project site will be left in natural, undisturbed condition. The Murdock Property was considered for development in the County General Plan and the City of Yorba Linda General Plan. Project implementation is consistent with the anticipated development of the site.
- L40-9 Please refer to Section 5.13 in the DEIR. As shown in Table 5-13-1 on page 5-517, the Proposed Project will provide in excess of the County, City, and Quimby Act requirements for new developments. The 11 park areas are in addition to approximately seven miles of trails that will be available to the Proposed Project residents and general public.
- L40-10 The Proposed Project geology and soils conditions were fully analyzed in Section 5.5 beginning on page 5-203. In addition, seismic hazards were discussed, including fault trenching, surface mapping, and LIDAR imagery review, which identified fault locations. Based on findings, a seismic setback zone was established to ensure no habitable structures are located within the setback zone.

Page 5

within a month of the most recent street repaving. Also, an unexplained water leak that was not caused by a broken water pipe or other infrastructure malfunctions emanated from under the street at the bottom of Via del Corral and continued for more than one year. Residents suspected that this water may be the result of an undiscovered underground spring or along with the street cracks and other recent earth shifting, the water is a direct result of the oil and gas development above our properties. Earth movement may be the direct result of either oil and gas development or proximity to an active earthquake fault. Both current and future residents can expect similar impacts on their properties if the county approves the rezoning of this property to Single Family Residential District. **The county should not subject more residents to the environmental damage, property damage, and health dangers of living in a geologically active area.**

L40-10
cont'd

The greatest hazard with development of both Esperanza Hills and Cielo Vista is to the safety of current and future residents during emergencies. This property lies near or on the Whittier Earthquake Fault, an offshoot of the San Andreas Fault. The Whittier fault has been active in the past 40 years and can be expected to be active in the future. On Wednesday evening, January 15, 2014, scientists at the California Institute of Technology were interviewed on the CBS evening news about the likelihood of a major earthquake in Southern California in the next 20 years. Their estimate was that it is 99.9% likely that Southern California will have a major event in the next 20 years. **It is unconscionable to build more homes near a known active fault that is tied to the San Andreas, the major fault expected to produce our next major earthquake. The DEIR should be revised to adequately determine the impact on current and future homeowners of building homes next to an active earthquake fault. The DEIR should include an analysis of the likelihood of a major earthquake and the resulting damage to current and future living within ½ mile of the Whittier fault.**

L40-11

Additionally, this Esperanza Hills property includes hills and a canyon where Santa Ana winds blow at speed higher than most areas of Yorba Linda or the surrounding communities. Wind speeds can reach up to 75 miles per hour (mph) during the most severe Santa Ana events. For example, the After Action Report on the Freeway Complex Fire prepared by the Orange County Fire Authority states that sustained wind speeds at the start of the Freeway Complex Fire were 43 mph and gusts reached 61 mph. Also, an article in the Orange County Register dated April 9, 2009 stated that wind speed reached 75 mph in Yorba Linda during the Freeway Complex Fire. Even without construction upwind of our homes, these winds generate enough dust and particulate matter to cover plants, structures, and cars left outside during an event. Particulate matter seeps into homes leaving a layer of dust on inside surfaces and dirtying indoor air filters. The winds can be so strong that they knock over anything smaller than a car, including the large industrial-sized trashcans now being used in Yorba Linda. **These winds that blow directly through**

L40-12

- L40-11 Earthquake hazards and the potential for earthquakes to occur are addressed and thoroughly evaluated in Section 5.5 (Geology and Soils) based on the results of extensive soils and geologic testing and analysis. Refer to response to Comment L40-10 above. Mitigation measures have been prescribed and will be implemented to ensure that potential impacts resulting from seismic activity, including ground rupture, are avoided or reduced to less than significant level.
- L40-12 Commenter is referred to Topical Response 1 – Fire Hazard and Topical Response 2 – Evacuation Plan, which restate and update the proposed fire hazard/fire evacuation analysis. Detailed analysis can be found in Section 5.7 - Hazards and Hazardous Materials.

Page 6

Blue Mud Canyon are directly responsible for the Freeway Complex Fire spreading into the community of Yorba Linda, destroying or damaging more than 130 homes, including approximately 30 that are adjacent to this proposed new development. The hills and canyon included in this development and the new homes proposed to be built would be directly in the path of the next fire.

L40-12
cont'd

The next fire will happen and will endanger lives and property. As I am writing these comments, every major station on television is showing the January 16, 2014 fire in the Glendora and Azusa hills. As I write, 1,709 acres have burned and at least five structures have been destroyed. Embers travel for miles causing spot fires and burning homes nowhere near the actual flame front. No fire resistant plantings will be able to stop the next fire during these high wind conditions. Property was lost during the Freeway Complex Fire because structures caught fire and the winds carried embers from these structures to other structures. **Building new homes will not, in fact, protect existing homes from the next fire. They will actually provide new fuel that could result in more damage in existing communities during the next fire. This fire hazard to new and existing residents should not be ignored. The DEIR should be revised to adequately address the danger to lives and property from inevitable wildfires.**

L40-13

Moreover, Via del Agua did not accommodate the emergency traffic during the Freeway Complex Fire and could not accommodate more homes during a future fire emergency. During the Freeway Complex Fire, vehicles were exiting onto Yorba Linda Boulevard in three traffic lanes coming out of Via del Agua, three lanes created by residents during the panic, but many at the top of the hill were still unable to exit the community for more than an hour. These three traffic lanes also left a very narrow lane for emergency vehicles to go up the hill. A light at Via del Agua and Yorba Linda Boulevard would not solve this problem. As mentioned below, the typical escape route during a fire that new residents of these 340 homes would take would be to exit onto Stonehaven and then proceed down the hill, not up the hill, to Via del Agua. This small street could not support the cars escaping from existing homes along the Stonehaven/Via del Agua loop, let alone about two cars each from 340 new homes. **Lives will be put in mortal danger during the next fire if new homes are built that can only leave the area during an emergency by Via del Agua. This road is not built to accommodate traffic from any new homes in these hills. The DEIR should be revised to show how Esperanza Hills plans to mitigate the inadequate emergency evacuation infrastructure for their project and the surrounding community.**

L40-14

- L40-13 Contrary to commenter's statement, the Proposed Project will provide a number of measures designed to reduce the intensity and spread rates of wildfires. Please refer to Topical Response 1 for a list of the measures that are proposed, none of which were in place prior to the 2008 Freeway Complex Fire because the site was undeveloped. In addition, fire codes and building codes have been updated since that time and include more stringent requirements for safety. In addition to the fuel modification plan that provides a buffer between the proposed homes and the wildland urban interface, the Proposed Project will include interior sprinklers, one-hour doors and walls, and other measures to reduce the potential for the spread of fires through the project and adjacent areas.
- L40-14 Please refer to Topical Response 2 for additional information regarding fire evacuation plans.

Comments on Specific Sections of the DEIR

I respectfully disagree that after all mitigation measures outlined in the DEIR are implemented, the Esperanza Hills Project would not result in any significant, unavoidable impacts. I will address these impacts specifically in the following sections.

L40-15

Section 4.0: Project Description

Access

The DEIR clearly states that the Esperanza Hills developers have not secured safe ingress and egress access to their development. If you assume two cars per household and 3 trips per car each day (a very conservative estimate of vehicle traffic, especially as all services are outside the development except parks, and these services are outside of walking distance given the terrain, elevation, and distance to schools, government, and commercial businesses), the planned roads used for ingress and egress would need to handle more than 1000 vehicle trips per day. **Even without discussing emergency evacuation and only calling attention to daily ingress and egress, the two options addressed in the DEIR are totally inadequate.**

L40-16

Option 1 would use only one road for daily ingress and egress, the path of an existing dirt road that was built for oil and gas or utility access by very small numbers of trucks and other heavy-duty vehicles that travel at slow speeds. It has two hairpin turns and follows ridges and valleys that were never designed for heavy traffic or light-duty vehicles driving at normal city speeds. The only other ingress and egress for Option 1 would be for **emergency purposes only and has not been secured as it requires building a currently unplanned road on the adjacent Cielo Vista Project.** This Option 1 (**with only one ingress and egress road for 340 residences**) then connects with a single lane, residential **city street (paid for by residents of Yorba Linda)** on a very steep portion of Stonehaven. The natural tendency of these new residents will be to turn right and proceed down hill to Via del Agua and Yorba Linda Boulevard. Via del Agua was never built to handle all 1000 new vehicle trips per day. All other roads connecting to Stonehaven and Via del Agua between Esperanza Hills and Yorba Linda Boulevard are cul-de-sacs with light traffic, and the road was built to accept this light, local traffic, not that of a large new community. **The extreme dangerousness and total inadequacy of the actual road inside the Esperanza Hills development coupled with the inadequacy of Stonehaven and Via del Agua to handle 1000 additional car trips and the lack of a second road for**

L40-17

- L40-15 Comment noted regarding commenter's opinion about proposed mitigation measures.
- L40-16 Please refer to Section 5.14 - Transportation and Traffic, and Topical Response 3 – Traffic Ingress/Egress for analysis regarding traffic circulation and impacts. The Traffic Impact Analysis prepared to address potential project-related impacts concluded that the roadways in the project area have adequate capacity to accommodate the projected future traffic volumes. Although the Yorba Linda Boulevard/Via Del Agua intersection is forecast to operate at an unacceptable level of service with the Proposed Project, mitigation has been proposed to improve the operational characteristics of that intersection to an acceptable level (LOS D or better).
- L40-17 The DEIR analyzes four ingress/egress options. The approving authorities will determine the option to be used during the public hearing process. Please refer to response to Comment L40-16 above.

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daily ingress and egress should not be ignored. Esperanza Hills developers should be required to provide two new safe and secure roads for both inside and outside their community for daily and emergency ingress and egress.

L40-17
cont'd

Option 2 would also provide only one road for daily ingress and egress with a road following the existing oil and gas road being used for emergency purposes only. In this plan, the 340 new residences and their 1000 car trips per day would **exit through an existing cul-de-sac, Aspen Way**. Thus, a current quiet cul-de-sac in the City of Yorba Linda would become the only ingress and egress road for 341 residences in a private, gated community located outside city limits in the County of Orange. A cul-de-sac was never designed nor planned to be a major thoroughfare for carrying traffic from an entire community out to San Antonio and Yorba Linda Boulevard. **The inadequacy of a proper daily ingress and egress route for 1000 additional car trips into and out of Esperanza Hills coupled with the lack of a second road for daily ingress and egress and the lack of a commitment from Cielo Vista that the emergency road can and will be built should not be ignored. Esperanza Hills should be required to provide two new safe and secure roads unconnected with the community streets that currently exist for daily and emergency ingress and egress.**

L40-18

Parks/Open Space

The developers of Esperanza Hills have said in their meetings with the community, including in their meeting in January, 2014 at Travis Ranch School, that the residents of Yorba Linda Community would have access to this gated community and its amenities by walking into the community. **However, the developers are providing no parking outside the gate or just inside the gate for city residents to park.** City residents will need to have permission of a resident of Esperanza Hills to drive into their community to use their parks, roads, and other public benefits, but Esperanza Hills residents will be allowed into all areas of the City of Yorba Linda. **A natural area with aesthetically pleasing natural views and wildlife will be turned into a community of residents who restrict access to their community by those residents living right next to them. The totally incongruous nature of this large gated community within the County of Orange but next to the City of Yorba Linda that has no gated and restricted communities should not be ignored. This attempt to avoid Yorba Linda's planning process cannot and should not be ignored.**

L40-19

Certainly, with plans to build homes in such steep and hilly terrain, it is expected that much of the land cannot be developed and must be left as open space. This is obvious in the Esperanza Hills development plan as they are planning "buffers" of natural open space,

L40-20

L40-18 Please refer to responses to Comments L40-16 and L40-17 above.

L40-19 Please refer to response to Comment L40-7 above.

L40-20 Please refer to response to Comment L40-9 above.

Page 9

including riparian corridors and preserved native habitat. Also planned is managed open space that will need to be irrigated and maintained by the Homeowner's Association. The plans look generous with respect to open space and parks as the open land will include 11 active and passive parks. **But, where are the new soccer fields, baseball fields, basketball courts, tennis courts, and other recreational fields needed for the children of this new community and the residents of Yorba Linda who they will play with and against?** City facilities are already impacted and have little room or time slots to accommodate new residences. **This lack of new sports fields and facilities for these new residences should not be ignored. Esperanza Hills developers should be required to provide soccer fields, baseball fields, basketball courts, tennis courts, and other recreational facilities for their residents and these new facilities should be made available for use by City of Yorba Linda community members. Parking should be provided within the Esperanza Hills community for community members and Yorba Linda City residents to use while accessing the parks, hiking trails, and sports facilities within the development.**

L40-20
cont'd

This is a county project surrounded by the city of Yorba Linda. Paying fees for county parks that these new residents will not use seems ridiculous. These residents will be using recreational facilities in the city of Yorba Linda. **Esperanza Hills should be annexed into the City of Yorba Linda to allow fees for parks and recreation to be collected by the city for maintaining city parks and recreational facilities these new residents will use. The DEIR should be revised to show the impact of building 340 new residences on Yorba Linda city parks and recreational facilities and provide sufficient financial resources and mitigation plans for the impact of these new homes.**

L40-21

Infrastructure

California is in a severe drought, and it unlikely that this critical stress on our natural resources is likely to end soon. Many scientists believe that climate change has created a permanent condition of drought in the west. Snow pack in the Sierras is at a new low, and Sierra mountain glaciers that have been on earth for millions of years are rapidly disappearing. Lake Mead, supplying water to much of the Southwest, including Southern California, is at critically low levels. **We are running out of water for development.** It is totally unconscionable to use **imported** Metropolitan Water District water to replenish local water sources and then decide to build even more homes with more landscaping, including special landscaping for fire protection that will need to be watered. **Where will the water come from that fills the two new reservoirs?** Water from the Colorado River

L40-22

L40-21 Please refer to responses to Comments L40-6 and L40-9 above.

L40-22 Commenter is referred to Section 5.15 (Utilities and Service Systems) for analysis of water provision and requirements. The analysis presented in this section is based on information provided by the Yorba Linda Water District and the most recent Urban Water Master Plan, which has indicated that the City has adequate long-term water supplies to accommodate the Proposed Project. Also refer to Topical Response 4 for additional information.

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and the Sierras is not an unlimited deep well. **It is unconscionable to ask other residents of California to cut their water usage so that new development can use the limited water available. The DEIR should address the impact of building 340 new homes in a fire-prone area on regional, not just local water resources.**

L40-22
cont'd

Section 5.2: Air Quality

5.2.1 Existing Conditions

L40-23

b. Wind

The DEIR's explanation of local wind patterns at the Esperanza Hills Project's location is general and does not necessarily represent the actual wind patterns at the project site and their effect on air pollution in the local area. While the general wind patterns in the South Coast Air Basin may be accurately described, the wind patterns at the project site may be totally misrepresented. For example, the DEIR states, "the warm air during the spring and early summer lifts most of the pollution produced on an average day and moves it through the mountain passes." Do we know this for a fact? Has monitoring at the project site been done or are the developers using monitoring data from a station on the flat lands of Anaheim more than 10 miles from the project site to describe what might happen in the hills of Yorba Linda? From experiencing the wind over the past 15 years, I have observed that **the wind patterns at the project site are typically strongest in the winter and the opposite of that described in the DEIR. Winds are greatest during Santa Ana events in the winter as this project is located in the hills and include Blue Mud Canyon where wind speeds can reach speeds greater than 60 mph. Esperanza Hills developers should be required to study the actual local climate conditions rather than the general conditions for the entire South Coast Basin. The DEIR should be revised to include a study of local wind patterns at the project site.**

Section 5.2.3 Thresholds of Significance

L40-24

This section makes it abundantly clear that the Southern California Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) are struggling to find ways to meet federal and state air quality management standards. While each new project may only have a small impact on air pollution, the combined impact of unbridled development is to subject everyone living in this basin with unhealthful air. This is particularly true when the impact is localized, as is the case with the Esperanza Hills development. **The greatest concern would be generation of NOx and particulate**

- L40-23 Wind and climate conditions were considered in the modeling for preparation of the Fire Protection and Emergency Evacuation Plan because wind conditions significantly impact fire behavior during wildfire events. Commenter is referred to Section 5.7 - Hazards and Hazardous Materials for additional information.
- L40-24 Please refer to response to Comment L40-5 above. As indicated in the DEIR, NO_x emissions during construction will exceed the SCAQMD threshold, necessitating the implementation of mitigation measures, which have been prescribed to ensure that construction-related NO_x emissions are reduced to a less than significant level. In addition, the Proposed Project will be required to comply with dust suppression and related SCAQMD rules to further reduce pollutant emissions.

Page 11

matter, PM10 and PM2.5, from diesel equipment and the generation of fugitive dust emissions during construction.

L40-24
cont'd

While the project site is located in Source receptor Area 16 (North Orange County), the monitoring station for this area is located at the opposite end of North Orange County, in La Habra. The conditions in La Habra would not and do not represent the conditions in Yorba Linda, especially those located in a mountain and canyon area where pollutants can be trapped, oil development is currently underway, and future oil and gas development is planned. The wind conditions can generate local ROG, NOx, SOx, PM10 and PM2.5 conditions not seen at the Pampas Lane monitoring station in Anaheim which is located in a relatively flat, residential and commercial area far from the hills and canyons of Yorba Linda. **Esperanza Hills developers should monitor actual conditions in the area to determine how their development would impact actual local conditions. Relying on monitoring in La Habra and Anaheim is unacceptable. The DEIR should be revised to require local monitoring of local air quality for all pollutants, including ROG, NOx, SOx, PM10, PM2.5 and toxic air contaminants to determine actual concentration before project development and to determine the actual expected impacts from the Esperanza Hills development both during construction and after completion.**

L40-25

This project site is not vacant! It is the site of recent oil and gas development. As recently as December, residents in the area detected strong oil odors emanating from the hills that include the Esperanza Hills and Cielo Vista development sites. It is also located in a hill and canyon area that can trap pollutants locally or generate significant PM10 and PM 2.5 emissions during Santa Ana conditions. **The DEIR should be revised to require Esperanza Hills developers to monitor actual local air quality conditions to determine the actual impact of their development on local air quality.**

L40-26

Section 5.2.4 Project Impacts Prior to Mitigation

1. Construction Emissions

As shown in the DEIR, the South Coast Air Basin is designated as nonattainment for state PM10 standards and serious non-attainment for federal PM10 standards. Relying on a generalized model, CalEEMod, developed for all construction projects located in the South Coast Air Basin is not sufficient for describing the local impacts from this project. **The DEIR should require local air quality monitoring to determine the actual impact of constructing 340 new homes on local air quality.** Additionally, the analysis of worst-case impacts from construction includes potential impacts from Bridal Hills LLC but not

L40-27

- L40-25 The SCAQMD operates and maintains several air monitoring stations throughout the region, including the Anaheim station, which is the closest station to the project site and which would be most representative of the ambient air quality in the project environs. Information presented in Table 5-2-1 provides a summary of the most recent air quality characteristics for several pollutants monitored at the Anaheim station in order to characterize ambient air conditions in the project area. The Proposed Project has been conditioned to comply with standard practices in the South Coast Air Quality Management District Handbook related to emissions. In addition, best management practices, including the use of enhanced control measures for diesel exhaust, are included as Mitigation Measure AQ-1 (page 5-88). Best management practices for dust control are included in AQ-3. Compliance with these regulatory measures will reduce potential impacts. Please refer to response to Comment L40-5 above.
- L40-26 Please refer to response to Comment L40-25 above.
- L40-27 Please refer to responses to Comments L40-5 and L40-24 above. With regard to cumulative impacts, please refer to response to Comment L40-2 above. In addition, Chapter 7 of the DEIR (refer to Table 7-1-2) concludes that project-related emissions, when combined with the adjacent Cielo Vista project and other approved and proposed projects, would result in "... cumulatively considerable and significant impacts to air quality."

Page 12

Cielo Vista. **The DEIR should include the combined impacts on local air quality of both Esperanza Hills and Cielo Vista.**

L40-27
cont'd

There is an environmental justice concern with this development. While the development operation would result in ROG, NOx, CO, SOx, PM10 and PM2.5 emissions from combustion associated with vehicles and construction equipment, fugitive dust from vehicular travel, landscape maintenance equipment, emissions from consumer products, and architectural coatings, the greatest concern should be from generation of fugitive dust emission from the actual grading and dirt moving and emissions from diesel construction equipment that does not include a particulate trap. Residents live directly downwind of this construction. Winds are common in this area and will generate significant PM10 and Pm2.5. In fact, without even considering the local geography and the proposed constructions location relative to local residents, Esperanza Hills developers recognizes that their development will exceed recommended local PM2.5 and PM10 levels (Table 5-2-8 and Table 5-2-9). There is no way that this construction can occur so close to and upwind of local residents and include a canyon area where winds are common and not significantly adversely affect local PM10 and PM2.5 conditions, resulting in health hazards for local residents with lung conditions, such as our son. **Esperanza Hills should not be allowed to construct on this site until they can show that their development would not severely impact the health of local residents downwind of their property. The DEIR should be revised to require Esperanza Hills to adequately determine the health impacts of fugitive dust emissions, especially during Santa Ana wind conditions, and recommend appropriate mitigation measures that protect the health of local residents. All diesel vehicles used on the site should have particulate traps/catalytic converters to minimize PM10 and PM 2.5 emissions from diesel vehicles.**

L40-28

Additionally, this project should not be looked at as the only one affecting the health and safety of local residents. As a smaller development, Cielo Vista, would generate even more emissions in the local area, these combined emission, including PM10 and PM2.5 would significantly impact the health of local residents. **Neither Cielo Vista nor Esperanza Hills should be approved until the combined local health affects of emissions from these two developments are determined.**

L40-29

The SCAQMD highly recommends that large construction projects use dispersion modeling to determine the localized impacts of air pollution generated during construction. **Esperanza Hills developers should be required to meet the requirements of a large project and complete dispersion modeling to determine localized pollutant concentrations. This dispersion modeling should then be used to determine the required mitigation of air quality impacts. The DEIR should be revised to require the**

L40-30

- L40-28 Please refer to responses to Comments L40-5 and L40-24 above.
- L40-29 Please refer to response to Comment L40-2 above.
- L40-30 Commenter is referred to pages 5-82 through 5-85 (Section 5.2 - Air Quality) for the results of analysis related to sensitive receptors (Table 5-2-10 and Table 5-2-11), localized significance thresholds (construction) (Table 5-2-13), operational emissions (Table 5-2-14), and microscale impact analysis (Table 5-2-15). In each case, the potential impacts are less than significant. The section also includes mitigation measures requiring compliance with all SCAQMD regulations to ensure that NO_x emissions that exceed the SCAQMD significance threshold are reduced to a less than significant level and compliance with other SCAQMD rules to minimize dust and other construction emissions.

Page 18

project to complete dispersion modeling of localized air pollutants and to suggest mitigation measures for impacts on local residents.

L40-30
cont'd

Even without using the more accurate dispersion modeling to determine the impact of emissions generated during construction, the Esperanza Hills developers show in Tables 5-2-8 and 5-2-9 that generation of PM10 and PM2.5 during the construction phase will exceed localized significant threshold levels for 25 meters. Even after mitigation, PM2.5 daily emission will exceed significant threshold levels for both Options 1 and 2 and PM10 will be just under this significant threshold level for Option 2 and exceed this threshold level for Option 1. The DEIR should be revised to require Esperanza Hills developers to reduce levels of PM10 and PM2.5 below significant threshold levels for 25 meters during the construction phase. If this cannot be accomplished, the project should not be approved.

This is particularly relevant as the air quality impacts of Esperanza Hills cannot be separated from those that will be generated by the proposed Cielo Vista development. As the South Coast Air Basin is in serious non-compliance with federal PM10 standards, Esperanza Hills should not add to the PM10 loading in the Basin by developing this land for residential use. At a minimum, Esperanza Hills developers should be required to meet all the requirements of a Large Operation for the mitigation of Fugitive Dust Emissions pursuant to SCAQMD Rule 403.

L40-31

This DEIR should be revised to include all measures Esperanza Hills developers will use to mitigate fugitive dust emissions during construction pursuant to SCAQMD Rule 403, Fugitive Dust. These mitigation measures should include submitting a fully executed Large Operation Notification to the Executive Officer of SCAQMD, keeping daily records to document specific dust control actions taken, identifying a dust control supervisor who is available within 30 minutes of contact on the site, and installing and maintaining project signage on the perimeter of the property clearly and prominently showing the contact phone numbers of both the SCAQMD and the dust control supervisor for the site.

The DEIR should be revised to show that all best available control measures outlined in Table 1 of SCAQMD's Rule 403 would be implemented. Additionally, all Dust Control Measures for Large Operations outlined in Table 2 and Contingency Control Measures for Large Operations as outlined in Table 3 of SCAQMD's Rule 403 shall be implemented. These measures include but are not limited to watering to prevent all visible emissions, applying dust suppression and chemical stabilizers, and ceasing all operations when the wind exceeds the SCAQMD Rule 403 threshold level.

L40-32

L40-31 Please refer to response to Comment L40-24 above.

L40-32 Please refer to responses to Comments L40-5 and L40-24 above.

Page 14

Once again, **we cannot separate the air quality effects of Cielo Vista from Esperanza Hills. These two projects should be reviewed together and their effects mitigated together.** The environmental justice guidelines issued by the SCAQMD are designed to protect the health and safety of **local residents**. Esperanza Hills' proximity to houses and its inclusion of a canyon where local winds can blow dust directly onto and into the local existing residences and its proximity next to the proposed Cielo Vista development makes it a unique situation that is extremely different from the Source Receptor Area (SRA) 23 in Riverside that was used to determine Localized Significance Thresholds (LST's). Even without using the more accurate dispersion modeling for determining localized pollutant effects, Table 5.2-8 clearly shows that Esperanza Hills construction would generate daily emissions that are near or exceed the recommended daily maximums for PM10 and PM2.5, even after mitigation. **Add to these projected emissions the emissions from Cielo Vista and the combined projects are very likely to not meet LST's even after mitigation. The DEIR should be changed to require Esperanza Hills developers to more accurately determine localized emissions using the recommended and more accurate localized dispersion modeling and mitigate any non-compliance using the measures for Large Operations, such as those required in Tables 2 and 3 of the SCAQMD's Rule 403.**

L40-32
cont'd

2. Sensitive Receptors

My teenage son regularly walks and plays outdoors, both in our backyard and in our cul-de-sac, downwind of this project. My son also has asthma. The amount of particulate matter that this project will generate, especially during the frequent Santa Ana Wind conditions, will significantly affect my son's health and well-being. It is totally unreasonable to ask my son to stop using our property so that the Esperanza Hills developers can first rezone and then build housing in our neighborhood. **This DEIR should be revised to address the effect of fugitive dust emissions on sensitive receptors and appropriate mitigation measures to prevent severe health effects on actual sensitive nearby residents.**

L40-33

5.1 Aesthetics

The Esperanza Hills developers claim that this project would not alter the views of and across the project site with the development of the proposed residential uses. This statement is absolutely incorrect. This project is directly uphill of the streets Via del Corral, Via del Agua, and Via del Roca and adjacent to Via del Agua and Stonehaven on the south and southwestern borders. At least 20 residences on these streets have impressive views of the local hills and canyons. Certainly the houses that are adjacent to the proposed development on Via del Corral, Via del Roca, Dorinda, and Via del Agua would

L40-34

L40-33 Please refer to responses to Comments L40-5, L40-24, and L40-29 above.

L40-34 A complete discussion of the Project's impacts on aesthetics is found in Section 5.1 – Aesthetics starting on page 5-1 of the DEIR. Views from Via del Corral, Via del Agua, and Via del Roca are similar to the view simulated in View 8, page 5-43 from the end of Davenport Court. Views from Dorlinda Road are simulated in View 7 on page 5-43 depicting the Proposed Project from the end of Dorlinda Road. Although the Proposed Project is viewed from off-site as seen in these View Simulations, the Proposed Project does not significantly degrade the existing visual character or quality of the site and its surroundings, because the upward trending slopes of the landforms have been preserved, landscaping has been incorporated to create a buffer, and important distant ridgeline features have been preserved (refer to the discussion on visual character on page 5-57). The Proposed Project impacts on aesthetics were evaluated consistent with the requirements of CEQA as presented in Section 5.1, Aesthetics of the DEIR. As described therein, the Proposed Project would not result in any significant impact under Project or cumulative conditions (refer to pages 5-62 and 5-63).

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have their views of the natural area completely blocked by the new homes. Our home at 4825 Via del Corral has impressive views from our second story of the natural hills up the street. One reason for building bay windows in homes such as ours is to take advantage of those views. If Esperanza Hills is developed, the view outside our bay window would be of houses crammed together, incongruous with the surrounding community, instead of hills covered with grass, shrubs, trees, and wildlife. **This is a significant impact. We would completely lose all views north of our home. The DEIR should address the loss of these natural scenic vistas and the destruction of the visual character and quality of our community.**

L40-34
cont'd

Scenic Resources

By its very nature, building on a natural, undeveloped area, home to wildlife, including bunnies, roadrunners, quail, orioles, hawks, owls, and other large birds that frequent our community, would significantly impact the scenic resources. We moved to our home to enjoy the scenic views of the hills and chaparral native to our California semi-arid climate and to enjoy the wildlife that frequents our community. Our yard is visited by hawks, owls, roadrunners, quail, ducks, migrating orioles, towhees, hummingbirds, finches, bunnies, and coyotes, just to name a few of the variety of wildlife. **Building Esperanza Hills would have a major impact on the Scenic View across their property that cannot be mitigated. Building Esperanza Hills would destroy all of this scenic beauty and severally impact the lives of various wildlife species. The DEIR should adequately address the impact of this development on the wildlife in this area, including all migrating and residential birds, reptiles, and mammals as well as the native plant life.**

L40-35

Emergency Response Plan

This project would most definitely affect the emergency response plan in the City of Yorba Linda. The Freeway Complex Fire amply demonstrated the inadequacy of the existing roads to handle traffic during an emergency. Adding 340 new homes to an area already unable to handle traffic during an emergency would endanger both the lives of new residents and those of current residents uphill of this development who expect the city street that they have paid for with their tax dollars to provide them an adequate exit during emergencies. The current ingress and egress from Esperanza Hills is inadequate to meet the needs of both current and future residents during an emergency. **For the sake of public safety, this land should not be rezoned and development of over 340 new homes should not be approved. The DEIR should address the inadequate**

L40-36

- L40-35 A complete analysis of Project impact to biological resources is found starting on page 5-91 in Biological Resources (Section 5.3) of the DEIR. As reflected in that extensive analysis, potential impacts to biological resources will be mitigated through the implementation of several mitigation measures prescribed in in the DEIR; no significant unavoidable biological impacts will occur. Concerning Project impact to scenic resources, refer to response to Comment L40-33 above.
- L40-36 Please refer to responses to Comments L40-12 and L40-13 above.

Page 16

infrastructure needed for emergency evacuations and provide mitigation measures that sufficiently protect existing and future residents lives.

L40-36
cont'd

Circulation System

Our **quiet city residential street will be inundated with construction traffic.** These roads are not designed as main thoroughfares for trucks and construction equipment. The plan is to develop Esperanza Hills over such a long period of time that these construction vehicles will become permanent fixtures in our neighborhood along the Via del Agua/Stonehaven loop. Who will pay for the extra police officers, crossing guards, road paving, etc. that will be required when this quiet residential street located in the city is taken over every morning by construction traffic? **Esperanza Hills developers should be required to pay for the cost of increased construction traffic on our city streets. These payments should be made to the city of Yorba Linda where the expenses will be incurred. The DEIR should be revised to adequately address the impact of constant construction traffic on the safety and health of existing residents.**

L40-37

Areas of Fire Hazard/Wildfire

The DEIR downplays the Santa Ana Wind conditions that occur during the fall, winter, and sometimes the spring. We are experiencing severe drought conditions in California. These conditions are becoming more frequent and with the unpredictability of climate change, can be expected to become the norm throughout California. Coupling these drought conditions with the more frequent Santa Ana Winds will likely lead to more frequent wildfires. The DEIR briefly mentions the most recent Freeway Complex Fire that came roaring through Blue Mud Canyon burning all the vegetation on the Esperanza Hills site and burning numerous homes adjacent to the proposed development and more than 130 homes in Yorba Linda. The fact that this fire was caused by man and not nature is irrelevant. The destruction caused by this fire cannot be ignored. **The DEIR should be revised to include a study of the effects of building 340 new homes on the health and safety of current and future residents during a fire emergency.**

L40-38

Analysis of Project Impacts

This project site has had oil and gas development for more than 30 years. As with all oil and gas development in the Basin, abandoned wells and oil and hazardous material spills can and do lead to contaminated soils. The Esperanza Hills project preliminary studies confirm that there is significant soil contamination from prior oil and gas development. New homes should not be built on the site of old wells without significant soil remediation.

L40-39

- L40-37 Construction equipment will be located on the Project site prior to commencement of construction and will remain on the site until the equipment is no longer required. Equipment will not be transported to an off-site location on a daily basis. The daily traffic will be the result of construction workers commuting to the site to operate the equipment. It can be assumed that workers will access the site in personal cars or trucks typical of vehicles in the residential areas. Table 5-2-7 on page 5-80 of the DEIR depicts the type of equipment used to model the air quality impacts. The table represents a typical number of each piece of equipment. As shown, the daily number of workers will be minimal and will not significantly impact local roadways.
- L40-38 Please refer to responses to Comments L40-13 and L40-23 above and Topical Response 1.
- L40-39 Commenter is referred to Section 5.7 (Hazards and Hazardous Materials) for an analysis of oil well operations. As noted on page 5-290 in the DEIR, a Phase I Environmental Site Assessment (ESA) was performed to evaluate environmental risks from the operating and abandoned well. As noted on page 5-332, a Phase II ESA will be performed which will identify abandoned well locations, hidden pits, or accumulations of drilling mud. Regulatory compliance will be required, including preparation of a Remedial Action Plan to address appropriate remedial measures necessary for well closures. Please refer to Mitigation Measures Haz-1 through Haz-4 which address oil well operation/abandonment requirements.

Page 17

The DEIR should be revised to require Esperanza Hills developers to complete an extensive study of both surface and subsurface soils to determine the extent of hazardous material contamination before the project commences. Additionally, the DEIR should include proposed remediation of this contaminated soil.

L40-39
cont'd

Wildland Fires

As discussed above, natural and manmade fires will occur on this project site. The proximity of this project site to Blue Mud Canyon, a natural funnel for winds in the area coupled with frequent Santa Ana Wind conditions make this particular project a unique site where no amount of fire retardant vegetation or specialized driveways will prevent homes from burning or releasing embers that will cause homes far away from the flame front to burn. **Property and future residents' lives will be put in the path of the next wildfire in this area. The DEIR should be revised to recognize the sever impact on the community of the Freeway Complex Fire and the inadequacy of emergency measures to protect both current and future residents. The DEIR should be revised to include adequate ingress and egress into both the existing community and the proposed project during an emergency, such as a wildfire.**

L40-40

L40-40 Please refer to responses to Comments L40-12 and L40-13 above and Topical Response 2 regarding wildfire evacuation.

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Summary

This Draft Environmental Impact Report (DEIR) is totally inadequate at addressing the severe environmental impacts from the rezoning and development of the proposed Esperanza Hills Project. All of these impacts need to be fully analyzed and avoidance migration strategies fully addressed.

L40-41

Additionally, this DEIR should be revised to include the combined impact of both Cielo Vista and Esperanza Hills developments.

As outlined above, the DEIR should be revised to include further studies on the impacts of Scenic Vista, Visual Character, and Visual Quality, Scenic Resources, Consistency with Air Quality Plan, Compliance with Emissions Standards, Sensitive Receptor Exposure to Pollutants, Seismic and Geologic Stability Hazard, Emergency Response Plan, Wildland Fires, Provision for Public Services, Park and Recreation Facilities, Circulation System, and Emergency Access on the local environment.

Very truly yours,

Diane Kanne

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Yorba Linda, CA 92887

(714) 779-2803

ddkanne@gmail.com

L40-41 Comment noted regarding the adequacy of the DEIR analysis. As indicated in prior responses, the DEIR provides a thorough analysis of each of the environmental issues identified in this letter based on the findings and recommendations of several detailed technical studies that document baseline conditions, identify potential project-related impacts, and prescribe mitigation measures intended to reduce potential significant impacts to a less than significant level. The commenter's environmental concerns have been noted and responses to Comments L40-1 through L40-40 above provide guidance regarding where each concern has been adequately addressed in the DEIR and in this Responses to Comments document.

Comment Letter L41

Newman, Ken

February 3, 2014

Mr. Canning

Draft EIR – Esperanza Hills Project

Comment request: 2/3/2014

I wish to voice my objection to the proposed subject development, Esperanza Hills.
This project should not be built as described in the Draft EIR.

I have lived at my San Antonio home from the time it was built in 1987. I was told from the Warmington Developer when I purchased it that, “the subject hillsides would never be built upon and the canyon access road behind my home would only be used for oil well servicing. There are right of ways in the canyon so no development would ever occur. The canyon was to be kept natural or could become a park area in the future.”

This project will negatively affect my family’s lifestyle, property, valuation, and the wildlife surrounding my home.

This EIR needs to be combined with all the adjoining projects proposed in the nearby area. It is obvious that the developers are trying to pull a fast one over the local residents in staggering the request submittals and rushing comments during the holiday period. This creates a trust issue. All the projects need to be reviewed together as one combined environmental impact.

We are hearing that there are multiple developments of 500 homes. This area cannot absorb them for reasons stated by this memo and comments from the general population living in the area.

Prices of our San Antonio property will decrease and I will have difficulty selling, now that this development is being proposed, as well as others proposed.

There continues to be excessive speed on San Antonio and high traffic noise. I cannot open my front windows without the constant sound of traffic traversing up and down the street and interrupting conversation and television viewing. Therefore, instead of naturally cooling our home, I turn on the Air Conditioner; another negative environmental impact. Sleeping in my front rooms is impossible with a window open, due to the noise.

Backing out of our driveway continues to be a challenge for the 14 homes along San Antonio and nothing is mentioned in the EIR about traffic control mediation for San Antonio, except add to the problem with more homes and cars.

San Antonio Road is already heavily travelled and making the traffic light at Yorba Linda Blvd. in one or two cycles (5 to 10 minutes) is impossible on school and work mornings.

In the evenings Yorba Linda Blvd. is highly congested leaving the 91 Freeway to return home.

On weekends, we can hardly get to Costco, Savi Ranch, and Home Depot. Adding 500 homes doesn’t help the traffic situation.

San Antonio Road leads right into the mouth of a Santa Ana driven fire and that will not change, due to the geographic terrain and wind tunnel effect in the canyon. Why are we

L41-1

L41-2

L41-3

L41-4

L41-5

**Response to
Comment Letter L41
Newman, Ken
February 3, 2014**

- L41-1 The County acknowledges receipt of an email and letter from Kenneth Newman dated February 3, 2014. Identical comments were listed in the letter and email, and responses are provided herein. Commenter notes that the Proposed Project will negatively affect his family's lifestyle, property valuation, and the wildlife surrounding his home.
- L41-2 The commenter states that the Proposed Project should be combined with all projects proposed in the area. Commenter is referred to Topical Response 5 - Segmentation/Piecemealing.
- L41-3 Comment does not raise an environmental impact issue. No factual information is provided to support the contention that the Proposed Project will result in reductions in property values in the area.
- L41-4 The DEIR has concluded that a significant long-term impact on noise will result from the Proposed Project (Section 5.10, Noise). While the increase results in a perceptible increase under CEQA along San Antonio Road, the increase does not exceed the County's 65 dBA CNEL threshold. Noise at the nearest existing residences on San Antonio Road could reach 59 dB CNEL (DEIR, page 5-479). Also refer to Topical Response 8 – Noise Impacts (beginning on page 47) for clarification regarding noise impacts under each access option. Refer to Section 5.14 (Transportation and Traffic) and Chapter 6, Alternatives 2 and 3, for analysis about the additional traffic resulting from the Proposed Project. Traffic distribution will vary depending on the Option or Alternative selected for project ingress/egress. Topical Response 3 herein provides additional information related to Proposed Project traffic distribution. As noted in Section 5.14, the intersection of Yorba Linda Boulevard and Via del Agua is currently operating at Level of Service (LOS) F, and the addition of Proposed Project traffic requires mitigation. Therefore, as noted on page 5-619, installation of a three-phase traffic signal has been included as mitigation with the Proposed Project, which will improve the existing level of service.
- L41-5 Commenter is referred to Section 5.7 (Hazards and Hazardous Materials), and Topical Response 2 herein for details related to proposed evacuation plans in the event of a fire. The Orange County Sheriff's Department has also developed a plan to control and move traffic off Yorba Linda Boulevard and through local neighborhoods.

adding more cars to an already congested exit from an emergency? The 2008 fire is at least the second fire in this canyon in the past 40 years along the same foot print. The canyon works like a wind tunnel during Santa Ana conditions. The fire jumped across lower San Antonio Road and blocked it for several hours with no way to escape except up the hill through more fire danger.

L41-5
cont'd

In the 2008 fire, I found the only way out was by going up San Antonio to Fairmont, since flames were blowing across the road at the lower part. The smoke was so thick on San Antonio that it was like a heavy foggy day with intense fire and heat. I could not even see the median islands recently installed for speed control and had to turn around to get out. **This is setting the residents up for a death wish.** We were so lucky that there wasn't a loss of life.

I am very concerned about not if, but when the next wild fire will occur. During the 2008 Fire I had to save my own home with absolutely no help from any of the fire departments and I had very little water pressure. I lost all vegetation and several trees and received some external home damage. I was alone in my backyard fighting off flaming embers and never wish to go through this surreal helpless feeling again. I felt that I was going to die. Several neighbors lost their homes and it took nearly 16 hours (all night long) for it to be extinguished with garden hoses to contain it and total burn down of the homes. I was up more than 36 hours with hose in hand.

L41-6

On the day of the fire, the fire station was empty as they were miles away fighting the fire. All fire protection for our area was from outside the area. We were not given any fire help and I was left to fight off the fire myself as my neighbor's home burnt to the ground. There were over 50+ fire trucks that went up the street and none stopped to help us fight the fires on our properties. A few neighbors and I were up all night with garden hoses that had only a few pounds of pressure.

The next fire will be no different because of geography, but people will be injured or die, because they can't escape quick enough with more homes built. I have lived it and do not wish this experience upon anyone.

There was a discussion in one of the Draft EIR review meetings about getting residents out in a fire and keeping residents from getting back in. This was a proposed sheriff's solution to moving traffic. We were lucky that the fire occurred in early afternoon on a Saturday. **The scenario would be quite different had it occurred on a work and school day.** Residents would naturally need to be able to retrieve their family, kids, and pets, so they need a safe way back in to do this. This thought process is incomplete on the proposed remediation.

L41-7

No road should be built in the canyon behind San Antonio Road. There are several negative safety risks of digging near **(2) large 36 inch diameter high pressure natural gas lines** that supply Southern California with a large portion of gas; **I understand this to be 1/7th of the Los Angeles Basin's natural gas supply.** I do not wish to have a **San Bruno, CA catastrophe** from digging near them for these homes and roads. I am in the oil and gas industry and fully understand the risks and dangers of unexpected leaks.

L41-8

A road behind my house is out of the question. In addition to the danger, **this would leave me sitting on an island in a freeway with roads in front and back of my house with lots of traffic.** The noise on my back patio would be unbearable to enjoy and a definite negative change from hearing birds and wildlife that populates the canyon. **I could not go outside or open my**

L41-9

- L41-6 Comment noted regarding the commenter's experience during the 2008 Freeway Complex Fire. The Proposed Project provides additional measures to reduce the intensity and the spread rate of the fire (fuel modification zones, hardened structure construction) and additional water supply (two underground reservoirs providing gravity-fed water supply to fire hydrants throughout the Proposed Project).
- L41-7 Comment noted. The commenter is referred to Topical Response 2 for information regarding evacuation plans.
- L41-8 Easements for Southern California Gas, Southern California Edison, Metropolitan Water District, and Yorba Linda Water District, and on-site active and abandoned oil well sites have been mapped (see Exhibit 4-8, page 4-10). Development of the site will be in accordance with standard practices and regulations related to the presence of utility lines and wells. Southern California Gas lines are located in Aspen Way and Stonehaven Drive. Mitigation Measure U-4 requires coordination with Southern California Gas to ensure compliance with applicable regulatory requirements.
- L41-9 The commenter is referred to Section 5-10 – Noise, which provides analysis of the traffic noise impacts. The Noise Analysis determined that long-term operational traffic noise would increase significantly along Via del Agua and Stonehaven Drive and Aspen Way under Option 2, but will not exceed the County 65 dB CNEL threshold. (DEIR page 5-481). See response to Comment L41-4. Also refer to Topical Response 8 – Noise Impacts (beginning on page 47) for noise impact information under each access option.

windows, because there would be traffic noise in the front and back of our homes along San Antonio Rd.

L41-9
cont'd

My family is susceptible to allergies from the disruption of soil. This would be horrific for them from the pollen and spores becoming airborne.

L41-10

I am also concerned about the loss of our wildlife population and natural rural settings, in addition to endangering protected birds found in the canyon area behind our home.

L41-11

There is a natural spring flowing year round behind my property, where wild life drink, including beautiful endangered birds. After the fires we had total flooding in the canyon after several storms and during heavy rains. This continues to this day when it rains hard. I have some great videos of the flooding that I would be happy to share. Why would you build the main access road here?

L41-12

The fire hydrants are on the wrong side of San Antonio Rd. to fight off a fire. If this is going to be an egress, then how are the cars going to travel over the fire hoses from the hydrants to the trucks? There is nothing in the EIR that discusses how San Antonio homes are to be protected, when cars and now more cars are going down the hill, and fire equipment is coming up the hill, and with fire hoses strung across the road to the hydrants?

L41-13

Travis Ranch Elementary and Middle School are already overcrowded in class rooms. Everyone has to drop off and pick up children, as the bus system was done away with years ago. This creates heavy traffic and contributes to pollution. Nothing is mentioned in the EIR about the additional school trips with new homes built.

L41-14

The traffic study was very light. Was it done on only one day on a school holiday?

L41-15

The developers need to build roads directly to Fairmont and Esperanza Roads to:

- 1) Provide travel away from the path of a fire with winds.**
- 2) Alleviate the traffic jams on Yorba Linda Blvd.**
- 3) Get the traffic off over crowded neighborhood residential roads.**

L41-16

The only one benefitting is the developer, who doesn't live in the area.

L41-17

Please do not allow building of more homes in this area. The risks are too high with little benefit for anyone in the area.

Thanks for the opportunity to comment.

I can be reached by telephone if clarification is needed.

Ken Newman

4580 San Antonio Rd.
Yorba Linda, CA 92886
562-676-6176

- L41-10 Please refer to Section 4.2 - Air Quality. Page 5-82 discusses impacts on sensitive receptors and provides the results of a health risk assessment prepared for the Proposed Project. Page 5-84 details the analysis of localized significance thresholds during the construction phase. In addition, mitigation measures (page 5-88) are specifically designed to reduce emissions and to control dust during construction.
- L41-11 Section 5.3 - Biological Resources provides analysis related to plant and wildlife species on and near the Project site. Although potentially significant impacts to some biological resources will occur as a result of project implementation, no significant unavoidable adverse impacts were identified with implementation of the mitigation measures and project design features included in the DEIR. Refer to Topical Response 6 – Biological Resources/Open Space (beginning on page 40).
- L41-12 Comment noted. The hydrologic analysis and the Water Quality Management Plan prepared for the Proposed Project include a storm drainage system and related features that will ensure that project-related storm flows do not adversely affect downstream properties. No specific environmental concerns are identified.
- L41-13 Commenter is referred to Topical Response 2, which provides information regarding evacuation plans.
- L41-14 Regarding overcrowding in classrooms, the commenter is referred to Section 5.12 - Public Schools. As noted on page 5-505, the Placentia-Yorba Linda School District has experienced a trend towards declining enrollment overall. The Traffic Impact Analysis (Section 5.14 in the DEIR) analyzed anticipated peak hour traffic volumes based on existing traffic conditions with the addition of the Proposed Project. This analysis captures all anticipated traffic for existing residences and new development, including school trips. Air pollutant emissions were estimated based on the total project-related vehicle trips.
- L41-15 As indicated in Section 5.14 - Transportation and Traffic the peak hour analysis was conducted on one day (5/2/12), which was mid-week on a typical work/school day. In response to several comments about additional counts, Linscott, Law & Greenspan has conducted another traffic count. The commenter is referred to Topical Response 3, Traffic Ingress/Egress for additional information.
- L41-16 Comment noted. Please refer to Topical Response 2 – Evacuation Plan, and Topical Response 3 – Traffic Ingress/Egress. Esperanza Road lies miles to the south of the Proposed Project, and there are hundreds of houses, miles of streets, and various other structures between the Proposed Project and Esperanza Road. Fairmount Drive lies approximately one mile to the east of the Proposed Project, and there are existing residences and streets that would have to be torn down for a road to be built from the Proposed Project to Fairmount Drive. For these reasons, the comment that either of their roads should be constructed is not feasible. No environmental issue is identified.
- L41-17 Comment noted. No environmental issue is identified.

Comment Letter L42

Thomas, Steve

February 3, 2014

February 3, 2014

EMAILED THIS DATE TO: Kevin.Canning@ocpw.ocgov.com

Mr. Kevin Canning
Orange County Public Works/Planning
300 North Flower Street
Santa Ana, CA 92702-4048

Mr. Canning,

Re: Esperanza Hills (EIR 616)

I appreciate the opportunity to provide a few brief comments on the draft EIR prepared for the referenced project.

- The density of development proposed by the project far exceeds that which can be safely accommodated by existing infrastructure. A five-fold increase in traffic volume along Via del Agua cannot begin to be mitigated for by a funding contribution to a traffic signal at Yorba Linda Boulevard. Stating that should the City choose not install the light and turn pocket significant impacts would occur is obvious. Placing the burden on the City to rectify problems caused by the project is ridiculous
- Utilizing Via Del Agua, a quiet two lane street as a primary outlet for 500+ homes is unconscionable. As a licensed Civil Engineer I see it as highly irresponsible.
- Whatever development option is ultimately approved by the County, access Option 2A, that which includes a roadway off of San Antonio.

While I realize that OC Planning is not yet in a position to condition these developments Kevin, I believe that a strong foundation for proper conditioning should be set now. Standard conditions of development apply to infill projects. I feel strongly that your agency has the authority and responsibility to our community to require more of these developments. I ask that you please condition all four of the proposed developments to process their maps concurrently so that cumulative impacts may be properly analyzed and mitigated by your agency and others.

Thank you very much for your time, and for your consideration. Should you have any questions, please feel free to contact me. Take care.

Sincerely,



Steve Thomas
4855 Via Del Corral
Yorba Linda, CA 92887
e232engineer@roadrunner.com
909.223.2127 cell

L42-1

L42-2

L42-3

L42-4

**Response to
Comment Letter L42
Thomas, Steve
February 3, 2014**

- L42-1 The County acknowledges receipt of a letter from Steve Thomas dated February 3, 2014. Commenter is referred to Topical Response 3 – Traffic Ingress/Egress for details regarding the projected daily traffic on roadway segments. In addition, Section 5.14 of the DEIR provides analysis of traffic impacts under Option 1 and Option 2. Chapter 6 - Alternatives discusses two additional access options. In each option scenario, mitigation has been provided to reduce impacts, including payment of fair share fees to implement mitigation. As noted in Section 5.14, the County cannot compel the City to approve the recommended improvements.
- L42-2 As noted in response to Comment L42-1 above, the DEIR presents analysis of four ingress/egress options. Selection of the approved option will occur during the County hearing process.
- L42-3 Please see responses to Comments L42-1 and L42-2 above.
- L42-4 Comment is noted regarding application of standard conditions of approval and concurrent processing of four proposed developments. The commenter is referred to Topical Response 5 – Segmentation/Piecemealing. Although the timing of the decision-making process cannot be strictly controlled, each project will be carefully reviewed to ensure that all applicable development conditions are imposed consistent with County requirements to ensure that each complies with current County policy.