

**Appendix B –
NOP Comment Letters**



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

RECEIVED

JAN 09 2013

COUNTY OF ORANGE

Notice of Preparation

December 26, 2012

To: Reviewing Agencies

Re: Esperanza Hills Specific Plan (PA120037/VTTM 17522)
SCH# 2012121071

Attached for your review and comment is the Notice of Preparation (NOP) for the Esperanza Hills Specific Plan (PA120037/VTTM 17522) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Kevin Canning
Orange County Public Works
300 N. Flower Street
Santa Ana, CA 92702

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012121071
Project Title Esperanza Hills Specific Plan (PA120037/VTTM 17522)
Lead Agency Orange County

Type **NOP** Notice of Preparation

Description The Esperanza Hills project proposes to construct 340 single-family residential units on 468.9 acres in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. Project components will include ~13.9 acres of active and passive parks, 7 miles of trails and 230 acres of open space. The trails will include pedestrian, bicycle and equestrian trails with linkages to permit non-vehicular access to the Chino Hills State Park and surrounding open space areas. Fuel modification areas have been identified and emergency access/evacuation plans have been defined in cooperation with the Orange County Fire Authority. Two options for access to the community will be analyzed: one with a primary connection going south to Stonehaven Drive and a second with a primary connection going west from the community to Aspen Way. The community will be gate-guarded and a homeowners' association will manage streets, landscaping, parks and other amenities. The project is in the City of Yorba Linda's Sphere of Influence and it is anticipated that annexation may occur at a future date.

Lead Agency Contact

Name Kevin Canning
Agency Orange County Public Works
Phone (714) 667-8847 **Fax**
email Kevin.Canning@ocpw.ocgov.com
Address 300 N. Flower Street
City Santa Ana **State** CA **Zip** 92702

Project Location

County Orange
City
Region
Cross Streets San Antonio Drive, Stonehaven Drive
Lat / Long
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways SR 91
Airports
Railways
Waterways
Schools
Land Use Residential development and open space.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Traffic/Circulation; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; California Highway Patrol; Caltrans, District 12; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8

Date Received 12/26/2012 **Start of Review** 12/26/2012 **End of Review** 01/24/2013

NOP Distribution List

- sources_Agency
- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
Nicole Wong
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Elizabeth Carpenter
- California Energy Commission
Eric Knight
- Cal Fire
Dan Foster
- Central Valley Flood Protection Board
James Herola
- Office of Historic Preservation
Ron Parsons
- Dept of Parks & Recreation Environmental Stewardship Section
- California Department of Resources, Recycling & Recovery
Sue O'Leary
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources Agency
Nadell Gayou
- sh and Game Commissions/Boards
- Dept. of Fish & Game Environmental Services Division
Scott Flint
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 1E
Laurie Hamsberger
- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Charles Annor
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Leslie Newton-Read
- Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
- Habitat Conservation Program
- Fish & Game Region 6 I/M
Brad Henderson
- Inyo/Mono. Habitat Conservation Program
- Dept. of Fish & Game M Marine Region
George Isaac
- Other Departments
- Food & Agriculture
Sandra Schubert
- Dept. of Food and Agriculture Services
Public School Construction
- Dept. of General Services
Anna Garbelf
- Environmental Services Section
- Dept. of Public Health
Jeffery Worth
- Dept. of Health/Drinking Water
- Delta Stewardship Council
Kevan Samsam
- Independent Commissions/Boards
- Delta Protection Commission
Michael Machado
- Cal EMA (Emergency Management Agency)
Dennis Castrillo
- Native American Heritage Comm.
Debbie Treatyway
- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques
- Business, Trans & Housing
- Caltrans - Division of Aeronautics
Phillip Crimmins
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Suzann Ikeuchi
- Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division
- Dept. of Transportation
- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Gary Arnold
- Caltrans, District 4
Erik Ahn
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Dianna Watson
- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Mallon Registerd
- Cal EPA
- Air Resources Board
- Airport/Energy Projects
Jim Lerner
- Transportation Projects
Douglas Ito
- Industrial Projects
Mike Tollstrup
- State Water Resources Control Board
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Phil Crader
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation
CEQA Coordinator
- Regional Water Quality Control Board (RWQCB)
- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Laborian Region (6)
- RWQCB 6V
Laborian Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other
- Conservancy

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- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
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Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Laborian Region (6)
- RWQCB 6V
Laborian Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)
- Other
- Conservancy

2012121071

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OC PUBLIC WORKS
300 N. FLOWER STREET
P. O. BOX 4048
SANTA ANA, CALIFORNIA 92702-4048

DEC 20 2012

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: DCC DEPUTY

NOTICE OF PREPARATION and NOTICE OF SCOPING MEETING

Date: December 21, 2012

Subject: Notice of Intent to Prepare Draft Environmental Impact Report/Notice of Scoping Meeting

Project Title: Esperanza Hills Specific Plan (PA120037/VTTM 17522)

Applicant: Douglas Wymore, 7114 E. Stetson Drive, Suite 350, Scottsdale, AZ 85251

Project Contact: Kevin Canning, OC Public Works/OC Planning
 OC Public Works, 300 N. Flower Street, Santa Ana, CA 92702-4048
Kevin.Canning@ocpw.ocgov.com Phone: (714) 667-8847

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DEC 26 2012
STATE CLEARING HOUSE

Project Description: The Esperanza Hills Project proposes to construct 340 single-family residential units on 468.9 acres in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. Project components will include approximately 13.9 acres of active and passive parks, 7 miles of trails and 230 acres of open space. The trails will include pedestrian, bicycle and equestrian trails with linkages to permit non-vehicular access to the Chino Hills State Park and surrounding open space areas. Fuel modification areas have been identified and emergency access/evacuation plans have been defined in cooperation with the Orange County Fire Authority. Two options for access to the community will be analyzed: one with a primary connection going south to Stonehaven Drive and a second with a primary connection going west from the community to Aspen Way. The community will be gate-guarded and a homeowners' association will manage streets, landscaping, parks and other amenities. The project is in the City of Yorba Linda's Sphere of Influence and it is anticipated that annexation may occur at a future date.

Environmental Impact Report: The County of Orange has conducted an Initial Study for the subject project and has determined that an Environmental Impact Report (EIR) is necessary. The County will be the Lead Agency for the subject project and will prepare the EIR. This Notice of Preparation has been prepared and distributed to solicit comments from potential Responsible and Trustee Agencies and other public agencies so that Project-related concerns relevant to each agency's statutory responsibilities in connection with the proposed Project can be addressed in the EIR. Interested individuals and groups are invited to comment on the scope of the anticipated EIR. The EIR will be the environmental document of reference for Responsible and Trustee Agencies when considering subsequent discretionary approvals.

Initial Study: The Initial Study is available for review at the County of Orange, Department of Public Works, and on the County website at: <http://www.ocplanning.net/CurrentProjects.aspx>. If you have trouble accessing the Initial Study, an electronic copy is available by contacting Kevin Canning at the above email address.

Pursuant to California Environmental Quality Act (CEQA) Guideline Section 15082, all comments must be received as soon as possible but **not later than 30 days after receipt of this notice**. The comment period for this Notice has been extended to 42 days; comments are due by the close of business on February 1. **All comments and responses to this NOP must be submitted in writing to the County Project Contact listed above.**

Public Review Period: December 22, 2012 - February 1, 2013 (at 5:00 P.M.)

Scoping Meeting: A public scoping meeting will be held as noted below to provide a description of the project and to solicit comments relative to the content of the information analyzed in the EIR.

Thursday, January 31, 2013 - 6:30 p.m. to 8:00 p.m.
Travis Ranch Activity Center
5200 Via De La Escuela, Yorba Linda, CA 92887

Submitted by:

Mike Balsamo, Manager
OC Community Development



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011



In Reply Refer To:
FWS-OR-13B0102-13TA0146

FEB 04 2013

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

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Esperanza Hills Specific Plan, Orange County, California

Dear Mr. Canning:

We have reviewed the NOP for the proposed Esperanza Hills Specific Plan in unincorporated Orange County, California. The proposed project includes construction of 340 single-family residential homes, active and passive parks, trails, and associated infrastructure on 468.9 acres adjacent to Chino Hills State Park (CHSP).

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c). We offer the following comments based on the information provided in the NOP, the Service's knowledge of sensitive and declining vegetation communities in Orange County, and our mission to work "with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people".

To facilitate the evaluation of the proposed project from the standpoint of fish and wildlife protection, we request that the DEIR contain the following specific information:

1. A description of the environment in the vicinity of the project from both a local and regional perspective, including an aerial photograph of the area with the project site outlined.
2. A complete discussion of the purpose and need for the project and each of its alternatives.
3. A complete description of the proposed project including the limits of the development, grading, and fuel modification zones.

4. Quantitative and qualitative assessments of the biological resources and habitat types that will be affected by the proposed project and its alternatives. These assessments should include direct, indirect, and cumulative project impacts from all facets of the project (i.e., construction, operation, and maintenance) to fish and wildlife and their associated habitats.
 - a. Assessments should include a list of Federal candidate, proposed, or listed species, State-listed species, and locally sensitive species that are on or near the project site. They should also include a detailed discussion of these species, including information pertaining to the local status and distribution. The analysis of impacts to biological resources should include detailed maps and tables summarizing the specific acreages and locations of all habitat types, as well as the number and distribution of all Federal candidate, proposed, or listed species, State-listed species, and locally sensitive species, within the project's or its alternatives' area of potential effect.

Focused surveys should be conducted for the following federally listed or otherwise protected species documented in the vicinity of the project: Braunton's milkvetch (*Astragalus brauntonii*), coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), and golden eagle (*Aquila chrysaetos*). Sensitive plants should also be surveyed, including but not limited to California walnut (*Juglans californica*), many-stemmed dudleya (*Dudleya multicaulis*), and intermediate mariposa lily (*Calochortus weedii* var. *intermedius*).

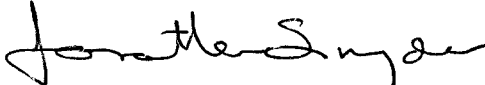
- b. A detailed analysis of the impacts of the proposed project on the movement of wildlife and measures proposed to avoid, minimize, and mitigate impacts to wildlife movement. The proposed project site is located in the Chino/Puente Hills, a regionally important wildlife movement corridor (Haas and Crooks 1999) that also serves as a critical link between populations of the federally threatened coastal California gnatcatcher (*Polioptila californica californica*, gnatcatcher) in southern Los Angeles County and north/central Orange County (Service 2007). It will be important to maintain substantial areas of live-in habitat and minimize encroachment into the corridor to preserve connectivity between wildlife populations throughout the Chino/Puente Hills.
 - c. Direct impacts to vegetation communities and habitats should be thoroughly discussed with detailed maps provided in the DEIR. Special emphasis should be placed on the importance of annual grasslands, coastal sage scrub, and walnut/oak woodland communities as foraging and breeding habitat for a variety of sensitive species and large mammals in this location. Direct impacts include areas graded for development pads, areas of remedial grading, utility and sewer corridors, roads, trails, water tanks, fuel modification zones, non-native landscape areas, hazardous materials remediation areas, soil and materials stockpile areas, and construction staging areas.

- d. Project impacts should be analyzed relative to their effects on off-site habitats and species in CHSP. Directly associated with residential development is an increase in recreational use of adjacent habitats, fire frequency, waste dumping, air pollution, exotic plant and animal species, predators, cowbird parasitism, domestic pets, and night lighting, all of which can impact sensitive biological resources within CHSP. Alternative design configurations to the conceptual plans included in the NOP should be considered that provide a greater buffer between the development and CHSP. The DEIR should include a detailed discussion of the relative impacts to CHSP from the proposed project and each of the alternatives, and the mitigation measures proposed to alleviate such impacts.
 - e. Open space to the east of the proposed project site was dedicated to CHSP specifically for the purpose of offsetting impacts to the gnatcatcher associated with the North Yorba Linda Estates Development Project (Service 2004) and is subject to certain restrictions as identified in a Declaration of Restrictive Covenants (recorded in Orange County on October 6, 2006). The DEIR should confirm that any anticipated uses of this property are consistent with allowable uses identified in the Restrictive Covenants.
5. A detailed discussion of the measures taken to avoid, minimize, and offset impacts to biological resources. Mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats should be discussed. Mitigation should emphasize avoidance and reduction of project impacts.
 - a. The proposed project site contains substantial areas of oak/walnut woodlands. Woodlands are difficult to re-create because transplanted trees often experience high mortality, and trees grown from seedlings take decades before they provide woodland habitat value. Because of the difficulties associated with re-creating a fully functional woodland community, habitat protection and restoration, rather than tree replacement, is the preferred mitigation strategy for sensitive woodland communities. Planting trees in urban parks, fuel modification zones, residential yards, or along streets does not compensate for the loss of woodland communities.
 - b. Areas reserved as mitigation for project impacts should be protected from future direct and indirect impacts. Reserved areas should be maintained as open space in perpetuity with conservation easements, monitored and managed to limit unauthorized access, predation by domestic pets, illegal dumping, water pollution, and fire.
6. An assessment of potential impacts to wetlands and jurisdictional waters of the United States. The EIR should disclose all impacts to jurisdictional waters and wetlands, and proposed measures to be taken to avoid and minimize impacts, and mitigate unavoidable impacts. The assessment should also discuss any project-related changes in drainage patterns, changes in water volume, velocity, and quality, soil erosion, and/or sedimentation

in streams and water courses on or near the project site. Because riparian vegetation west of the project site is occupied by the vireo, we recommend the development is pulled back from jurisdictional areas so that natural stream processes and associated vegetation communities are maintained within and downstream from the project site.

In summary, we are concerned about the proposed loss of habitats supporting a wide variety of sensitive plants and animal species and contributing to a regionally important wildlife movement corridor. Therefore, we recommend that the development is pulled back from the CHSP and that project-associated impacts are adequately mitigated through onsite conservation and habitat restoration. We appreciate the opportunity to comment on the subject NOP. If you have any questions regarding these comments, please contact Christine Medak of this office at 760-431-9440, extension 298.

Sincerely,


for Karen A. Goebel
Assistant Field Supervisor

cc:

Ken Kietzer, Chino Hills State Park
Jennifer Edwards, California Department of Fish and Wildlife

Literature Cited

- Haas, C. and K. Crooks. 1999. Carnivore abundance and distribution throughout the Puente-Chino Hills. Final Report prepared for the Mountains Recreation and Conservation Authority and State of California Department of Transportation District 8.
- U.S. Fish and Wildlife Service (Service). 2004. Formal Section 7 Consultation for the North Yorba Linda Estates Development Proposed by Shapell Industries and Upper K-Shape 11 Joint Venture in the City of Yorba Linda, County of Orange, California (FWS-OR-2233). On file at U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, Carlsbad, California.
- U.S. Fish and Wildlife Service (Service). 2007. Endangered and threatened wildlife and plants; revised designation of critical habitat for the coastal California gnatcatcher (*Polioptila californica californica*); Final Rule. Federal Register 72:72010-72058. December 19, 2007.



DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

5816 Corporate Avenue • Suite 200 • CYPRESS, CALIFORNIA, 90630-4731

PHONE 714 / 816-6847 • FAX 714 / 816-6853 • WEBSITE conservation.ca.gov

RECEIVED

JAN 30 2013

COUNTY OF ORANGE

January 29, 2013

Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Canning:

NOTICE OF INTENT (NOI) TO PREPARE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)/NOTICE OF SCOPING MEETING FOR ESPERANZA HILLS SPECIFIC PLAN (PA120037/VTM 17522)

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division), Cypress office, has reviewed the above referenced project. Our comments are as follows.

Your proposed project is located within the administrative boundaries of the Esperanza oil field and Orange County. There are six abandoned wells, six active wells and an idle well within or adjacent to your proposed project. These wells are located on Division map W1-4 and in Division records.

The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and plugging and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy; and (4) damage to oil and gas deposits by infiltrating water and other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor (Supervisor) the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable methods for the purpose of increasing the ultimate recovery of oil and gas.

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations.

If any structure is to be located over or in the proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the Public Resources Code (PRC) authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in the proximity of the well could result in a hazard.

An operator must have a bond on file with the Division before certain well operations are allowed to begin. The purpose of the bond is to secure the state against all losses, charges, and expenses incurred by it to obtain such compliance by the principal named in the bond. The operator must also designate an agent, residing in the state, to receive and accept service of all orders, notices, and processes of the Supervisor or any court of law.

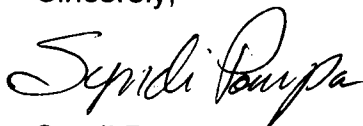
Written approval from the Supervisor is required prior to changing the physical condition of any well. The operator's notice of intent (notice) to perform any well operation is reviewed on engineering and geological basis. For new wells and the altering of existing wells, approval of the proposal depends primarily on the following: protecting all subsurface hydrocarbons and fresh waters; protection of the environment; using adequate blowout prevention equipment; and utilizing approved drilling and cementing techniques.

The Division must be notified to witness or inspect all operations specified in the approval of any notice. This includes tests and inspections of blowout-prevention equipment, reservoir and freshwater protection measures, and well-plugging operations.

The Division recommends that adequate safety measures be taken by the project manager to prevent people from gaining unauthorized access to oilfield equipment. Safety shut-down devices on wells and other oilfield equipment must be considered when appropriate.

If any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's Cypress district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

Sincerely,



Syndi Pompa
Associate Oil & Gas Engineer - Facilities
Enclosure: 4 maps and well list

05901146

Rim Rd

Fairmont Blvd

Timber Fudge Rd

Foxhollow Dr

Shadow Oak Dr

Casino Place Rd

Live Oak Ln

San Antonio Park

Ridge Park Dr

Godar Dr

Per Ave

05921114, 05920931

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05900883

Dr

Stonel

Agua

05901121

Roja

Convento

Corona

Felipa

Agua

Stonel

Dr

05901251

MWD Santiago Lateral

Blue

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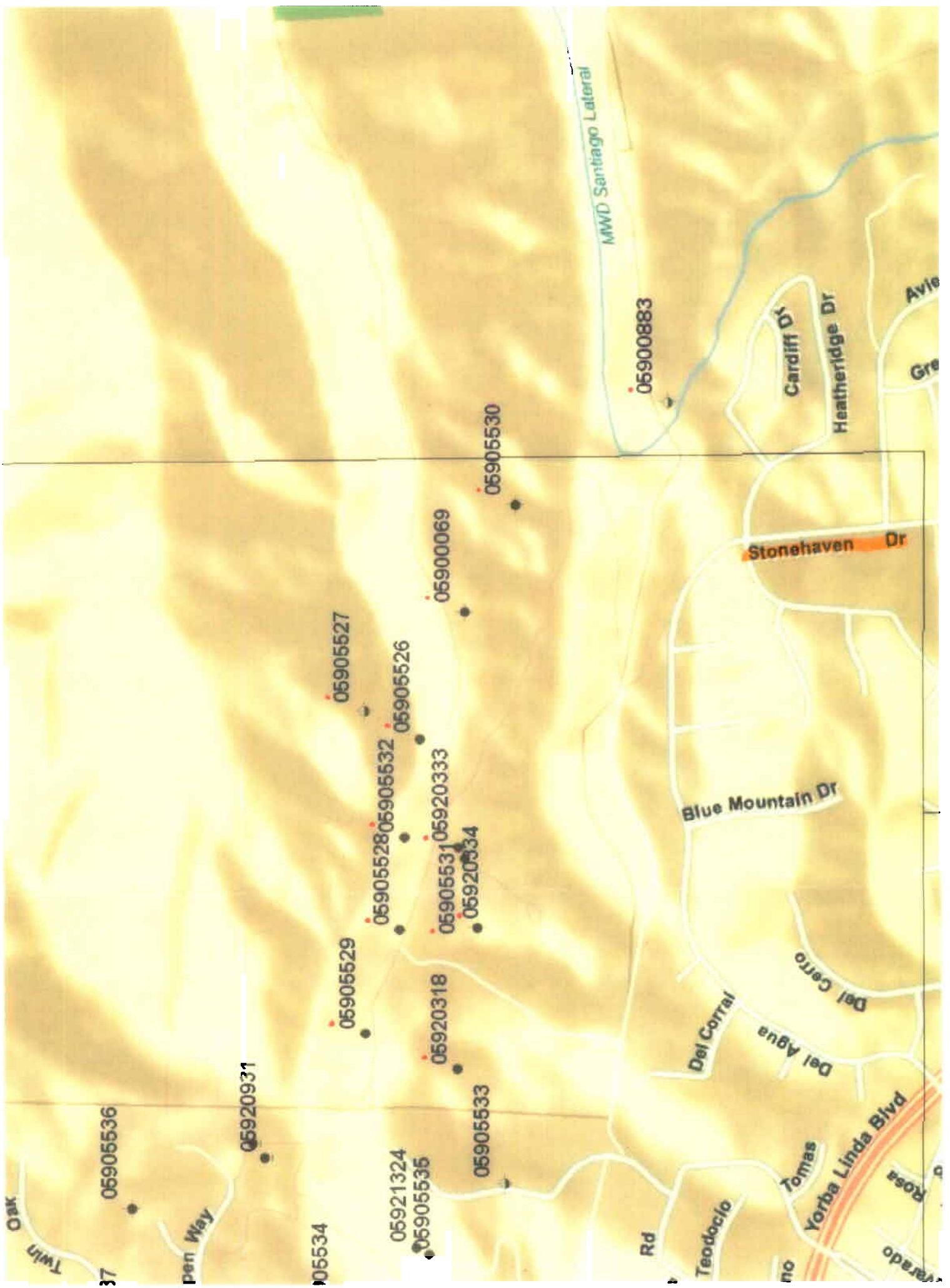
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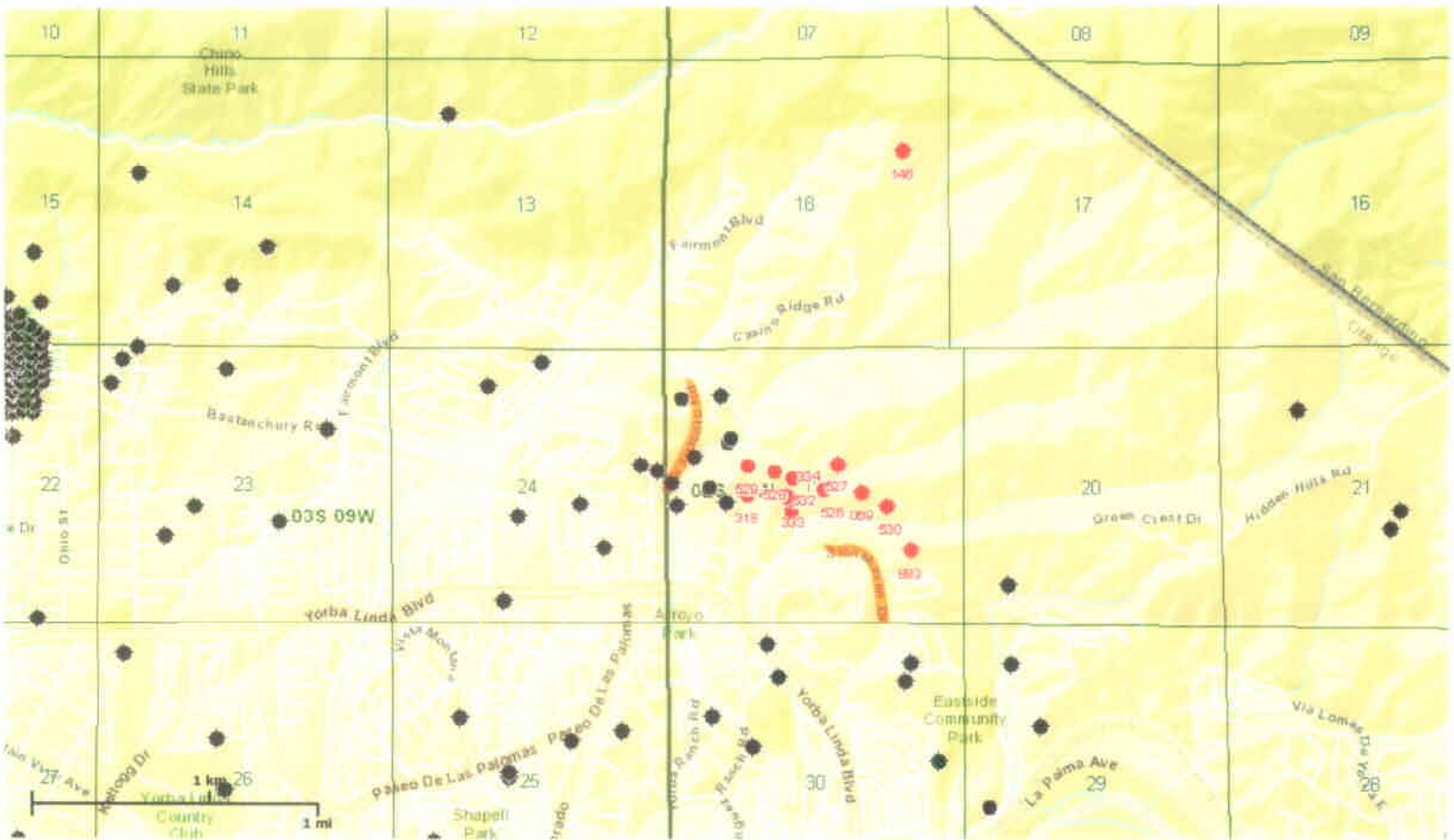
05905538

05920334

05901121



DOGGR Online Mapping System (DOMS)



Disclaimer: The well information and data represented on this site varies in accuracy, scale, origin and completeness and may be changed at any time without notice. While the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOC) makes every effort to provide accurate information, DOC makes no warranties as to the suitability of this product for any particular purpose. Any use of this information is at the user's own risk.

For further information or suggestions regarding the data on this site, please contact the Division of Oil, Gas, and Geothermal Resources, Technical Services Unit at 801 K St, MS 20-20, Sacramento, CA, 95814 or email doggrwebmaster@conservation.ca.gov.

California Department of Conservation, Division of Oil, Gas and Geothermal Resources.

Printed on: Jan 29 - 3:04:40 PM

URL - <http://maps.conservation.ca.gov/doms/>



API	Operator Name	Lease Name	Well #	Well Type, Status	Lat, Long
05905 528	Santa Ana Canyon Dev. Corp.	Amos-Travis	1	OG Active	33.896935 -117.759384
05905 529	Santa Ana Canyon Dev. Corp.	Amos-Travis	2	OG Active	33.897245 -117.761074
05920 318	Santa Ana Canyon Dev. Corp.	Amos-Travis	3	OG Idle	33.895745 -117.761066
05905 532	Santa Ana Canyon Dev. Corp.	Reeves	2	OG Active	33.896633 -117.758272
05920 334	Santa Ana Canyon Dev. Corp.	Amos-Travis	4	OG Plugged	33.8957 -117.758623
05905 531	Santa Ana Canyon Dev. Corp.	Reeves	1	OG Active	33.894898 -117.758364
05920 333	Santa Ana Canyon Dev. Corp.	Reeves	3	OG Active	33.895493 -117.758231
05905 526	Gary A. Darnell, Trust	CRA Texas A.U.W.C.	1	OG Active	33.896006 -117.756425
05905 527	Terra Resources, Inc.	Westpet-Texas A.U.W.C.	2	OG Plugged	33.897325 -117.755544
05900 069	Petrominerals Corp.	Anaheim Union Water Co.	2	OG Plugged	33.895874 -117.754099
05905 530	Petrominerals Corp.	Anaheim Union Water Co.	3	OG Plugged	33.895146 -117.752581
05900 883	Petrominerals Corp.	Anaheim Union Water Co.	1	OG Plugged	33.892957 -117.751106
05901 146	CalResources LLC	Wright	73-18	OG Plugged	33.91305 -117.751588

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED



JAN 02 2013

COUNTY OF ORANGE

December 28, 2012

Mr. Kevin Canning, OC Public Works/OC Planning

Orange County Public Works

300 North Flower Street; P.O. 4048
Santa Ana, CA 92702-4048

Re: SCH#2012121071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the "**Esperanza Hills Specific Plan (PA120037/YTTM 17522) Project**," located at San Antonio Drive, Stonehaven Drive; Orange County, California

Dear Mr. Canning:

The California Native American Heritage Commission (NAHC) is the State of California 'trustee agency' for the preservation and protection of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts
Orange County
December 28, 2012**

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles, CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675 m
chiefdavidbelardes@yahoo.
(949) 493-4933 - home
(949) 293-8522

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva

tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower, CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Gabrielino/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel, CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana, CA 92799
alfredgacruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012121071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Esperanza Hills Specific Plan Project; located in Orange County, California.

**Native American Contacts
Orange County
December 28, 2012**

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.
com

Gabrielino-Tongva Tribe
Bernie Acuna, Chairperson
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Gabrielino-Tongva Tribe
Conrad Acuna,
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
310-587-2203

310-587-2203

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
palmsprings9@yahoo.com
626-676-1184- cell
(310) 587-0170 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012121071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Esperanza Hills Specific Plan Project; located in Orange County, California.

DEPARTMENT OF TRANSPORTATION

District 12

3347 Michelson Drive, Suite 100

Irvine, CA 92612-8894

Tel: (949) 724-2241

Fax: (949) 724-2592

*Flex your power!
Be energy efficient!***January 31, 2013**

Kevin Canning
OC Public Works
300 N. Flower Street
Santa Ana, California 92702-4048

File: IGR/CEQA
SCH#: 2012121071
Log #: 3149
SR-90, SR-91

Subject: Esperanza Hills Specific Plan

Dear Mr. Canning,

Thank you for the opportunity to review and comment on the **Initial Study and Notice of Preparation (IS/NOP) for the Esperanza Hills Specific Plan**. The proposal is to construct a 340 single-family unit gated community on 489.9 acres. The project site is located in unincorporated Orange County, within the City of Yorba Linda Sphere of Influence (SOI). The project will include 13.9 acres of parks, 7 miles of trails, and 230 acres of open space. The two options of primary access are Stonehaven Drive and Aspen Way. The nearest State routes to the project site are SR-90 and SR-91.

The Department of Transportation (Department) is a responsible agency on this project and we have the following comments:

1. This project will impact the SR-91 mainline and the Weir Canyon Road interchanges, ramps and intersections. Impacts of development causing operating conditions to deteriorate past the Level of Service D/E cusp, or impacts adding to an existing deficient level of service condition require mitigation.
2. Due to the large size of the project (up to 340 residential units), the Environmental Impact Report (EIR) should analyze the ramp intersections of SR-90 at Yorba Linda Boulevard, as well as the SR-91 on and off-ramps at Weir Canyon Road. These intersections should be analyzed to properly determine the impact of the project on these intersections for present (year 2012) and future (year 2035) conditions. The analysis included in the EIR should also include potential mitigation measures for impacted locations.
3. The Department's Traffic Operations Branch requests an analysis of SR-90 at Yorba Linda Boulevard, as well as the SR-91 on and off-ramps at Weir Canyon Road using the method outlined in the latest version of the **Highway Capacity Manual (HCM)** when analyzing traffic impacts on State Transportation Facilities. The use of HCM is the standard methodology of the Department because it is an operational analysis as opposed to the Intersection Capacity Utilization (ICU) method, which is a planning analysis. In the case of projects that have direct impacts on State Facilities, the Department recommends that the Traffic Impact Analysis be based on HCM method. Should the project require an

encroachment permit, Traffic Operations may find the Traffic Impact Analysis based on ICU methodology inadequate resulting in possible delay or denial of a permit by the Department. All input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to the Department for review and approval. The analysis should include appropriate mitigation measures to offset any potential impacts. The traffic impact on the State transportation system should be evaluated based on the Department's Guide for the Preparation of Traffic Impact Studies, which is available at: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,



Christopher Herre, Branch Chief
Local Development/Intergovernmental Review

C: Scott Morgan, Office of Planning and Research



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor
RECEIVED

FEB 4 2013

COUNTY OF ORANGE

February 1, 2013

Mr. Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, California 92702-4048

NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE ESPERANZA HILLS SPECIFIC PLAN (PA120037/VTTM 17522) PROJECT (SCH#), ORANGE COUNTY, CALIFORNIA

Dear Mr. Canning:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of a Draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document:

“The Esperanza Hills Project proposes to construct 340 single family residential units on 468.9 acres in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. The project is in the City of Yorba Linda’s Sphere of Influence and it is anticipated that annexation may occur at a future date. Esperanza Hills is located within unincorporated Orange County north of the SR-91 Freeway, southwest of Chino Hills State Park, and adjacent to existing residential development in the City of Yorba Linda. The surrounding land uses are predominantly made up of residential development and open space. The Esperanza Hills property is largely undeveloped, with the exception of oil well operations in the western portion of the site. A total of four blue-line drainages occur on site. The existing and past land use practices are consistent with the current County General Plan Land Use designation of Open Space (5) and Zoning Code designation of Agricultural (General) and Agricultural (O) for the property.”

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

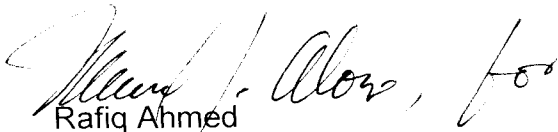
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) If the project area was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 6) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 7) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see

Mr. Kevin Canning
February 1, 2013
Page 4

www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, by e-mail at Rafiq.Ahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,



Rafiq Ahmed
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3694



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



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JAN 24 2013

COUNTY OF ORANGE

January 18, 2013

Mr. Kevin Canning
 Orange County Public Works
 300 N. Flower Street
 Santa Ana, CA 92702

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Esperanza Hills Specific Plan, Orange County, CA (SCH# 2012121071)

Dear Mr. Canning:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the Esperanza Hills Specific Plan Draft Environmental Impact Report (DEIR). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code §2050 et seq.) and Fish and Game Code section 1600 et seq.

Esperanza Hills is located within unincorporated Orange County (County) north of the SR-91 Freeway, southwest of Chino Hills State Park, and adjacent to existing residential development in the City of Yorba Linda (City). The project is east of San Antonio Drive and north of Stonehaven Drive in the City. The project footprint is bordered by Chino Hills State Park on the north and east. To the south and northwest lie existing residential communities, including Dominguez Ranch, Green Hills, Casino Ridge, Travis Ranch, and Yorba Linda Hills. The Cielo Vista project, a proposed residential subdivision in the County, lies to the west and southwest. The Esperanza Hills property is largely undeveloped, with the exception of oil well operation in the western portion of the site.

The Esperanza Hills project proposes to construct 340 single-family residential units on 468.9 acres in the unincorporated portion of the County adjacent to the City. As written, project components will include approximately 13.9 acres of active and passive parks, 7 miles of trails and 230 acres of open space. The trails will include pedestrian, bicycle, and equestrian trails with linkages to permit non-vehicular access to the Chino Hills State Park and surrounding open space areas. Fuel modification areas have been identified and emergency access/evacuation plans have been defined in cooperation with the Orange County Fire Authority, and two underground water reservoirs are planned to assist in fire fighting. Two options for access to the community will be analyzed: one with a primary connection going south to Stonehaven Drive and a second with a primary connection going west from the community to Aspen Way, connecting to San Antonio Road. A homeowners' association will manage streets, landscaping, parks, and other amenities.

Habitats on-site include non-native grasslands, coastal sage scrub, chaparral, walnut and oak woodlands, riparian habitats, and disturbed areas. The project site was burned in the "Freeway Complex Fire" in the fall of 2008, and prior had been historically used for animal grazing. Currently the site is used as open space and for energy transmission associated with the Southern California Edison Company. A total of four blue-line drainages occur on site.

The Department offers the following comments and recommendations to assist the County in avoiding or minimizing potential project impacts on biological resources.

Specific Comments

1. Based on information provided in Initial Study Checklist (IS), it is unclear if long-term indirect impacts to wildlife inhabiting surrounding open space could occur due to artificial lighting. Furthermore, it is not specified whether or not night work is anticipated during construction, which could add temporarily to indirect impacts to adjacent habitat. Because lighting impacts are potentially substantial and could alter wildlife patterns and behavior within the surrounding habitat, the IS should include further discussion of exterior lighting features associated with the project (CEQA Guidelines §15064(d)). The DEIR should require that all project-related temporary (e.g., night construction) and permanent lighting adjacent to native habitat is of the lowest illumination necessary for human safety, selectively placed, and shielded/directed away from adjacent natural habitats.
2. While the IS discusses noise impacts, it is unclear from the IS whether noise was considered as a potential significant impact to biological resources, particularly with regard to nesting birds. Given the project footprint's proximity to open space and wildlife corridors, and the length of duration of construction activities cited (6-10 months for each phase over two phases; page 2), the Department is concerned that nesting birds and other wildlife could be significantly impacted by construction activities. Generally, average hourly noise levels above 60 decibels are considered to negatively impact nesting birds and other wildlife. The Department requests that anticipated noise levels at the project site be discussed in relationship to biological resources in the DEIR. In addition, a discussion of indirect impacts to biological resources from noise resulting from the completed development should also be included.
3. In addition to mitigation for oak woodland habitat, the Department requires that oak trees that are damaged or removed be replaced in kind. Oak trimming should be conducted by or be under the supervision of a licensed arborist with specific knowledge regarding oak preservation. Should oak trees be impacted in this manner as a result of construction activities, the replacement ratios (using rooted plants in liners or direct planting of acorns) for oak trees which are removed should be as follows:
 - a) trees less than 5 inches diameter at breast height (DBH) should be replaced at 3:1
 - b) trees between 5 and 12 inches DBH should be replaced at 5:1
 - c) trees between 12 and 36 inches DBH should be replaced at 10:1
 - d) trees greater than 36 inches DBH should be replaced at 20:1

The replacement ratio for damaged trees less than 12 inches DBH should be 2:1, and greater than 12 inches DBH should be 5:1. All other oaks or sycamores should be fenced off and tagged to prevent equipment from operating in the drip line of these trees.

Oak woodland restoration should use locally collected acorns or saplings grown from collected acorns. Appropriate understory species should also be included to enhance structural diversity of the mitigation site. The site should be monitored and managed for a minimum of 10 years to ensure success of the restoration effort.

4. Because the proposed project would create a significant amount of ground disturbance to a relatively recently burned area, concern exists over the impacts that the project will have on storm water quality and general hydrology in the surrounding area. The DEIR should analyze the efficacy of Low Impact Development options to minimize storm water impacts, including:
 - a) Site layout with regard to sensitive resources, and off-site native habitat.
 - b) The use of pervious surfaces (crushed aggregate, turf block, unit pavers, pervious concrete and asphalt) as alternatives to impervious surfaces.
 - c) Structure roof spouts which empty over pervious surfaces.

General Comments

1. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the DEIR and must compensate for the loss of function and value of a wildlife corridor.
 - a) The project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.¹ Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.
 - b) The Department also has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department

¹ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.²

2. The Department considers adverse impacts to a species protected by the CESA, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the project is prohibited, except as authorized by state law (Fish and Game Code, §§2080, 2085.) Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the project CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
3. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, we recommend the following information be included in the DEIR.
 - a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
 - b) A range of feasible alternatives to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources. Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

² A notification package for a LSA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

Biological Resources within the Project's Area of Potential Effect

4. In order to provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats, the DEIR should include the following information.
 - a) Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis should be placed on resources that are rare or unique to the region.
 - b) A thorough assessment of rare plants and rare natural communities, following the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see: <http://www.wildlife.ca.gov/habcon/plant/>) (hard copy available on request).
 - c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 322-2493 or www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - d) An inventory of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, §15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

5. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR.
 - a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
 - b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Planning program). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to

- undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR.
- c) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
 - d) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

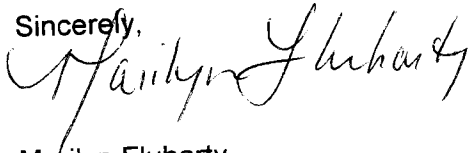
- 6. The DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities (Attachment) from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
- 7. The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
- 8. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.
- 9. In order to avoid impacts to nesting birds, the DEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January for some raptors). If project construction is necessary during the bird breeding season a qualified biologist with experience in conducting bird breeding surveys should conduct weekly bird surveys for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors), shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project.
- 10. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.

Mr. Kevin Canning
Orange County Public Works
January 18, 2013
Page 7 of 7

11. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

Thank you for this opportunity to provide comments. If you should have any questions or comments regarding this letter, please contact Jennifer Edwards, Environmental Scientist via phone at (858) 467-2717 or via email at Jennifer.Edwards@wildlife.ca.gov.

Sincerely,



Marilyn Fluharty
Acting Environmental Program Manager
South Coast Region

Attachment:
Sensitivity of Top Priority Rare Natural Communities in Southern California

cc: Scott Morgan, State Clearinghouse, Sacramento

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

FAX: (310) 589-2408

GLENN PARKER
CHAIR
PUBLIC MEMBER
ORANGE COUNTY

January 31, 2013

MICHAEL HUGHES
VICE-CHAIR
PUBLIC MEMBER
LOS ANGELES COUNTY

Kevin Canning
OC Public Works/OC Planning
County of Orange
300 N. Flower Street
Santa Ana, CA 92702-4048

BOB HENDERSON
CITY OF WHITTIER

RON KRUEPER
CALIFORNIA STATE PARKS

Notice of Preparation and Initial Study Esperanza Hills Specific Plan (PA 120037/VTTM 17522)

CHRISTINE MARICK
CITY OF BREA

Dear Mr. Canning:

SANTA MONICA MOUNTAINS
CONSERVANCY

DICKIE SIMMONS
LOS ANGELES COUNTY
BOARD OF SUPERVISORS

JACK TANAKA
CITY OF DIAMOND BAR

JANE L. WILLIAMS
CITY OF LA HABRA HEIGHTS

The Wildlife Corridor Conservation Authority (WCCA) provides the following comments on the Notice of Preparation (NOP)/Initial Study (IS) for the Esperanza Hills Specific Plan (PA 120037/VTTM 17522). WCCA was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains.

The proposed project entails 340 single-family residential units on 468.8 acres, bordered by Chino Hills State Park (CHSP). There would be 146.9 acres of undisturbed natural open space and 83.9 acres of landscaping as part of the fuel modification plan (IS/NOP, p. 2). Two options for access are proposed. The project is located within the unincorporated portion of Orange County and within the City of Yorba Linda's Sphere of Influence. According to the IS/NOP, annexation may occur at a future date.

Given the location of the project in the Chino Hills and adjacent to CHSP, the scale of the proposed development, and the potential for extensive significant biological impacts, WCCA has numerous concerns regarding the project. Looking at the proposed tract map, there would be minimal remaining contiguous blocks of open space left on the site. It is difficult to think of a project design that could squeeze in any more lots than are currently proposed. Also, the current design provides for a minimal buffer between the proposed development and CHSP. The project would result in substantial or wholesale destruction of two major drainages, which currently connect to CHSP. Looking at Exhibit 5, Vegetation Communities in the IS/NOP, there would be vast destruction of native plant communities. WCCA is also concerned with the inconsistency of the proposed project with the underlying County General Plan Land Use designation of Open Space and Zoning Code designation of Agricultural.

The currently proposed project is a classic example of archaic, mass grading land use. There has been an enormous investment of public money to protect CHSP; this investment should not be compromised by poor planning. WCCA cannot see how the County would be able to justify issuing a statement of overriding considerations for the anticipated biological impacts associated with this project. Avoidance of significant environmental impacts, notably to biological resources, should be primary strategy that the County adopt for this project. The County should require, and the applicant should implement, what is in the best interest for the citizens of Yorba Linda and Orange County. Please consider the following additional comments.

Need for Adequate Analyses of Environmental Impacts

Given the project site's location, it is clear that the site is integral to, and not just a separate piece from the, ecological matrix and wildlife corridor in this part of Chino Hills. This site contributes to the ecological viability of the resources in CHSP. The Draft Environmental Impact Report (DEIR) should explicitly identify the regional value of the site including its contribution to the biological viability of the drainages, native plant communities, and wildlife habitats.

The DEIR must include clear tables showing acreages of impacts to each plant community. A figure should be included in the DEIR showing the mapped plant communities overlain on the site plan. Another figure should be included in the DEIR showing the drainages (as defined by California Department of Fish and Wildlife) overlain on the site plan, and how they continue in CHSP. All impacts associated with the project including pads, roads, grading, fuel modification, etc. should be included in these tables and figures.

The DEIR must quantify and analyze the cumulative effects of the Esperanza project together with the other neighboring proposed projects on biological resources in the region. This quantitative cumulative analysis must include plant communities, drainages, wildlife movement, and sensitive species (e.g., golden eagles).

The DEIR must adequately analyze the anticipated indirect impacts to CHSP, including those from lighting, noise, exotic plant species, pets such as cats, illegal trails, and other increased human-related activity. The DEIR must include measures to avoid, minimize, and mitigate those potential impacts.

The DEIR must include line-of-sight before and after views from trails in CHSP. This must include trail locations where the project would be most visible and trails that are the closest to the project site. The DEIR should address measures to avoid, minimize, and mitigate adverse impacts from public viewing areas.

The DEIR must include a thorough analysis of the consistency and inconsistency of the project with CHSP General Plan.

Need for Meaningful Alternatives

The DEIR must include meaningful alternatives (at least two) that substantially reduce impacts to biological resources, including plant communities and drainages, and that significantly increase the buffer with CHSP.

One of these alternatives must eliminate development in the entire northeast rectangular nob of the site, except for water tanks and roads for the tanks, if necessary. In this alternative, this undeveloped open space rectangle should be offered as a fee simple dedication to a conservation/land management agency. (See next section, Need for Adequate, Full-Proof Measures to Protect Remaining Open Space.) If the applicant argues that this is not economically feasible, that statement must be accompanied by a vetted economic analysis. As stated above, WCCA cannot see how the County could justify a Statement of Overriding Considerations for significant biological impacts for this project.

The DEIR should include one or more alternatives (including the removal of lots, if necessary), which reduces any significant adverse view impacts from trails in CHSP.

Need for Adequate, Full-Proof Measures to Protect Remaining Open Space

It is critical that the DEIR explicitly include in the project description for the proposed project and all alternatives, and in the mitigation measures, adequate open space protections, including open space dedication(s) and monitoring/management funding. This measure should specify that the remaining open space onsite shall be protected in perpetuity through a fee title dedication to a conservation and land management agency acceptable to the County of Orange and the California Department of Fish and Wildlife. An appropriate entity to accept this dedication could be California State Parks, WCCA, or the Mountains Recreation and Conservation Authority. The DEIR should specify that this dedication shall occur prior to the issuance of any grading permit.

WCCA also recommends DEIR include in the project description for the proposed project and all alternatives, and in the mitigation measures, the requirement for perpetual funding for management of the open space. It does not make sense for public agency to take on that expense, in essence subsidizing the development. The project description and mitigation measures should identify the specific, pre-permit issuance timing of the establishment of the open space funding (e.g., by placing the funding in an escrow account) – such as – prior to the issuance of a grading or other permit, map recordation, vegetation removal, or issuance of a certificate of occupancy.

Relationship to Other Projects

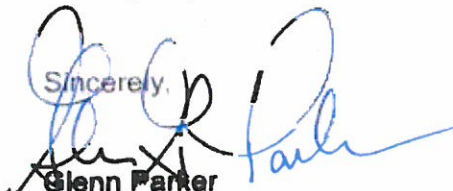
It appears that both project options would involve access through the Cielo Vista site (located adjacent to, and west of, the Esperanza site). The Esperanza site access depends on the Cielo Vista site. Also, according to the IS/NOP (p. 1), access to two parcels to the north (Bridal Hills LLC parcel and Yorba Linda Land LLC parcel) will be provided for in the proposed project lot and street design. This implies that the Esperanza project will have growth-inducing impacts, as it removes an impediment (i.e., lack of access) to two other developments.

Because these other projects are linked to the Esperanza project, we recommend that the DEIR address all these projects together in one DEIR. At the very least, these other three projects should be thoroughly considered in the cumulative impacts or growth-inducing (for the Bridal Hills LLC parcel and Yorba Linda Land LLC parcel) section of the DEIR. Because of the clear links to the Esperanza project, and in order to provide a meaningful analysis to the reviewers, this analysis should not be limited to a qualitative impact analysis, but rather should include a quantitative impact analysis as well (e.g., for impacts to plant communities and drainages).

Other Comment

The DEIR must demonstrate on figures that no fuel modification will be necessary within CHSP for the proposed project and all alternatives.

We appreciate your consideration of these comments. Please maintain our agency on your email/ mailing lists for this project. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,

Glenn Parker
Chairperson



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

February 1, 2013

Kevin Canning
Orange County Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

NOTICE OF PREPARATION FOR DRAFT ENVIRONMENTAL IMPACT REPORT, ESPERANZA HILLS SPECIFIC PLAN, CHINO HILLS IN YORBA LINDA AREA, UNINCORPORATED ORANGE COUNTY – ORANGE COUNTY PUBLIC WORKS, SCH #2012121071

Dear Mr. Canning:

Staff of the Regional Water Quality Control Board, Santa Ana Region (Regional Board) has reviewed the December 26, 2012 Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Esperanza Hills Specific Plan (Project). The Project would construct 340 houses and streets on 238.1 of 468.9 acres in the Chino Hills (unincorporated Orange County) beside the City of Yorba Linda border (City). The City would be expected to annex this proposed gated development.

We believe that the DEIR should incorporate the following comments, in order for the Project to best protect water quality standards (water quality objectives and beneficial uses) contained in the Water Quality Control Plan for the Santa Ana River Basin, 1995, as amended (Basin Plan):

1. Open Space Acreage

The DEIR should clarify some discrepancies applied to the acreage not planned for residential construction. Of 468.9 total acres in the Project area, 230.8 ac (49.2%) would be projected by the NOP p.2 to be "undisturbed/natural open space." Of those 230.8 acres, we note that the 83.9 acres that are to be landscaped for fuel modification would definitely be disturbed and not "natural." The remaining 146.9 acres is appropriately designated "undisturbed natural open space."

The above summary appears to conflict with NOP p. 36, "15. Recreation," which states that the Project would include a total of 61% open space upon completion (not 49.2%) and 12.6 acres of active/passive parks and trails. The DEIR should resolve whether the recreational acreage would be considered part of the 83.9 landscaped acres and would pose impacts to natural drainages in addition to impacts from the housing and infrastructure construction. Please distinguish the subset of acreages representing impacted and naturally retained portions of drainages associated with the Project. Neither NOP Exhibits 6 or 7 (for the two Project "Options" according to position of the entry road) indicate that more than half of the Project acreage would be open space. The DEIR should resolve this discrepancy between the claims of 49.2% and 61% open space acreage.

CAROLE H. BESWICK, CHAIR | KURT V. BERCHTOLD, EXECUTIVE OFFICER

2. Impacts to Drainages Posed by Two Project Options

The NOP states that the site includes "four blue-line drainages" and "riparian habitat." The four drainages are prominent vegetated ravines with minor tributaries. The total number of drainage segments appear to be increased by faulting offsets. NOP Exhibit 6 indicates that Option 1 proposes to fill portions of all four drainages. The Option 1 primary connection (entry) road would extend south upon the existing oil field road through the southernmost ravine (Blue Mud Canyon) to Stonehaven Drive, thereby impacting Blue Mud Canyon's bottom and northern slope.

Option 2 (NOP Exhibit 7) likewise would directly impact three Project site drainages while avoiding Blue Mud Canyon. However, it would extend the primary connection road west across a fifth vegetated drainage located outside of the Project boundary in the concurrently proposed Cielo Vista Project (NOP p.21; Exhibits 3 and 4). The DEIR's discussion of cumulative impacts (NOP p.21) should recognize how Option 2 inherently necessitates comment on the potential for both the Esperanza Hills and Cielo Vista Projects to combine to greatly impact the fifth drainage and so create a "cumulatively considerable" effect and "cumulative impact" on this drainage, its beneficial uses, and other local natural resources (CEQA Guidelines Section 15130(a)(1) and (b)(1)(A); 15065(a)(1,3); and 15355(a,b)). The DEIR should address the likelihood that this Option 2 entry connection may occur anyway in the future following construction of either the Esperanza Hills or Cielo Vista Projects, even if Option 1 were implemented in Blue Mud Canyon. The DEIR should list the anticipated environmental effects, posed by the construction of all "reasonably foreseeable future projects" projected for Yorba Linda on Exhibit 3 (including the proposed Esperanza Hills Project), on the water quality standards that are applicable to those local drainages.

Effectively, a "canyon-fill" approach appears evident from either Option 1 or 2 (Exhibits 6 and 7) and would dramatically change the natural drainage patterns of all site drainages. Therefore, the DEIR should upgrade to "significant impact" the two "less than significant impact" categories checked on Hydrology c. and d. of the Initial Study checklist (NOP pp. 27-28).

3. Protection of Beneficial Uses and Project Alternatives

Regional Board staff consider all ravines and minor drainages associated with the Project, whether located within or outside of the Project boundaries, to be unnamed tributaries of the Santa Ana River, Reach 2 according to the Basin Plan. Most of these tributaries and the water quality standards they support (water quality objectives and beneficial uses) would be severely impacted by the Project. According to the "tributary rule" of the Basin Plan, tributaries that are not specifically listed in the Basin Plan have the same beneficial uses as the surface waters and groundwater basins to which they are tributary (Santa Ana River, Reach 2, and Orange County Groundwater Management Zone, or GMZ)(Basin Plan p.3-5). The beneficial uses of the Santa Ana River, Reach 2 are:

- Rare, Threatened, or Endangered Species habitat (RARE),
- Wildlife Habitat (WILD),
- Warm Freshwater Habitat (WARM),
- Water Contact Recreation (REC1),
- Non-Contact Water Recreation (REC2),
- Groundwater Recharge (GWR), and
- Agricultural Supply (AGR).

The Orange County GMZ beneficial uses are Agricultural Supply (AGR), Municipal Supply (MUN), Industrial Service Supply (IND), and Industrial Process Supply (PROC).

The Hydrology and Biology Sections of the DEIR should contain studies that detail the hydrological and biological attributes of each drainage shed and watercourse that is to be impacted, including its ephemeral or perennial flows, wetlands and seasonal depressions, and associated plant and animal communities. One of these studies should be a Jurisdiction Delineation of the waters of the U.S. that are to be impacted. The overall lengths of these discrete tributaries, from their recognizable headwaters to the urbanized drains, should be measured and reported. Whether within or outside of the Project boundaries, these drainages and their water resources directly support the WILD, WARM, and potentially RARE beneficial uses of the watersheds that they drain, constituting a vital portion of the remaining regional block of Puente-Chino Hills wildlife rangeland and movement corridor.

Regional Board staff note that the NOP only discusses the essentially identical Options 1 and 2, with no Project alternative that avoids impacting the drainages and watercourses on the Project site. NOP p.21 states, "Additional project alternatives will be determined based on project impacts." An adequate range of alternatives must be developed having the least overall impact to water quality standards. An increase in disturbed, developed, and paved areas can substantially contribute to impairment of water quality owing to non-point source pollutant loads in urban runoff, destructive hydromodification, direct loss of beneficial uses such as riparian and aquatic habitat, and loss of infiltration to groundwater. Alternatives must incorporate Low Impact Development (LID) design for capturing, reusing, and/or infiltrating stormwater, per Regional Board Order No. R8-2009-0030¹, as amended by Order No. R8-2010-0062, NPDES Permit No. CAS618030 (Orange County Municipal Separate Storm Sewer (MS4) urban stormwater runoff permit).

At this stage, given no other alternatives than Options 1 and 2, we believe that the DEIR should designate the "No Project Alternative" (not mentioned in the NOP) to be the "environmentally superior alternative" under CEQA. The DEIR should consider within the "reasonable range of potentially feasible alternatives" (CEQA Guidelines Section 15126.6) bold alternatives to the Project that reflect objectives in the Orange County General Plan and current administrative initiatives to protect watershed integrity and support acquisition and restoration of dwindling habitat. Alternatives, including annexing the Project site, in part or in whole, to Chino Hills State Park to the north and east of the site, meet the "feasible" and "rule of reason" tests of Guidelines Section 15126.6(f) to "avoid or substantially lessen any of the significant effects," given the likelihood (from NOP review) that the Project will propose "Significant Environmental Effects Which Cannot Be Avoided if the Proposed Project is Implemented" (Sections 15126, 15126.2(b)).

4. Avoidance of Drainages

The DEIR should emphasize that a guiding premise in implementing the Basin Plan is that direct and indirect impacts to water quality standards of all surface waters of the U.S. and state, including ephemeral drainages, identified wetlands and other isolated waters, and groundwater, must first and foremost be avoided. Any unavoidable impacts to water quality standards (i.e., dredge and/or fill projects, hydromodification, impacts to riparian habitat, etc.) must be minimized and mitigated with generous, in-kind mitigation. At a minimum, this mitigation program must replace the full water

¹ "Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region, Areawide Urban Storm Water Runoff." These WDRs incorporate requirements of the Orange County Drainage Area Management Plan (DAMP).

quality function of the water quality standards that existed prior to impact and must result in no net loss of wetlands and wetland acreage. Mitigation should be implemented before impacts, or concurrently. Acquisition of, and compliance with, permits alone does not constitute mitigation.

If waters of the United States will be subject to a dredge or fill activity, then the project will likely require a Clean Water Act (CWA) Section 404 Permit from the United States Army Corps of Engineers (USACE) and a prerequisite CWA Section 401 Water Quality Standards Certification (Certification) from the Regional Board that construction and operation of the project will not adversely affect water quality standards (water quality objectives and beneficial uses). Section 401 Certifications are required before a Section 404 permit can be issued. The Certification program includes measures for the protection of water quality standards, with mitigation to compensate for permanent and temporary impacts to water quality standards and jurisdictional waters. Mitigation sites must be protected from other uses by conservation easements or other appropriate restrictive land use instruments.

The jurisdictional study (and subsequent USACE staff determination) may find that wetlands or other surface waters are isolated from waters of the U.S. and are therefore outside of federal jurisdiction. These so-called "isolated waters" are nevertheless waters of the State, and consequently the Project may be subject to individual waste discharge requirements (WDRs) pursuant to the California Water Code. Certifications and WDRs must be discussed in the DEIR.

The DEIR should reflect that issuance of a Certification or WDRs will be problematic for the Project as proposed, and any mitigation proposed offsite should not be expected to compensate for the beneficial uses that will be lost onsite. Therefore, we do not believe that the projected preservation of 146.9 non-contiguous acres, while commendable, sufficiently compensates for the cumulative and growth-inducing impacts to water quality standards posed by the proposed Project and those that will inevitably follow it. More than adequate mitigation for impacts to beneficial uses and jurisdictional waters should be identified in the DEIR.

Since the violation of water quality standards is a significant impact under CEQA and water quality standards exist to protect beneficial uses, obliterating or impairing beneficial uses through the fill of a waterbody is therefore a significant impact and should be avoided, minimized, and/or mitigated in a manner that is acceptable to relevant Responsible Agencies that include the Regional Board, California Department of Fish and Wildlife (CDFW), and the USACE. Board staff believes the Lead Agency should not finalize its CEQA process for the Project until water quality standards mitigation agreed to by the Project proponent and all Responsible Agencies can be incorporated.

If you have any questions, please contact Glenn Robertson at (951) 782-3259 or grobertson@waterboards.ca.gov, or me at (951) 782-3234 or madelson@waterboards.ca.gov

Sincerely,



Mark G. Adelson, Chief
Regional Planning Programs Section

Cc: State Clearinghouse
U.S. Army Corps of Engineers, Los Angeles –Veronica Chan
U.S. Fish and Wildlife Service, Carlsbad – Karin Cleary-Rose
California Dept. of Fish and Wildlife, Los Alamitos – Valerie Taylor/Mary Larson
Orange County Resources and Development Management Dept., Watersheds - Mary Ann Skorpanich
Wildlife Corridor Conservation Authority – Judy Tamasi
X:Grobertson Magnolia/Data/CEQA/CEQA Responses/NOP-DEIR- County of Orange – Esperanza Hills SP.doc



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

RECEIVED

JAN 09 2013

COUNTY OF ORANGE

January 4, 2013

Kevin Canning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702

Notice of Preparation of a CEQA Document for the Esperanza Hills Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as the recently released CalEEMod. This model is available on the SCAQMD Website at: <http://www.aqmd.gov/ceqa/models.html>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD staff is available to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,



Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
ORC121228-03
Control Number



DEPARTMENT OF PARKS AND RECREATION

Major General Anthony L. Jackson, USMC (Ret), Director

Inland Empire District
17801 Lake Perris Drive
Perris, CA 92571
(951) 443-2423

January 31, 2013

Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048

Subject: Comments on the Esperanza Hills Notice of Preparation of a Draft
Environmental Impact Report

Dear Mr. Canning:

The Inland Empire District of the Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the aforementioned project. State Parks is a trustee agency as defined by the California Environmental Quality Act (CEQA). State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation. As the office responsible for the stewardship of Chino Hills State Park (Chino Hills SP), we have an interest and concern about contemplated alterations of land use adjacent to the park.

In general, State Parks requests revisions to the proposal and design of the project due to the potential for a substantial number of significant impacts related to park operations, ecosystem health, aesthetics, emergency response, circulation, sensitive biological resources and wildlife movement. Furthermore, it appears that the amount of the proposed development is directly proportional to the levels of impact (i.e., the larger the development area, the higher amount of significant impacts).

For these reasons, we suggest looking at alternatives which reduce the development area, thereby potentially reducing the amount of impact. New alternatives should seek to implement a buffer area separating the developed area from CHSP. The following are comments regarding the scope and content of information for inclusion in the draft environmental impact report.

We request a detailed analysis of the relationship between the proposed project and the Chino Hills SP General Plan, which can be found on the following link:

<http://www.parks.ca.gov/pages/21299/files/chino%20hills%20finalgpp.pdf>. Such analysis should include, but not be limited to, the potential impacts to Blue Mud Canyon, San Juan Hill, and trail connections.

The proposed project has the potential to introduce a trail connection in an area where there is currently not an authorized trail. This is in reference to the trail on the western end of the project. An unauthorized trail connection to Chino Hills SP would be inconsistent with our park operations, especially in relation to emergency response and public safety.

Aesthetics

The proposed project is unacceptable since it would place roads and homes on the highest hills/ridgelines in Yorba Linda. This development would be visible from locations within Chino Hills SP and, therefore, would result in significant impacts to aesthetic resources in some of the most sensitive areas in the park, such as San Juan Hill, the highest point in Chino Hills SP, and other areas in Chino Hills SP. This is in direct conflict with CHSP General Plan, as shown by the following excerpts:

- Page 35: The acquisition plans for Chino Hills SP have emphasized the value of acquiring ridgetops to protect the viewsheds within the park.
- Page 44: Acquisition plans for the park have, among other things, emphasized the value of acquiring ridgelines to protect the viewsheds within the park.
- Page 65: Visitors to Chino Hills SP enjoy many aesthetic qualities inherent to the park's natural conditions. Some of these include open space, sounds of nature and scenic views. Impacts to aesthetic qualities are, at times, created by developments, activities, or land uses, within or outside the park, that are incompatible with these qualities.
- Aesthetic Resources Goal: Protect scenic features from man-made intrusions and preserve the visitor's experience of the natural landscape by minimizing adverse impacts to aesthetic resources.
- Aesthetic Resources Guideline: Ridgeline and knoll developments outside the park that adversely affect significant views will be discouraged.

The project appears to significantly alter the existing viewshed from within Chino Hills SP, thereby affecting the visitor experience. When conducting the visual impact assessment, please include an evaluation of the project's impact on the viewshed from several areas within Chino Hills SP, including San Juan Hills, South Ridge Trail, Blue Mud Canyon, Old Edison Trail, and other areas within Chino Hills SP. Given the foregoing, State Parks requests that alternatives be developed that would avoid these impacts.

The draft EIR should include alternatives that would cluster development away from open space areas. Proposed development of the northern and eastern portions are in areas that would present an obstruction to wildlife movement.

Edge Effects

The proposed layout is configured in a manner that creates a high ratio of development edge to wildlands, increasing the potential for impacts caused by human use. A few of these impacts, sometimes called urban edge effects, are as follows:

- a) Increased threat of human caused wildfires. Fires are a natural process but when too frequent can harm the environment. Most wildfires in southern California are human-caused and occur along urban edges.
- b) Domestic pets which can act as predators of and competitors with native wildlife, as well as vectors for disease,
- c) Elimination of foraging habitat of wildland resident species,
- d) Introduction of invasive exotic vegetation inadvertently carried in from bikes, people, animals or spread from backyards or fuel modification zones adjacent to the wildlands,
- e) Creation of volunteer trails from undesignated areas,
- f) Pollution and erosion damage to aquatic and riparian species and communities in blue line stream areas as a result of runoff from the development, and

We suggest future residents be made aware of these edge effects and other issues, as this may enhance the new resident's experience on living adjacent to wildlands. Other topics may include how to live harmoniously with nature and what to look for when hiking.

Geology

As proposed, the project will substantially alter the site through mass grading and excavation. The draft EIR should evaluate the potential for short and long term erosion that would impact resources within Chino Hills SP.

Public Services

The proposed project will cause increased use of public services as a result of the cumulative population increase, the proximity to Chino Hills SP, and the proposed access to Chino Hills SP. It will place the following increased demands on a number of State Parks staff including rangers, maintenance workers, ecologists, interpreters and park administration in providing a safe and high-quality experience for visitors.

Rangers will be required to patrol the area more frequently for the following reasons:

- Maintaining possible new access points to Chino Hills SP,
- The increased threat of fire hazards,
- The potential increase of incompatible or illegal activities in Chino Hills SP associated with an increase of human population, and
- Visitor safety associated with more park visitors on the trail, recreational accidents, medical emergencies, and unleashed dogs.

Ecologists will have increased responsibilities associated with the proposed project. The ecologist will need to monitor, research, and remedy the health of the natural environment adjacent to the proposed project for reasons discussed in the biological resources section of this letter.

Maintenance workers will have an increased need to maintain and safeguard trails, streambeds and bridges from erosion or destruction which can be caused by increased

use. They also may need to maintain the area more frequently due to the increased needs to empty trash cans and pick up litter.

The interpreter will have increased demands to contribute to the education of those who live closest to the park's borders. Interpretation could involve how residents' activities impact the park and what they can do to minimize conflicts with wildlife and enhance their experience living with nature. For instance, many people may not be aware that specific types of vegetation planted in backyards next to wildlands can harm the natural ecosystem, and in some cases can attract unwelcome wildlife.

Biological Resources

The proposed project is expected to have significant direct, indirect and cumulative impacts to the biological resources currently present within the project site and in the adjacent open space, including those within the limits of CHSP. The draft EIR should analyze potential direct, indirect and cumulative impacts to sensitive, threatened and endangered species and the habitat types that support them; it should provide avoidance and minimization measures as well as mitigation measures that reduce impacts below the level of significance. Emphasis should be placed on implementing avoidance and minimization measures rather than planning to mitigate "take" of habitat with restoration or creation off site. Focused surveys for sensitive species should take place during the appropriate seasons of the year for detection of potentially occurring sensitive species.

The population of golden eagles, *Aquila chrysaetos*, in the coastal regions of Southern California has experienced a significant decline. The draft EIR should include a detailed analysis of impacts to the regional golden eagle population. The nesting pairs of eagles in this area are among the last in the region. Every remaining pair is critical to the potential persistence in this ecoregion. The proposed project has the potential to substantially reduce nesting and foraging habitat for golden eagles, to cause their (regional) population to drop below self-sustaining levels, and to threaten to eliminate and or to reduce the number or restrict the range of golden eagle.

Fuel Modification

The draft EIR should provide a definitive description of the fuel modification areas. State Parks will not allow fuel modification to take place within CHSP, all necessary fuel modification zones must occur entirely within the boundaries of the project site. State Parks encourages the developer to retain undisturbed open space along the park boundaries to provide a natural buffer to the State Park reducing the direct impacts of Edge Effect, as described above. The fuel modification zones should avoid the use of any invasive exotic plants as referenced in the California Invasive Plant Council's invasive plant list (<http://www.cal-ipc.org/>). The Orange County Fire Authority (OCFA) list of acceptable plants for fuel modification zones includes a number of locally occurring native plants. The EIR should specify that locally occurring native plants approved by the OCFA be used in the "dry" fuel modification zones adjacent to natural areas.

The establishment of irrigated "wet zones" creates conditions for the establishment of non-native Argentine ants. The EIR should analyze and address the potential effect of Argentine ants on the decline of certain species of herpetofauna, and other species including nesting songbirds.

Cumulative Impacts

The proposed project identifies many significant impacts in many areas and also issues that have the potential to collectively contribute to more significant impacts. The scale of significant impacts points to the need for alternatives with fewer impacts. The proposed project, together with an adjoining project known as the Cielo Vista development project, could adversely impact the local and regional environment. The draft EIR should consider the cumulative effects of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the lead agency's control.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,



Ron Krueper
District Superintendent
Inland Empire District

cc: Judi Tamasi, WCCA
David Brantley, City of Yorba Linda
Claire Schlotterbeck, Hills For Everyone



MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

February 4, 2013

Via Electronic and Regular Mail

Kevin Canning
OC Public Works
300 N Flower St
Santa Ana, CA 92702-404

Dear Mr. Canning:

Notice of Intent to Prepare Draft Environmental Impact Report for the Esperanza Hills Project

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Notice of Intent to Prepare a Draft Environmental Impact Report for the Esperanza Hills Project (Project). The County of Orange (County) is acting as the Lead Agency under the California Environmental Quality Act. The Project proposes to construct 340 single-family residential units on 468.9 acres in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. The Project will consist of a gate-guarded community with low density residential and estate lots. Project components will include parks, trails, and open space.

Esperanza Hills is located within unincorporated Orange County north of the SR-91 Freeway, southwest of Chino Hills State Park, and adjacent to existing residential development in the City of Yorba Linda. The project is east of San Antonio Drive and north of Stonehaven Drive in the City of Yorba Linda. This letter contains Metropolitan's comments to the proposed project as a potentially affected public agency.

Mr. Canning
Page 2
February 4, 2013

The proposed development's site boundaries straddle Metropolitan's Lower Feeder pipeline and may also affect the Santiago Lateral pipeline and associated facilities. Attached is a map showing Metropolitan's facilities within the same perspective of Exhibit 4 from the Initial Study prepared for the Project.

Metropolitan must be allowed to maintain its rights-of-way and requires unobstructed access to its facilities in order to maintain and repair its system. In order to avoid potential conflicts with Metropolitan's facilities and rights-of-way, we require that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval. Approval of the project should be contingent on Metropolitan's approval of design plans for portions of the proposed project that could impact its facilities. It should be noted that Metropolitan's easement area may be unavailable at any time for a period of time should Metropolitan need to do any maintenance of its facilities or require that our pipeline be repaired or replaced at any time in the future. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564.

Please keep Metropolitan informed of ongoing developments. We appreciate the opportunity to provide input to your planning process and we look forward to receiving future documentation on this project. For further assistance, please contact Miss Connie Yee at (213) 217-5657.

Very truly yours,



Deirdre West
Manager, Environmental Planning Team

CY/cy

Job Log No. 2013012802

Enclosure: Map



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Transportation Commission

January 31, 2013

Mr. Kevin Canning
Orange County Public Works
300 North Flower Street
Santa Ana, CA 92702
Kevin.canning@ocpw.ocgov.com

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Esperanza Hills Specific Plan Project [I20120308]

Dear Mr. Canning:

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Esperanza Hills Specific Plan to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including its Sustainable Communities Strategy (SCS) component pursuant to SB 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of the regional goals and policies in the RTP/SCS.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Esperanza Hills Specific Plan Project and determined that this proposed project is regionally significant per CEQA Guidelines, Sections 15125 and 15206. The proposed project proposes to construct 340 single-family residential units on approximately 470 acres in unincorporated Orange County, California adjacent to the City of Yorba Linda. As set forth in the attached, SCAG recommends that the EIR include a review and consideration of the goals in the adopted RTP/SCS and that the analyses reflect the most recently adopted growth forecasts.

When available, please send environmental documentation to SCAG's main office in Los Angeles providing, at a minimum, the full comment period for review.

If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely,

Jonathan Nadler

Manager, Compliance and Performance Assessment

¹ SB 375 amends CEQA to add Chapter 4.2 Implementation of the Sustainable Communities Strategy, which allows for certain CEQA streamlining for projects consistent with the RTP/SCS. Lead agencies (including local jurisdictions) maintain the discretion and will be solely responsible for determining "consistency" of any future project with the SCS. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a finding of consistency under SB 375 for purposes of CEQA streamlining.

**COMMENTS ON THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL
IMPACT REPORT FOR THE ESPERANZA HILLS SPECIFIC PLAN
[SCAG NO. I20120308]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS.

RTP/SCS Goals

The 2012-20135 RTP/SCS links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations (see <http://rtpscs.scag.ca.gov>). The goals included in the 2012 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2012-2035 RTP/SCS are the following:

SCAG 2012-2035 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and non-motorized transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format. Suggested format is as follows:

SCAG 2012-2035 RTP/SCS Goals		
Goal		Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness.</i>		<i>Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why DEIR page number reference</i>
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region.</i>		<i>Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why DEIR page number reference</i>
RTP/SCS G3: <i>Ensure travel safety and reliability for all people and goods in the region.</i>		<i>Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why DEIR page number reference</i>
etc.	etc.	etc.

Regional Growth Forecasts

The Notice of Preparation of an Environmental Impact Report for the Esperanza Hills Specific Plan Project should reflect the most recently adopted SCAG forecasts (see <http://scag.ca.gov/forecast/index.htm>), which are the 2012-2035 RTP/SCS population, household and employment forecasts. The forecasts for the region and applicable jurisdictions are below.

Forecast	Adopted SCAG Region Wide Forecasts		Adopted Unincorporated Orange County Forecasts	
	Year 2020	Year 2035	Year 2020	Year 2035
Population	19,663,000	22,091,000	159,100	189,300
Households	6,458,000	7,325,000	44,000	57,600
Employment	8,414,000	9,441,000	29,700	39,500

MITIGATION

SCAG staff recommends that you review the SCAG 2012-2035 RTP/SCS Final Program EIR List of Mitigation Measures Appendix for additional guidance, as appropriate. The SCAG List of Mitigation Measures may be found here: http://scag.ca.gov/igr/pdf/SCAG_IGRMMRP_2012.pdf



February 1, 2013

Kevin Canning, Contract Planner
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

**Subject: Notice of Intent to Prepare Draft Environmental Impact Report
- Esperanza Hills Specific Plan**

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City of Laguna Woods

CAROLYN EMERY
interim Executive Officer

Dear Mr. Canning:

The Orange County Local Agency Formation Commission (OC LAFCO) has reviewed the County's Initial Study and Notice of Preparation of an Environmental Impact Report for the Esperanza Hills Project (Project). OC LAFCO appreciates this opportunity to review and comment on the Initial Study pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.: "CEQA") and the State CEQA Guidelines (14 C.C.R. § 15000 set seq.).

LAFCO's interest in the Esperanza Hills project as it relates to CEQA is as follows:

1. LAFCO is a responsible agency under CEQA for the any potential annexation of the Esperanza Hills project to the City of Yorba Linda.
2. The project raises several issues that may have future implications for LAFCO, the City of Yorba Linda, and the County of Orange.

In summary, the proposed development of the Esperanza Hills project in unincorporated Orange County without a definitive plan and process in place for annexation to the City of Yorba Linda raises issues about:

- Consistency with existing policies for sphere of influence and the creation of developed, inhabited unincorporated islands.
- The long-term delivery of reliable and efficient public services to future residents.
- The impacts to the City and its residents resulting from County service providers travelling through the City and adjacent residential neighborhoods to serve the Esperanza Hills project.

LAFCO AS RESPONSIBLE AGENCY

OC LAFCO is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 *et seq.*). Under the Act, LAFCO is required to make determinations regarding an annexation and to consider the environmental impact report of a Lead Agency (Government Code Section 56881). The Act also establishes the factors which OC LAFCO must consider in making its determinations for a proposed change of organization, including any policies adopted by OC LAFCO to create planned, orderly and efficient patterns of development (Government Code Section 56668). Because of this role and pursuant to Section 21069 of the Public Resources Code and Title 14, California Code of Regulations, section 15381, OC LAFCO would be a responsible agency for annexation of the Esperanza Hills project to an adjacent city and/or special district.

LAFCO has reviewed the NOP and provide the comments contained within this letter as the County begins preparation of the EIR.

LAFCO COMMENTS

The Final Environmental Impact Report ("EIR") must address the impacts of all of the project components, including but not limited to the annexation process, and all necessary and feasible mitigation. In particular, the EIR should address the factors as identified in Government Code Section 56668. These factors include, but are not limited to, the following considerations:

- 1. As a responsible agency, LAFCO must independently review and consider the adequacy of the lead agency's environmental documents prior to approving any portion of the proposed project. (State CEQA Guidelines § 15096.)**
 - The Final Environmental Impact Report must be adequate for the purposes of annexation and should include substantive discussion of the LAFCO annexation process. (State CEQA Guidelines § 15096.)

- 2. The "Project Description" must be clearly articulated and must include a description of the proposed annexation of the project area to the City of Yorba Linda.**
 - The Final Environmental Impact Report must be adequate for the purposes of annexation and should contain the information that is in a subsequent section entitled "Annexation to City of Yorba Linda."
 - The "Project Description" in the Final EIR must clearly identify the potential for the annexation of the unincorporated portions of the project area as part of the "whole of the project" which would require LAFCO review and approval. (See State CEQA Guidelines § 15124(d)(1)(B); see also State CEQA Guidelines §

15378(a) [defining the term “project” as including the whole of an action]; see also State CEQA Guidelines § 15378(c) [explaining that the word “project” includes “activity [that] is being approved and which may be subject to several discretionary approvals by governmental agencies”].) The Final EIR must also discuss the timing of annexation relative to timing of the proposed development plans.

3. The “Public Services and Utilities” should include discussion of all services required by the development and the timing of those services to the project area.

- Government Code section 56653 requires that each application for a change of organization include a “plan for providing services within the affected territory.” Among other things, the plan for services must indicate “when those services can feasibly be extended to the affected territory” (Gov’t Code 56653(b)(3)). Although the focus of Subsection 56653(b)(3) is on the timing of the *initiation* of services, the point of this subsection, especially considered with the remaining requirements of Section 56653, is on continuous, reliable services to the affected area. The Final EIR’s discussion of impacts in the area of public services must be made with reference to and consistent with the plan for services submitted under the Act, in particular, Government Code section 56668, which contains the criteria for approval of the annexation of the project area.

Thank you for this opportunity to respond to the Initial Study and Notice of Preparation. Please send one complete set of the Draft EIR when it is available for public review and comment. If you have any questions or concerns regarding this response, please contact me (cemery@oclafco.org) or Benjamin Legbandt, Policy Analyst (blegbandt@oclafco.org) by email or at (714) 834-25456.

Sincerely,



Carolyn Emery
Interim Executive Officer

DIRECTORS

CLAUDIA C. ALVAREZ, ESQ.
PHILIP L. ANTHONY
KATHRYN L. BARR
DENIS R. BILODEAU, P.E.
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ORANGE COUNTY WATER DISTRICT
ORANGE COUNTY'S GROUNDWATER AUTHORITY

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Second Vice President
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January 21, 2013

Mr. Kevin Canning
OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Canning:

Subject: Comments on the NOI to Prepare Draft Environmental Impact Report for Esperanza Hills Specific Plan (SCH No. 2012121071)

The Orange County Water District (OCWD, the District) appreciates the opportunity to review and comment on the NOI for the Esperanza Hills Specific Plan.

OCWD was established by the State of California in 1933 to manage the Orange County Groundwater Basin. Water produced from the basin is the primary water supply for approximately 2.5 million residents in Orange County. OCWD maintains and operates facilities in the cities of Anaheim and Orange to recharge surface water into the groundwater basin.

This project proposes to construct 340 single-family residential units in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. Page 37 of the Initial Study and Notice of Preparation contains a description of water availability for this project including a statement that the EIR will discuss water supplies from the Yorba Linda Water District and OCWD, and that OCWD is in the process of preparing an EIR discussing the long-term availability of local groundwater supplies. Please note that OCWD is preparing an EIR to evaluate annexation of land into the OCWD, a portion of which may include the area proposed for the Esperanza Hills development. The requests for annexation evaluated in the EIR have been made by the Yorba Linda Water District, City of Anaheim, and Irvine Ranch Water District. If you have any questions concerning the EIR or the proposed annexation of land to OCWD, please contact Greg Woodside, Executive Director of Planning and Natural Resources at 714-378-3275 or gwoodside@ocwd.com.

Mr. Kevin Canning
January 21, 2013
Page 2 of 2

We appreciate receiving notice of the IS/NOP for this project and request that we continue to receive all environmental documents, including the Draft EIR, related to the Esperanza Hills Specific Plan project. Thank you.

Sincerely,



Michael R. Markus, P.E., D.WRE, BCEE, F.ASCE
General Manager

DIRECTORS

CLAUDIA C. ALVAREZ, ESQ.
PHILIP L. ANTHONY
KATHRYN L. BARR
DENIS R. BILODEAU, P.E.
SHAWN DEWANE
CATHY GREEN
STEPHEN R. SHELDON
HARRY S. SIDHU, P.E.
BRUCE WHITAKER
ROGER C. YOH, P.E.



RECEIVED

JAN 11 2013

COUNTY OF ORANGE

OFFICERS

President
CLAUDIA C. ALVAREZ, ESQ.

First Vice President
PHILIP L. ANTHONY

Second Vice President
SHAWN DEWANE

General Manager
MICHAEL R. MARKUS, P.E., D.WRE

ORANGE COUNTY WATER DISTRICT

January 8, 2013

Kevin Canning
OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

RE: IS/NOP for Esperanza Hills Specific Plan (PA120037/VTTM 17522)

Dear Mr. Canning:

Please add the Orange County Water District to the distribution list to receive all CEQA documents including the Draft EIR related to the above referenced project. We would prefer to receive these documents electronically at the email address listed below.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Marsha Westropp". The signature is written in a cursive, flowing style.

Marsha Westropp
Senior Watershed Planner
mwestropp@ocwd.com

Orange County Sanitation District

10844 Ellis Avenue, Fountain Valley, CA 92708
(714) 962-2411 www.ocsewers.com

RECEIVED

MAR 11 2013

COUNTY OF ORANGE

March 6, 2013

Kevin Canning, OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702

SUBJECT: Notice of Intent to Prepare a Draft EIR for the Esperanza Hills Project

Thank you for opportunity to review and comment on the NOI for the DEIR for the Esperanza Hills project in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. We appreciate the extended review period you allowed us.

The proposed project would construct 340 single-family residences on 468.9 acres of land. The project site is within the jurisdiction of the Orange County Sanitation District (OCSD).

Please indicate how the connection to the City sewers will lead into the OCSD system. This could be done by a figure to display wastewater routing into the OCSD system. OCSD would like to confirm that the existing sewer has the adequate capacity to handle the proposed flow. Please use the following flow factors to estimate future flows in the Draft Environmental Impact Report:

- 727 gpd/acre for estate density residential (0-3 d.u. /acre)
- 1488 gpd/acre for low density residential (4-7d.u. /acre)
- 3451 gpd/acre for medium density residential (8-16 d.u./acre)
- 5474 gpd/acre for medium-high density residential (17-25 d.u./acre)
- 7516 gpd/acre for high density residential (26-35 d.u./acre)
- 2262 gpd/acre for commercial/office
- 3167 gpd/acre for industrial
- 2715 gpd/acre for institutional
- 50 gal./seat for restaurants
- 129 gpd/acre for recreation and open space usage

You may use more specific flow factors if you think it will more accurately portray the project's estimated flows and impacts to the local sewer system.

Also, please note that any construction dewatering operations that involve discharges to the local or regional sanitary sewer system must be permitted by OCSD prior to discharges. OCSD staff will need to review/approve the water quality of any discharges and the measures necessary to eliminate materials like sands, silts, and other regulated compounds prior to discharge to the sanitary sewer system. Connection permits are also required.



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Irvine Ranch
Water District



Kevin Canning
Page 2
March 6, 2013

Thank you for the opportunity to comment on the proposed development. If you have any questions regarding sewer connection fees, please contact Rich Leon at (714) 593-7242. For planning issues regarding this project, please contact Jim Burror, Engineering Supervisor at (714) 593-7335.

A handwritten signature in cursive script that reads "Daisy Covarrubias".

Daisy Covarrubias
Senior Staff Analyst

DC:sa
EDMS: 003971291/1.8b



ORANGE COUNTY FIRE AUTHORITY
P.O. Box 57115, Irvine CA 92619-7115 • 1 Fire Authority Rd., Irvine, CA 92602

Keith Richter, Fire Chief

(714) 573-6000

www.ocfa.org

January 17, 2013

Kevin Canning
Orange County Planning
PO Box 4048
Santa Ana, CA 92702-4048

RECEIVED

JAN 24 2013

COUNTY OF ORANGE

Re: **Esperanza Hills NOP**

Dear Sir,

Thank you for the opportunity to comment on the subject document. All standard conditions and guidelines will be applied to the project during the normal review process. This project is adjacent to 2 additional potential developments and may share the same access roads. As such, OCFA recommends that the project takes into consideration the full impacts of the adjacent developments so that a cohesive fire access, evacuation route, fuel modification, and project design is included in this very high fire hazard area. The Orange County Fire Authority (OCFA) has considered the potential impacts associated with this proposal and would like to add the following comments and responses:

The OCFA has identified that the project will present impacts to existing fire and rescue services. Currently, the OCFA is responsible for provision of these services to the project area. Increased development in this area needs to support the Fire Services infrastructure. Fire Station 10 requires an increase in capacity and all projects in the area need to participate in the fair share funding. As such, the developer will be required to enter into a Secured Fire Protection Agreement (SFPA) with the OCFA.

MITIGATION: Prior to grading plan approval for the project, the designated site developer shall enter into a Secured Fire Protection Agreement with the Orange County Fire Authority.

This Agreement shall specify the developer's pro-rata fair share funding of capital improvements necessary to establish adequate fire protection facilities and equipment, and/or personnel. Said agreement shall be reached as early as possible in the planning process, preferably for each phase or land use sector of the project, rather than on a parcel by parcel basis.

The SFPA agreement is typically entered into with developers on a project specific basis to contribute a pro rata share towards funding capital improvements necessary to establish adequate fire protection facilities and equipment. The SFPA is not related to the provision of an

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RESIDENTIAL SPRINKLERS AND SMOKE DETECTORS SAVE LIVES

“adequate tax base directed to the Structural Fire Fund to offset short and long range costs”, but rather to mitigating the impact of a project on OCFA as it impacts capital and infrastructure needs. OCFA’s current fair share funding is \$600.00 per dwelling unit or equivalent dwelling unit (approximately 1,111 square feet of non-residential

All of the area is within hazardous native vegetation and the Very High Fire Hazard Severity Zone. Development within the area may require significant efforts to reduce wildfire hazards including setbacks, fuel modification, and special construction features. Furthermore, the fuel modification will be reviewed in detail to provide protection for this project.

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

MITIGATION: Since the property has been subject to oil drilling, the developer shall provide a combustible gas/methane assessment study to OCFA for review and approval. Should measurable quantities of methane gas be detected, the developer shall also submit and obtain OCFA approval for a mitigation plan to address the issue. Note: prior to conducting the assessment study, it is recommended that site drill locations be pre-approved by OCFA as to ensure approval of report.

MITIGATION: All traffic signals on public access ways should include the installation of optical preemption devices.

MITIGATION: All electrically operated gates within the Project shall be equipped with emergency opening devices as approved by the Orange County Fire Authority.

MITIGATION: A service letter from the water agency serving the project area must be submitted and approved by the OCFA water liaison describing the system, pump system, and fire flow and list the design to ensure fire flow during major wildfire incident.

MITIGATION: Fuel modification easements for maintaining the fuel modification areas must list OCFA as an authorized agency for entry into HOA areas in the CCR’s. Contact Fire Prevention for recommended language to be placed in the CCR document.

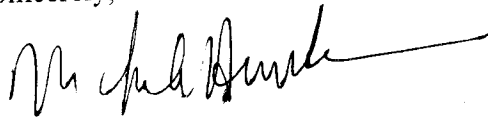
Other comments:

- Emergency Access and evacuation will need to be finalized and approved by OCFA and County traffic engineering
- Estate Lot 1 on access plan will be reviewed separately based on unique and significant fire protection requirements for this parcel.

In addition, we would like to point out that all standard conditions with regard to development, including water supply, built in fire protection systems, road grades and width, access, building materials, and the like will be applied to this project at the time of plan submittal.

If you have any additional questions, please contact me at (714) 573-6199.

Sincerely,



Michele Hernandez
Management Analyst/Strategic Services Section

Memorandum

DATE: January 28, 2013
TO: Kevin Canning, OC Public Works, OC Planning
FROM: Hossein Ajideh, Chief, OC Flood/Flood Programs/ Hydrology
SUBJECT: Notice of Preparation of EIR for Esperanza Hills Project, Unincorporated Orange County

Flood Programs/Hydrology Subunit reviewed the document and offers the following comment:

1. The EIR for the proposed Esperanza Hills project should identify all impacted Orange County Flood Control District (OCFCD) facilities. It appears that the 468.9 acres area would drain to Esperanza Channel, regional OCFCD facility No. E06 or to Blue Mud Storm Channel, sub regional OCFCD facility No. E06S01, depending on a final option of the grading (Exhibits 6 and 7 of Initial Study).
2. The grading should not be done in a way that the drainage area that naturally goes to one channel be diverted into another channel. Therefore, the EIR should either specify the tributary area of one channel flow will not divert to the other channel and vice versa, or any diversion proposed with appropriate justification should be brought to the attention of the Manager, Flood Control Section. Under no circumstances the flow should be diverted from one watershed to the other.
3. The intensification of land use and drainage improvements that are likely to accompany the development could result in the delivery of higher discharges from the project area to downstream areas. The Initial Study, page 34, indicated the project will include several hydrodynamic features to treat and capture water runoff. Please incorporate all hydrology models and/or hydraulic analyses, other technical studies and supporting calculations (Excel files, etc.) as well as maps/exhibits (GIS/CAD files) in the EIR.
4. It should be noted that Esperanza Channel that was built in late 70s is currently not capable of conveying 100-year discharges. Mitigation measures need to be implemented to prevent worsening flooding conditions and/or shifting flooding elsewhere as a result of the project.

If you have any questions regarding these comments, please contact me at (714) 245-4503 or Anna Brzezicki (714) 647-3989.


Hossein Ajideh



Yorba Linda Water District

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JAN 11 2013

COUNTY OF ORANGE

January 11, 2013

Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048

Subject: Comments regarding the Notice of Preparation (NOP) of EIR
for Esperanza Hills Specific Plan (PA120037/VTTM 17522)

Comments and conditions provided in this letter are in response to the NOP for the subject project, dated December 21, 2012. Yorba Linda Water District (District) is the water service provider and sewer collection service provider for the proposed project area. On January 8, 2013, the District provided a Conditional Will-Serve Letter for water and sewer service for the subject project.

As indicated therein, the Conditional Will-Serve Letter is not a contractual offer or commitment to provide service, but a representation that the proposed development area is in the District's service area. The applicant must satisfy certain conditions specified by the District and agreed to by the applicant before service will be available to supply the project. Any future, binding commitment by the District to service this project will be subject to the availability of water and sewer facilities and the planning, design, and construction of adequate facilities to meet the demands of the project in accordance with (1) the terms and conditions of a Pre-annexation Agreement to be executed by the applicant and the District; and (2) the terms and conditions of an Application to an Agreement with the Yorba Linda Water District for Water and Sewer Service executed by the applicant and the District; both in accordance with the District's policies existing at the time such agreements are executed.

District staff recently met with representatives of the proposed Esperanza Hills development. Meetings have also taken place with representatives for another proposed single-family residential project referred to as the Cielo Vista development. This latter project would be located southwesterly of the Esperanza Hills development. These two proposed projects would develop the last major undeveloped parcels in the District's service area. The representatives for each of the two projects were advised that water and sewer services and facilities for the two projects must be planned and designed in concert to serve the combined area. That is, separate or piece-meal development of water and sewer services is not acceptable.

In this regard, they were advised that the District is proceeding with a project called the Northeast Area Planning Study (study). The study will be based on hydraulic modeling to determine the various alternative means to service the potential new residential developments as



well as to meet the ultimate needs and goals of the District for this portion of the water service area. A critical element to be factored into the study will be the fire flow requirements, which we understand will be established in the near future by the Orange County Fire Authority. The planning study began mid 2012, and may be completed by early 2013.

Concerning sewer services for the projects, the representatives for the two projects were advised that the District will require gravity-sewer service from all areas of the Esperanza Hills development, with such service extending southerly and westerly downward to and through the Cielo Vista Project to connect to existing District sewers. Engineering studies by the project developers will be required to confirm the size of the sewer lines throughout the projects, and to confirm that the existing downstream sewers have adequate existing capacity for the additional flow.

Should you have any questions regarding this letter, please feel free to contact me at (714) 701-3102, or via email at sconklin@ylwd.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Conklin', with a stylized flourish at the end.

Steve Conklin, P.E.
Acting General Manager

cc: Douglas Wymore, Yorba Linda Estates LLC
Andrew Keyworth, OCFA



CITY OF YORBA LINDA

P. O. BOX 87014

CALIFORNIA 92686-8714

(714) 961-7130

FAX 961-7101

COMMUNITY DEVELOPMENT

January 31, 2013

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

Subject: City of Yorba Linda Comments Regarding the Notice of Preparation for the Esperanza Hills Specific Plan Project (Project No. PA 120037/VTTM 17522)

Dear Mr. Canning:

The City of Yorba Linda has reviewed the Notice of Preparation (NOP) for the Esperanza Hills Project issued by the County of Orange on December 21, 2012. The property is located within the City's Sphere of Influence and adjacent to the City's northerly incorporated boundary. As such, the City has identified a number of environmental concerns that may adversely affect Yorba Linda residents, infrastructure, and/or resources that should be addressed within the Draft Environmental Impact Report (EIR). These concerns are described in detail below:

- **Responsible Agency:** As stated within the NOP, the City of Yorba Linda will have discretionary approval over the proposed project. As such, the City requests that the Draft EIR identify the City as a Responsible Agency in accordance with Section 15381 of the CEQA Guidelines and disclose the range of discretionary approvals to be sought by the project applicant.
- **Cumulative Projects/Analysis:** It is of great importance and critical to the City of Yorba Linda that the Draft EIR include a comprehensive and, as applicable, quantitative review of cumulative considerations and impacts related to nearby development proposals, including the adjacent Cielo Vista project. A quantified cumulative impact analysis is requested specifically for traffic, air quality, greenhouse gases, biological resources, noise, public services and utilities.
- **Aesthetics and Landform Impacts:** The Esperanza Hills project would construct residential development within a visually prominent area in proximity to the Chino Hills. The Draft EIR should provide a detailed discussion of grading impacts and effects to existing natural ridgelines and landforms. Changes in the aesthetic environment pertaining to scenic vistas and visual character should be addressed as required under the CEQA Guidelines. The provision of visual simulations from key public viewpoints within the City may also be helpful in disclosing aesthetic impacts related to the project. *Chapter 18.30, Hillside Development/Grading/Fire Protection*, of the City's *Municipal Code* includes various site design, planting, and grading requirements intended to minimize the visual impacts associated with grading in the foothills. A consistency analysis with these requirements should be provided as part of the Draft EIR.
- **Agriculture:** The NOP references the project site's zoning of A1-General Agriculture and A1(o)-General Agriculture/Oil Production. Although the property has not been designated as Prime

Farmland and is not covered by a Williamson Act contract, the loss of the Agricultural Zoning and overall change of land use warrant further analysis in the form of an Agricultural Land Conversion technical review in order to conclude significance of impacts.

- **Biological Resources:** The 468.9 acre site is mostly undeveloped and supports a mix of non-native grasslands, with areas of riparian habitat. The site includes locally dominant stands of coastal sage scrub, chaparral and four blue-lined drainages. A detailed Biological Resources Technical Report and Jurisdictional Delineation should be included in the Draft EIR. The analysis should consider both the footprint of grading/residential development and the proposed fuel modification buffer that would surround the project. The biological resources review will need to consider applicable focused surveys for the area, which should also account for upcoming spring survey protocol conditions.
- **Cultural Resources:** The NOP references a previous "Cultural Resources Inventory" prepared in 2008. The City is seeking that the analysis utilize proper methodology to render cultural resource significance conclusions, including appropriate field review, transects and any further update, based upon local data related to neighboring properties undergoing concurrent environmental review (i.e., Cielo Vista Area Plan).
- **Geology and Soils:** The NOP states that the Whittier Fault extends along the southern portion of the site. In addition, numerous landslide areas exist within the City's Sphere of Influence. It is further noted that geotechnical testing has been conducted to confirm that the current lot design avoids on-site constraints. The City is seeking assurance that proper methodology was utilized for the testing, including peer review of any applicant sponsored studies.
- **Emergency Access/Fire Hazards:** The project site is located in a Very High Fire Hazard Severity Zone/Special Fire Protection Area. A critical concern for the City is that the NOP concludes a less than significant impact for hazards. Given the existing topography, vegetation, fire history and access conditions, the Draft EIR should provide a detailed discussion of the potential for the project to result in the exposure of people or structures to be at risk due to wildland fires. Although it is further concluded that the project would comply with fire safety requirements, a Fire Protection Plan should be addressed in the Draft EIR. Risks related to site access, emergency response and evacuation should be incorporated into the analysis. The Orange County Fire Authority (OCFA) should be consulted and their recommendations should be incorporated into the Fire Protection Plan.
- **Hydrology and Water Quality:** Similar to Geology and Soils, the City is seeking assurance that proper methodology was utilized for Hydrology and Water Quality review, including peer review of applicant sponsored studies.
- **Land Use:** Based on the City being recognized as a Responsible Agency under CEQA, the County should consult with the City regarding the scope of analysis for Land Use, in consideration of the Sphere of Influence and potential for annexation.
- **Mineral Resources:** The NOP indicates that one of two on-site oil wells will cease production as a result of project implementation. The Draft EIR should provide additional detail regarding existing wells in the area and ongoing operation of an on-site well.
- **Population and Housing:** The calculation of project site density (0.73 dwelling units per acre) and comparison to densities of surrounding subdivisions needs to be verified in the Draft EIR.

- **Recreation:** The proposed project would include 340 dwelling units adjacent to the City's northerly boundary. The project would result in direct population growth, resulting in increased use of recreational facilities in the project area. The Draft EIR should include an analysis of impacts to the City's recreational facilities in vicinity, including San Antonio Park, Arroyo Park, Travis Ranch Youth Park/Activity Center, and Eastside Community Park.
- **Traffic and Circulation:** Impacts related to access and circulation must include a detailed, quantitative review, based in part on the City of Yorba Linda's Thresholds of Significance. Local roadways, as referenced in the City's General Plan Circulation Element, may not have the design or capacity to safely convey additional traffic associated with the project. The Draft EIR should include an analysis to determine if any conflicts within the City's Circulation Element would occur upon implementation of the proposed project.

The traffic review needs to carefully consider where Primary and Secondary access points are identified. The NOP identifies two options for entry to the proposed community. These two access options (Stonehaven Drive and San Antonio Road) are designated as "local roadways" not "local residential collectors" in the City's 1993 General Plan, as referenced in the NOP's Environmental Analysis Checklist. Please correct this oversight in the Draft EIR.

The City is expecting that the analysis will provide consistent methodology for review of both options and it is requested that the methodology be presented to City Staff prior to initiating the EIR analysis.

- **Utilities:** The Draft EIR should clearly identify any proposed connections to utilities within the City of Yorba Linda (e.g., stormwater drainage) and identify any on- or off-site facilities that would be required. The capacity of existing utilities to serve the project should also be addressed.

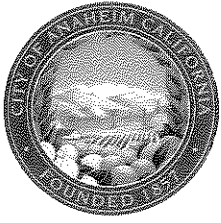
The City of Yorba Linda appreciates the opportunity to provide input regarding the scope of the Draft EIR for the Esperanza Hills Project. We request that the County provide the City with the Draft EIR upon commencement of the public review period. The City also requests to be informed of any public meetings and/or public hearings for the project. Should you have any questions regarding the City's comments on the NOP, please contact myself at either 714-961-7131 or sharris@yorba-linda.org.

Sincerely,



Steven K. Harris, AICP
Director of Community Development

Cc: Yorba Linda City Council Members
Steve Rudometkin, City Manager
Todd Litfin, City Attorney



City of Anaheim
PLANNING DEPARTMENT

January 31, 2013

**SENT BY E-MAIL AND
U.S. MAIL**

Kevin Canning, OC Public Works/OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048

**RE: NOTICE OF PREPARATION TO PREPARE A DRAFT EIR FOR
THE ESPERANZA HILLS SPECIFIC PLAN (PROJECT NUMBER:
PA120037)**

Dear Mr. Canning:

Thank you for the opportunity to review and comment on the above-referenced document. City of Anaheim offers the following comments:

1. **Community Services Parks Division** - The Community Services Department requests that the Esperanza Hills Specific Plan provide and identify bike facilities (including paths & lanes) and trail links that eventually connect with those identified in the "Anaheim Outdoors Connectivity Plan." This draft document can be accessed at <http://www.anaheimoutdoors.net/> and is expected to be adopted by the Anaheim City Council in spring 2013. Should you have any questions regarding these Park Division comments, please contact Pamela Galera, Principal Project Planner, at (714) 765-4463.
2. **Public Works Department** - The Public Works Department offers the following comments:
 - a. **Design Services**: Please ensure that the storm water discharge is not increased and does not have adverse impacts on existing storm drainage systems downstream of the development, especially on those within the City of Anaheim's jurisdiction. Onsite retention/detention basins should be incorporated into the project's design to maintain the same off-site discharge as the current/existing conditions.
 - b. **Traffic Engineering**: It is anticipated that the primary regional access will use Yorba Linda Boulevard to the SR-91 Riverside Freeway, since this is the most direct path to the nearest freeway. Please ensure that the proposed traffic study analyzes the intersections of Yorba Linda Boulevard/La Palma Avenue and Yorba Linda Boulevard/Savi Ranch Parkway. Both intersections experience congestion during the peak hours, and could be significantly impacted by the proposed project.

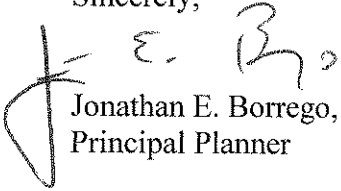
200 South Anaheim Boulevard
P.O. Box 3222
Anaheim, California 92803

TEL (714) 765-5139

Should you have any questions regarding these Public Works related comments, please contact Raul Garcia, Principal Civil Engineer, at (714)765-5255.

We would again like to thank you for the opportunity to comment on the above-referenced project. Please forward any subsequent public notices and/or environmental documents regarding this project to my attention at the address listed at the bottom of the first page of this letter. If you have any questions regarding this response, please do not hesitate to contact me at (714) 765-5016.

Sincerely,



Jonathan E. Borrego, AICP
Principal Planner

Attachment

cc: Pamela Galera, Community Services
Raul Garcia, Development Services

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 5:11 PM
To: Nathaniel Behura
Subject: Re: Esperanza Hills & Cielo Vista

Your comments are received. I'd like to more fully respond to you at a time I'm not restricted to my handheld.

Kevin Canning
(949) 235-3846
Sent from my iPhone

On Feb 1, 2013, at 5:07 PM, Nathaniel Behura <nbehura@trans-en.com> wrote:

> Dear Mr. Canning:

>

> I was able to attend the last 1 hour of the Scoping Meeting yesterday at Travis Ranch.

>

> We understand one of the reasons that the developers did not go through the City is because of the more stringent requirements of the City. One of my main concerns at this time is that the whole EIR and planning process not include the minimums required by the County or State, but address all the issues and requirements of the City of Yorba Linda as well since these developments will be annexed within the City. Although the City is being designated as the lead agency, my understanding the County will still conducting or managing the EIR and planning process. Please define the scope such that all the issues that have been indicated as important to the City are addressed to meet its requirements, even if over and above the minimum County or State requirements.

>

> I will bring up specific traffic and environmental issues as we get further into the process.

>

> Thank you.

>

> Sincerely,

>

> Nathaniel S. Behura
> 5475 Brentwood Place
> Yorba Linda, CA 92887
> Phone: (714) 685-0001 (Work)

>

> City of Yorba Linda Traffic Commissioner and General Plan Advisory
> Committee Member

>

>

>

>

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 5:40 PM
To: Nathaniel Behura
Subject: Re: Esperanza Hills & Cielo Vista

You are correct in your statements. Those topics have certainly been 'highlighted' for us.
I look forward to your future input.
I hope you enjoy your weekend!

Kevin Canning
(949) 235-3846
Sent from my iPhone

On Feb 1, 2013, at 5:36 PM, "Nathaniel Behura" <nbehura@trans-en.com> wrote:

> Much of my comments had to do with emergency access and circulation,
> slope stability, and some with wildlife. Most of those have been
> brought up by others, including Steve Harris of the City. I will
> review the EIR to see how they have been addressed.

>
> Thank you.

>
> Nathaniel S. Behura

>
> -----Original Message-----

> From: Kevin Canning [<mailto:entitleplus@gmail.com>]

> Sent: Friday, February 01, 2013 5:19 PM

> To: Nathaniel Behura

> Subject: Re: Esperanza Hills & Cielo Vista

>
> Sorry, I accidentally 'sent' too early

>
> I did want to briefly note, as you may have not heard it at the
> meeting, that we will be providing a full discussion of the project's
> level of conformity to all comparable City development standards.
> If you have further comments regarding topics or areas of concern you
> want to be sure are addressed in the EIR, you need to submit those
> comments immediately.

> If your comments are more in the nature of your critique or opinions
> regarding the plan, those types of comments will be more appropriate
> later, after the Draft EIR had been completed and released for public
> review and comment.

> Thanks

>
> Kevin Canning
> (949) 235-3846
> Sent from my iPhone

>

> On Feb 1, 2013, at 5:07 PM, Nathaniel Behura <nbehura@trans-en.com> wrote:
>
>> Dear Mr. Canning:
>>
>> I was able to attend the last 1 hour of the Scoping Meeting yesterday
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> Travis Ranch.
>>
>> We understand one of the reasons that the developers did not go
>> through
> the City is because of the more stringent requirements of the City. One of
> my main concerns at this time is that the whole EIR and planning
> process not include the minimums required by the County or State, but
> address all the issues and requirements of the City of Yorba Linda as
> well since these developments will be annexed within the City.
> Although the City is being designated as the lead agency, my
> understanding the County will still conducting or managing the EIR and
> planning process. Please define the scope such that all the issues
> that have been indicated as important to the City are addressed to
> meet its requirements, even if over and above the minimum County or State requirements.
>>
>> I will bring up specific traffic and environmental issues as we get
> further into the process.
>>
>> Thank you.
>>
>> Sincerely,
>>
>> Nathaniel S. Behura
>> 5475 Brentwood Place
>> Yorba Linda, CA 92887
>> Phone: (714) 685-0001 (Work)
>>
>> City of Yorba Linda Traffic Commissioner and General Plan Advisory
>> Committee Member
>

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Monday, January 07, 2013 8:22 AM
To: Shawna Schaffner
Cc: Kathy Crum; 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Project

NOP comment

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
cell: (949) 235-3846
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Kenneth L. Peterson [<mailto:kennithpeterson@klplaw.com>]
Sent: Sunday, January 06, 2013 4:01 PM
To: Canning, Kevin
Cc: sharonpeterson@klplaw.com
Subject: Esperanza Hills Project

My home is in the Mt. San Antonio HOA subdivision.

To begin with, I very much object to having the NOP just a few days before the cut off (2/1/13) for receipt of comments. This doesn't allow for adequate input from people. My additional objections and concerns are as follows:

1. Impact on local schools, highways, and services by the influx of 1,500 or more people.
2. Destruction of habitat for deer, birds, and small animals in the area in question.
3. Change of drainage areas causing more runoff.
4. Dangerous traffic impact for emergency evacuation of area.
5. Loss of vista due to building houses on ridge lines.
6. No local control of development as this project should be going through the City of Yorba Linda as Yorba Linda is most affected by the project.

I object to this project for all of the above reasons. Kenneth Peterson, 21350 Casinio Ridge Rd., Yorba Linda CA, 92887 ph .714-970-9611

January 7, 2013
Mr. Kevin Canning
OC Public Works/OC Planning
300 N. Flower St.
Santa Ana, CA 92702-4048

RE: Notice of Preparation comments relative to the Esperanza Hills Project

Mr. Canning,

Having attended the July 19, 2012 Cielo Vista project NOP meeting, and being a 25 year long resident at 4620 San Antonio Rd., an arterial that would be greatly affected by the above project, I have a number of comments. These are essentially the same comments that I made to Channery Leng regarding the Cielo Vista project.

General: While I don't have a major problem with the Cielo Project, per se, what I do have a big problem with is that this Project is only the "tip of the ice berg" with the potential Yorba Linda Estates Project up for consideration. Adding 112 single family homes is one thing, adding another 373 homes is quite another. This is especially troubling given that there appears to be only two potential arterials out of these combined 500 home developments, one of them being, of course, my street, San Antonio Rd.

Traffic issues: while the proposed project (Cielo) has only minimal traffic impact on San Antonio Rd. with the addition of 17 new homes near Aspen Way, it will add at least 200-300 trips in front of my home. The brunt of the Cielo Project, relative to traffic, will be felt on Via del Agua and Yorba Linda Blvd. However, if the Yorba Linda Estates Project were to become reality, this would add several thousand additional trips down both San Antonio Rd., and Via del Agua. You can only imagine how this will affect all the residents on those streets and on Yorba Linda Blvd.

Fire issues: all of the proposed projects would have been severely impacted by the November, 2008 fire. If you can possibly envision at least 1,000 more cars fleeing from a similar fire, in addition to those fleeing from existing homes, the two arterials mentioned would not be able to safely support a mass exodus and people will die. As an example, when the fire hit the canyon across from our home, within 3 minutes the fire had engulfed that hillside and raced towards our home. We were prepared and left immediately. However, the fire had swept across the lower portion of San Antonio and we were forced to go up the hill and escape via the Fairmont connector. Can you begin to imagine the incredible traffic jam presented at Aspen Way with fleeing residents from these proposed projects and current residents. Two words: DEATH TRAP!!

Those are the main issues of concern, but I would add the following questions that need to be vigorously researched:

1. What is the proposed density of the entire housing projects (all)?
2. How is the City of Yorba Linda going to handle water issues that allow for appropriate water flow for normal use, much less during fire conditions.....look at what happened in Hidden Hills and continues to be an unsolved problem in that area?
3. Are other arterials planned for ingress and egress beyond San Antonio Rd., and Via del Agua?
4. What is the impact on the environment (EIR report)?
5. Are rigorous studies to be conducted relative to the impact on traffic, services usage, sewer, drainage, oil & gas lines/facilities, setbacks, zoning issues, etc?

Again, I don't have a major issue with the Cielo Vista Project as a single entity. However, I am very much against the domino effect this project will create adding a total of almost 500 homes to an already crowded area. Please call with questions and I would ask to be added to your e-mail list for any pertinent information relative to any of these projects.

Sincerely,

Dennis Prina
4620 San Antonio Rd.
Yorba Linda, CA 92886 (714) 777-9431 hm (714) 693-2989 wk e-mail: dennis@americasinstantsigns.com

2008 Freeway Complex Fire

Our home is located at 4620 San Antonio Rd., one of the seven homes out of thirteen on our street that barely survived the 2008 fire. In light of the possible addition of 500 homes in the hills adjacent to our home, I simply have two words...DEATH TRAP. I used these same words when I wrote to the County of Orange and there is absolutely no exaggeration in tone when I say DEATH TRAP.

Our story is much like everyone else's on that fateful day. We monitored the progress of the fire via television, the internet, and visuals, and prepared for a hasty departure in the event of the fire coming too close. We watered our roof, yards, and anything else we thought would be helpful. As the fire drew ever closer, I stationed myself in our backyard with two of my adult children as we scoured the hills on the opposite side of our canyon. We were prepared to leave within 3 minutes of the first sign of fire presenting itself in our canyon. As we expected, an ember travelled for some distance and landed on the hillside across from our home. What happened next was simply astounding and frightening. Within two minutes our entire hillside was a massive fire ball. It is almost inconceivable how the hillside could have turned into a raging, 50 foot fire wall speeding towards us with gusting winds, in less than two minutes. We ran to our cars (already pointed downhill), with hot embers flying around our heads. We had expected to make a hasty retreat down San Antonio to Yorba Linda Blvd. However, the fire had already swept below our home and cut off our retreat down the hill. We were FORCED to go up the hill and travel the Fairmont connector to make our escape.

This is the key part of our story. We moved slowly up San Antonio along with our other, fleeing neighbors to the top of the hill at Aspen Way. Yes, this is the **same** Aspen Way that is the only connection point to the Esperanza Hills and Cielo Vista projects. We just barely escaped with the existing 2008 neighborhood traffic flow. Can you **possibly** image the absolute chaos and carnage that would have ensued should another 1,000 plus vehicles tried to frantically escape along that narrow corridor, particularly up the hill as we did. Let me again say....DEATH TRAP, as there is no doubt whatsoever in my mind, that there would have been many, many cars trapped by the inexorable traffic flow and many lives would have been lost. Once we reached Fairmont, the line of traffic stretched for miles as we moved at a snails pace out of harms way.

We know we were extremely lucky to have escaped and to have our house remain intact. I can only again say that given our street configurations, the conditions of our hillside, our poor water pressure and our state and local fire authorities' inability to protect every area and everyone, most certainly, there will be a number of deaths if these developments are allowed to be constructed and another, similar fire should occur. This is not if, this is when!!

Dennis Prina

4620 San Antonio Rd., Yorba Linda

(714) 777-9431







From: John Madrick <rick1mad@sbcglobal.net>
Sent: Monday, January 07, 2013 2:20 PM
To: Canning, Kevin
Subject: 500 homes to be built in North Yorba Linda on county land

I have recently been informed that a builder is to start a project of 500 homes above current Yorba Linda housing between San Antonio and Stonehaven ave. while I am open to the freedom of builders to build on there property. But this area is a significant fire area that burned a few years ago. The area could be beneficial and non hazardous to the community only if huge green belts and fire clear zones are included and maintained by Orange County are incorporated into a well designed environmentally friendly area. My Son's place burned to the ground and he and his wife lost everything due to the last wild fires. Evacuation and fire fighting capabilities given to the fire fighters was inadequate on San Antonio and Stonehaven due to very poor emergency travel navigation of the current streets around the northern most areas of Yorba Linda. To add more traffic to the existing streets heading towards Yorba Linda Blvd would be crazy and dangerous. Especially during times of any emergency. The northern most streets were not designed for any more traffic than current. I was a traffic commissioner in Yorba Linda a few years back and have concerns the builder would have to meet and build new streets systems that would force increased traffic towards La Palma and not towards Yorba Linda Blvd or across the hills directly out to Imperial, which would be very costly but appropriate. Traffic on Fairmont, San Antonio, Stonehaven and Yorba Linda blvd are already at max and way overloaded in any kind of emergency.

So any new project would require:

- 1) a huge fire buffer zone beyond the normal due to heavy wind conditions in that area.
- 2) new entrance and exit streets forcing traffic from homes towards East Yorba Linda and La Palma exits. Already huge housing tracks and a recent new high school being built in central Yorba Linda that is and will continue to increase traffic mess West of San Antonio and Fairmont. Also Stonehaven has speed bumps already for traffic control.
- 3) During the last firestorms the Northern areas of Yorba Linda ran out of fire water. Hidden hills had no fire water for a long length of time.
- 4) Modifications to the Water District systems would need additional improvements on top of planned and completed improvements.

This project cannot be taken lightly by the County of Orange, the legal liability of a lack of Fire Fighting capability, water systems capability, large fire break areas, and emergency evacuation Capacity is to great and totally on the County if approved as a County project. Also there are many Gas Company transport lines that run through that area if an accident should happen. These are major transport lines (big ones).

I look forward to an extensive environmental impact report that is geared to the Safety of environment, people and first responders of such a project. Please understand that the psyche of All the residents of Yorba Linda was damaged due to the last firestorms set off in Yorba Linda a few years ago and the residents including myself wouldn't hesitate to use legal action if this project set us up for another one.

It was so urgent that I express the above that I used my iPad and did not check for grammatical errors. Thank you for taking my feedback and anticipate your response.

John Madrick
3785 Forest Ave.
Yorba Linda, Calif.
rick1mad@msn.com

RECEIVED

JAN 09 2013

Mabel T. Kung
3820 San Antonio Road
Yorba Linda, CA 92886

COUNTY OF ORANGE

January 8, 2013

Kevin Canning
OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Canning,

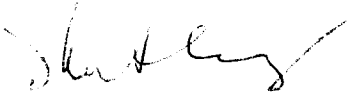
I have been a homeowner in Yorba Linda since 1980. I value our neighborhood tremendously. I voted against the development of high-density housing in the 2012 primary, in particular, the Yorba Linda Esperanza Hills Development.

- (1) **Hill Fire** - It seems that the politicians ignored the fire on our hills a few years ago. At that time, many houses were burnt completely due to insufficient water pressure up the hills and the lack of useable fire hydrants. Building such numerous homes up those hills spells disaster.
- (2) **Soils and Insurance** - The soils in those hills are unstable. These clay soils are soluble to water. One huge rainstorm will cause these high density homes to slide down the slopes. These new homes destroy not only their own homes, but also our existing houses down below. Since the fire, we have been paying a substantive higher premium for our homeowner insurance policy. The insurance companies are no longer writing new fire insurance policies. In addition, we are paying earthquake insurance through the State of California, not the conventional insurance companies. If my house is impacted due to damages caused by other people's houses sliding down the hills, you can be certain that my surrounding neighbors and I will file massive civil and liability law suits against the County of Orange. This written document serves as a warning on our intent in protecting the safety of our houses due to the negligence of the Orange County Public Works.
- (3) **Traffic and Gas Emissions and Health on Young Children** - Yorba Linda Blvd has become a hub of the dangerous greenhouse gas emission. Please send your staff to monitor the numerous vehicles jamming the Yorba Linda Blvd, Esperanza Blvd, Fairmont Blvd, Weir Canyon Blvd. The traffic congestion runs from 6 am to 10 am, 11 to 1 pm, 3 to 8 pm, Mondays through Fridays. Little children in Yorba Linda have a sharp increase of developing asthma and migraines in the past five years due to air pollution issues. Since we do not have industrial factories here, such serious health problems for our young children are mainly due to traffic. It is evident that these 340 single-family residential units will increase traffic and higher smog.

- (4) **Funding for Teachers, Schools, Libraries, Public Services, Fire and Police** - How can Orange County add more residential housing when the State and County have been consistently reducing funding to schools, libraries, public services, fire and police departments? Have you visited our schools recently? Do you know that an average kindergarten class has ballooned to 30 in each class? When my adult children attended Fairmont Elementary, their kindergarten class size was 15. Worse yet, the schools now have “combination” classes, in which some third graders will have classes with second graders. Hence, the third graders are either teaching their second grader peers or are way behind in terms of their real third grade curriculum. Wages of teachers are not comparative to wages in average professionals with the conventional college degrees. As a result, we are encountering shortage of high quality teachers. We have an increase of crimes, home burglaries, car theft, and illegal drug problems. Yorba Linda “used” to live up to our motto, “Land of gracious living”. With the increase of low density housing, political issues, and environmental hazards, I do not believe that this motto no longer holds true.
- (5) **Wild Life Protection** - The silent majority in Yorba Linda is extremely concerned on our wild life. Please keep our local wild animals and their habitat safe from residential developers.

Thank you for sending me the notice on your scoping meeting on January 31, 2013 at the Travis Ranch Activity Center. I plan to attend.

Sincerely,



Mabel T. Kung, homeowner



OC PUBLIC WORKS
300 N. FLOWER STREET
P. O. BOX 4048
SANTA ANA, CALIFORNIA 92702-4048

NOTICE OF PREPARATION and NOTICE OF SCOPING MEETING

Date: December 21, 2012
Subject: Notice of Intent to Prepare Draft Environmental Impact Report/Notice of Scoping Meeting
Project Title: Esperanza Hills Specific Plan (PA120037/VTTM 17522)
Applicant: Douglas Wymore, 7114 E. Stetson Drive, Suite 350, Scottsdale, AZ 95251
Project Contact: Kevin Canning, OC Public Works/OC Planning
OC Public Works, 300 N. Flower Street, Santa Ana, CA 92702-4048
Kevin.Canning@ocpw.ocgov.com Phone: (714) 667-8847

Project Description: The Esperanza Hills Project proposes to construct 340 single-family residential units on 468.9 acres in the unincorporated portion of Orange County adjacent to the City of Yorba Linda. Project components will include approximately 13.9 acres of active and passive parks, 7 miles of trails and 230 acres of open space. The trails will include pedestrian, bicycle and equestrian trails with linkages to permit non-vehicular access to the Chino Hills State Park and surrounding open space areas. Fuel modification areas have been identified and emergency access/evacuation plans have been defined in cooperation with the Orange County Fire Authority. Two options for access to the community will be analyzed: one with a primary connection going south to Stonehaven Drive and a second with a primary connection going west from the community to Aspen Way. The community will be gate-guarded and a homeowners' association will manage streets, landscaping, parks and other amenities. The project is in the City of Yorba Linda's Sphere of Influence and it is anticipated that annexation may occur at a future date.

Environmental Impact Report: The County of Orange has conducted an Initial Study for the subject project and has determined that an Environmental Impact Report (EIR) is necessary. The County will be the Lead Agency for the subject project and will prepare the EIR. This Notice of Preparation has been prepared and distributed to solicit comments from potential Responsible and Trustee Agencies and other public agencies so that Project-related concerns relevant to each agency's statutory responsibilities in connection with the proposed Project can be addressed in the EIR. Interested individuals and groups are invited to comment on the scope of the anticipated EIR. The EIR will be the environmental document of reference for Responsible and Trustee Agencies when considering subsequent discretionary approvals.

Initial Study: The Initial Study is available for review at the County of Orange, Department of Public Works, and on the County website at: <http://www.ocplanning.net/CurrentProjects.aspx>. If you have trouble accessing the Initial Study, an electronic copy is available by contacting Kevin Canning at the above email address.


Pursuant to California Environmental Quality Act (CEQA) Guideline Section 15082, all comments must be received as soon as possible but **not later than 30 days after receipt of this notice**. The comment period for this Notice has been extended to 42 days; comments are due by the close of business on February 1. **All comments and responses to this NOP must be submitted in writing to the County Project Contact listed above.**

Public Review Period: December 22, 2012 - February 1, 2013 (at 5:00 P.M.)

Scoping Meeting: A public scoping meeting will be held as noted below to provide a description of the project and to solicit comments relative to the content of the information analyzed in the EIR.

Thursday, January 31, 2013 - 6:30 p.m. to 8:00 p.m.
Travis Ranch Activity Center
5200 Via De La Escuela, Yorba Linda, CA 92887

Submitted by:


Mike Balsamo, Manager
OC Community Development

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, January 25, 2013 8:35 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills NOP

Kevin Canning
Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
cell: (949) 235-3846

email: Kevin.Canning@ocpw.ocgov.com

website: www.ocplanning.net

☑ Please consider our environment before printing this email.

-----Original Message-----

From: Olivia Tewksbury [<mailto:livi514@sbcglobal.net>]

Sent: Thursday, January 24, 2013 5:18 PM

To: Canning, Kevin

Subject: Esperanza Hills NOP

Dear people

who want to build in Yorba Linda off Stonehaven Olivia Tewksbury

4750 Stirlingbridge Circle From a teen's

perspective:

My name is Olivia Tewksbury, I'm 16 years old and I've lived up in this beautiful area of Yorba Linda with my family for over 10 years now. I remember when we moved here from our first house. I didn't want to move because I liked our old house, but once I started living up here, that completely changed. I loved that fact that I could just look outside and see a huge hillside full of wildlife and all kinds of beautiful flowers. Before the fire in 2008, there were a lot of animals that would come right alongside the hill. One time, there was a family of deer nesting in an area in the hills and my family and I got to watch them for a couple days. It was so cool being up close and personal with wildlife like that. I am happy the hillside has regrown and the animals still have a place to live. Often times my dad, my younger sister, and I will walk up the hill and just look at the beautiful open view. My dad taught me the beauty of nature. He grew up on a farm in Pennsylvania where there is a lot of open land. Although there is not an abundance of open land in Southern California, we both love the open land that is around us, especially the little gem that is across from our house. I can't imagine that unique piece of land being destroyed to put in houses. Nothing has to be done to that piece of land because it is as it is meant to be, if anything it should be recognized as a hiking trail. I know I am just a kid, but I feel many young people in my neighborhood feel as I do. Because I am a little older, I understand it would be profitable for a developer to put in houses, but as a member of the future generation, I feel some things are priceless and worth fighting for.

My younger sister who is 10 years old ask if I would "write some things" for her. She has expressed concern over being able to get out of our road if there is a fire. She was VERY frightened when the fire came in 2008. The day of the fire we drove down our hill to hit a traffic jam at Yorba Linda Blvd. She was really afraid we would not be able to get to safety. That is one of her concerns, she said, "if they build more houses by our road, there will be more people trying to

get to safety and we will never get out". She also loves the undeveloped area. She is young, but understands the impact. She knows the land will never be the same again if houses are built on it.

I am very

upset at the thought of that piece of undeveloped land being destroyed. I am asking you to please reconsider building of this land. I don't believe it will be good for my family, my neighbors, or the wildlife.

Thank you,
Olivia and Elise

Tewksbury

4750 Stirlingbridge Circle
Yorba Linda, CA

92887

January 24, 2013

Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048

Dear Mr. Canning:

With this letter, we are sharing some of our concerns regarding the Esperanza Hills proposed development. Our address is 21230 Twin Oak, Yorba Linda. Our backyard extends into the canyon immediately east of San Antonio. During the 2008 fires, we watched the rapid spread of the destructive fire sweep up the canyon, through and past our yard and on up into Chino Hills State Park, burning homes, corrals and acres and acres of wildland along its path. The proposed new homes will be directly in line of future fires that are expected to occur in this historic fire corridor. As it was, the evacuation was hindered by the heavy flow of families and their belongings, including horses and pets. The addition of hundreds more families in this area will certainly create increased risk and difficulty for residents and first responders alike during future fires and other emergency situations that require quick evacuation.

The water supply in this area is an ongoing concern. During the fire, water pressure and supply were strained and the problem will be further exacerbated by increased population. We are already conserving and rationing our water usage. Runoff and drainage systems will be taxed and they will contain ever increasing levels of pollutants.

We are very concerned about the loss of habitat for Orange County's dwindling wildlife. These hills and the little bit of fresh water flowing here function as a wildlife corridor, helping to maintain important biodiversity and balance. The canyon is home to at least two types of owls, several types of toads and frogs and a wide variety of less common birds and creatures. We recently saw a giant garter snake, which is on the official list of threatened reptiles. The coyote and predator bird populations that reside in this canyon do a very effective job of curbing the rodent population here, specifically the rats, mice, squirrels and rabbits.

This project will dramatically alter the open space and wild landscape which we all sought moving into this area. Please consider respecting the city of Yorba Linda's no-ridgeline building and lower density housing policies as you make recommendations to the Board of Supervisors regarding both the Esperanza Hills and the Cielo Vista proposals and other future projects here as this county land is completely surrounded by Yorba Linda and may very well become part of our city.

We are hopeful that the safety and environmental concerns raised with the development of this last remaining parcel of open land here in the Yorba Linda area will result in the protection of this valuable natural resource. We oppose this development.

Respectfully,

Ron and Judith Magsaysay
Jrsay2@gmail.com
714.801.6757

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, January 25, 2013 8:32 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Response to Esperanza Hills NOP

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
cell: (949) 235-3846
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Cindy Holbrook [<mailto:holbrook.ranch@att.net>]
Sent: Thursday, January 24, 2013 8:42 PM
To: Canning, Kevin
Subject: Response to Esperanza Hills NOP

January 25, 2013

Orange County Public Works / Orange County Planning
300 N. Flower St.
Santa Ana, CA 92702
Att: Kevin Canning

RE: Esperanza Hills Project
Response to NOP

Dear Mr. Canning,

This letter is in response to the Esperanza Hills Notice of Preparation. We have concerns about this project and want to take this opportunity to express those.

For your reference we are Mark and Cynthia Holbrook at 4445 San Antonio Road Yorba Linda. We are the original owners of this property. Two selling features and determining factors in our decision to purchase this property were the openness of the surrounding area and quietness of the community. Warmington's Coventry Hills was marketed as a neighborhood that would be bordered by a protected wilderness that would not be developed. Over the years we are seeing this change (Casino Ridge project). With the proposed project now before us, we are compelled to address some potential changes that will have an impact on us and the lifestyle of our community. These concerns, in part, are:

1. Increased traffic on San Antonio Road. Previously we wrote the City of Yorba Linda of our traffic concerns which included increased traffic and safety. Neither of these two concerns have been adequately addressed. With the proposed Esperanza Hills project our concerns are that San Antonio will have more traffic and more traffic noise. In addition there would be an increased safety risk as we pull out of our driveway on to San Antonio – especially on trash pick-up days. (For more information on this particular issue, and at your request, we will be happy to provide a copy of our letters to the City of Yorba Linda.) We are also concerned about traffic and

safety during an evacuation or other emergency (San Antonio was greatly impacted during the recent fires with the current residents evacuating, not to mention what it would be like with increased traffic flow. Increased traffic is directly contrary to our original desire to live in a quiet and traffic safe neighborhood. Again, there was a marked change with the opening of Casino Ridge.

2. Fire safety and protection. We have just passed through a time of recovering from the Freeway Complex fire. During the time of the fire, San Antonio Road was triaged to provide better protection to other areas. We understand the need at that time for this decision, but that also brings into question how fire and safety services will be provided with an increase in population in a designated fire hazard area through the development of Esperanza Hills. (It is an interesting note that Automobile Club of Southern California does not provide homeowner's insurance in a designated fire hazard area. We have tried to obtain homeowners coverage through AAA and they won't underwrite it.)

3. Access to Chino Hills. We are on horse property and have enjoyed access to the Chino Hills area through this land. Access to the Chino Hills has become limited over the past several years. With the project, access will be even more limited. How will this be addressed? What other options will there be? Yorba Linda has been horse friendly with many riding options available. It would be sad to see these options limited.

4. Preservation of open land. This land is the last remaining open hill area in Yorba Linda. Development here will impact wildlife and their habitat. It will diminish the country and openness of the surrounding neighborhood in which we chose to reside.

Again, these are a few of our concerns that we care to address at this time. Thank you for your openness to allow this communication. Should you have any questions, please don't hesitate to contact us. Our email address is holbrook.ranch@att.net and our home phone is 714 779-5954.

Sincerely,

Mark and Cynthia Holbrook
4445 San Antonio Rd
Yorba Linda, CA 92886

From: Shawna Schaffner
Sent: Wednesday, January 23, 2013 9:47 AM
To: Kathy Crum; Susan Whittaker
Subject: FW: New Esperanza Hills Community

From: entitleplus@gmail.com [<mailto:entitleplus@gmail.com>] **On Behalf Of** Kevin Canning
Sent: Wednesday, January 23, 2013 9:45 AM
To: Shawna Schaffner
Subject: Fwd: New Esperanza Hills Community

Kevin Canning
P.L.U.S. Consulting
Planning & Land Use Services
(949) 235-3846
entitleplus@gmail.com
kevin@23kevin.com

----- Forwarded message -----

From: **Olivia Steverding** <steverdingassoc@sbcglobal.net>
Date: Mon, Jan 21, 2013 at 2:53 PM
Subject: New Esperanza Hills Community
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>

This is our fire story of 2008:

The fire was moving very quickly and in no time was at the end of our cull de sac, the fire was coming down on top of us.

Stonehaven down to Agua and on to Yorba Linda Blvd was completely blocked no one could get out. A house was on fire at the point where Agua becomes Stonehaven. People were leaving their cars stranded and walking down the hill. It was pitch black it was frightening to say the least and we never expected to return to our home as there was no one to help, there were no firemen or police. By this time there were 3 lanes getting out so even if there was help they couldn't get up the hill. The thought of adding 500 new homes exiting out of Agua is unreal no one could get out if there was another fire like we had in 2008, totally unsafe.

John and Olivia Steverding
4760 Stirlingbridge Circle
Yorba Linda, CA 92887
Home Phone [714-777-4469](tel:714-777-4469)
Cell - [714-872-3445](tel:714-872-3445)

From: Shawna Schaffner
Sent: Wednesday, January 23, 2013 9:48 AM
To: Kathy Crum; Susan Whittaker
Subject: FW: Esperanze Hills Development

From: entitleplus@gmail.com [<mailto:entitleplus@gmail.com>] **On Behalf Of** Kevin Canning
Sent: Wednesday, January 23, 2013 9:45 AM
To: Shawna Schaffner
Subject: Fwd: Esperanze Hills Development

Kevin Canning
P.L.U.S. Consulting
Planning & Land Use Services
(949) 235-3846
entitleplus@gmail.com
kevin@23kevin.com

----- Forwarded message -----

From: **Phil Mangiaracina** <phil@mangiaracina.us>
Date: Mon, Jan 21, 2013 at 11:02 AM
Subject: Esperanze Hills Development
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Cc: Marlene Nelson <mnelson76.mn@gmail.com>

Kevin:

I live at 5050 Greenhaven, Yorba Linda CA 92887 and am sending this email to communicate my strong desire for the Esperanza Hills Development NOT to be approved. I have two primary reasons for this:

- 1) The 340 homes are projected to create 3,400 car trips per day and are to be routed through a combination of Stonehaven or San Antonio Road. Because of the "canyon" nature of Yorba Linda, the residents of all the homes surrounding these roads are forced to use Stonehaven as their primary egress. Additional heavy traffic on these roads will create an unsafe situation.
- 2) Anyone who lived through the Yorba Linda fire, as I did, remembers well the path the fire took: straight through where the development is planned. Because the direction of the Santa Ana winds will not change and the fact that fire inevitably rises to travel along a ridgeline, the question is not IF another fire will occur, but WHEN. Seeing the standing dead brush currently in the canyon adjacent to Eastside park and remembering that the firemen called this canyon, due to its steepness, a "chimney," it is inevitable that a fire will again sweep across the ridgeline again in the next few decades.

Buying a home in inevitable path of a fire strikes me much like those who buy a home in the flood plain, and then are shocked when a flood sweeps through their homes....and yet it seems to happen every year. People seem to think “this can’t happen to me” but the planning department should take a more informed, broader, view and know that it will eventually happen. I urge you to deny the right to build where is it so unwise to do so.

Thanks for your time in reading this,

Philip Mangiaracina

To: Mr. Kevin Canning
OC Public Works/OC Planning
300 N. Flower St., Sanat Ana, Ca. 92702-4048

January 28, 2013

Re; Cielo Vista & Esperanza Hills

Regarding the proposed Cielo Vista & Esperanza Hills projects, after review of the plans I believe you have created a potential "Perfect Storm" and would be putting hundreds of lives in danger.

Please remember Nov. 2008 when the fires that started in Chino rapidly moved through the hills **AND** neighborhoods causing the emergency evacuation of thousands of people resulting clogged intersections at Stonehaven & Y.L. Blvd and again at Via DeL Agua & Y.L. Blvd. This situation as I witnessed came dangerously close to being a fatal event as the line of cars backed up on Via Del Agua had residence gridlocked next to a burning home and 30ft high wall of fire in the canyon. Had it not been for a single resident who got out of his car and blocked traffic on Y.L. Blvd and directed traffic out of the neighborhood some of the residence, myself included, may not have made it out in time.

That morning in Nov. 2008 we had only minutes to gather up the cat, a few document and get out. Cars were lined up on Via Del Agua with the fires in the canyon and a fully engulfed home on Via Del Agua only a few yards away and no place to go. If we had been forced to sit there next to the burning canyon with flaming embers falling all around and the heat from the fires our vehicle would have surely ignited. We opted to take Stonehaven, which was also backed up with no fewer falling embers and luckily made it out.

With the addition of 340 homes and thousands of people and cars and an already proven deficient exit route this plan is creating a potential disaster.

Imagine a theater with a few thousand seats and only one emergency exit or even two emergency exits located next to each other in the same corner of the building. Would this be acceptable to the fire Marshal? Obviously not, that's why fire exits are required to be numerous and distributed about the theater giving patrons multiple options for escape.

The proposed access and evacuation routes for these homes funnels everyone down to the same intersections of Via Del Agua, Stonehaven, San Antonio Rd and Y.L. Blvd along a stretch of Y.L. Blvd. that is less than a half mile long. As we know from the 2008 fires this evacuation route is already deficient and this proposal will further impede residence safe evacuation in the

event of any emergency as well as potentially delaying access by emergency vehicles trying to get into the area.

I believe that before this plan can move ahead it must include a major thoroughfare to the North connecting to Carbon Cyn Rd. or to the North East to Chino Hills to provided residence other options for evacuation and daily travel that will take the burden off of Via Del Agua. Yes adding these evacuation and travel corridors will be expensive but is the safety of current and future residence more important that profits?

Sincerely,

David Sparkman
21820 Heatheridge Dr.
Yorba Linda, Ca. 92887
sanddspark@sbcglobal.net
424-477-9770

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Monday, February 04, 2013 8:45 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Project

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Karen Hosford [<mailto:khosford@sbcglobal.net>]
Sent: Friday, February 01, 2013 6:11 PM
To: Canning, Kevin
Subject: Esperanza Hills Project

Hello Kevin,

Thank you for facilitating the Scoping meeting last night for the Esperanza Hills Project. It was an informative and educational meeting that was very beneficial for those who attended. Although I have already submitted my comments earlier this week, there were a few new items gained from the meeting that I would like to submit.

- 1) It was apparent from the meeting that this project was submitted to the County to circumvent the City of Yorba Linda approval process. This is not acceptable to the residents of the city that will ultimately be responsible for governing the residents of this project. Therefore, the City of Yorba Linda, should be the responsible agency for approval of all aspects of the project from the design, density, grading, access, as well as approval of the proposal to gate the project and restrict access to the rest of the community.
- 2) The Cielo Vista EIR should not be considered stand alone, but combined with the Esperanza Hills project to determine the impact to the community for the total development, not just a small piece. It is interesting to note how the developers have divided these projects to obtain approval in smaller pieces and can potentially work the system to their advantage. The OC Planning Commission should not allow this to occur, especially in lieu of the fact that the other project is a known entity that is moving forward with the EIR. It would save the taxpayers money to have one process for these combined developments instead of two and especially since they are located in the same area of land.
- 3) The biggest issue that was not discussed last night relates to SAFETY. The safety of the residents of the adjacent areas is in jeopardy because of these projects. The residents communicated this load and clear. It

is NOT a traffic issue, but an evacuation and safety of the residents of the city that is critical. An evacuation and fire safety plan must be required and the plans must be tested to ensure success before further consideration of the project.

Thank you for your consideration of these key issues.

Karen Hosford
21155 Ridge Park Dr
Yorba Linda

From: Shawna Schaffner
Sent: Monday, January 28, 2013 11:05 AM
To: Kathy Crum; Susan Whittaker
Subject: FW: Esperanza Hills Development

-----Original Message-----

From: Canning, Kevin [<mailto:Kevin.Canning@ocpw.ocgov.com>]
Sent: Monday, January 28, 2013 9:48 AM
To: Shawna Schaffner
Subject: FW: Esperanza Hills Development

Shawna,
Here is a NOP comment I received today.

Kevin Canning
Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
cell: (949) 235-3846
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net
☑ Please consider our environment before printing this email.

-----Original Message-----

From: Danny Paul [<mailto:Dannydpaul@aol.com>]
Sent: Monday, January 28, 2013 9:45 AM
To: Canning, Kevin
Subject: Esperanza Hills Development

Kevin Canning,

I have been a resident of Yorba Linda for 28 years. Our resident address is 4820 Stonehaven Drive, Yorba Linda, CA.

My wife and I love this city because it is a safe and friendly place to live. We very much fear the proposed development will do several harmful things. It will greatly reduce the safety factor and reduce the value of our home. I am retired and need the value to hold steady or grow to insure my retirement. If the development proceeds Stonehaven will be a very busy crowded street. Few would like to live on a street like that. Selling my home would be difficult without losing much of my equity. We are just now recovering from the deepest recession in 70 years. The new development would surely devalue our home for ever and undermine my retirement. Secondly we were lucky enough to live through the 2008 fire. Leaving the area was near impossible. Not only was Stonehaven under sized to handle the existing residents escape Yorba Linda blvd. was so packed moving was almost impossible. Being burnt in our cars was not far fetched. The idea of adding thousands of people and hundreds of cars to this area without adding streets to handle the traffic seems almost criminal.

We have attended the development meetings and to date no reasonable solutions to address traffic problems have been presented. The city and county will be open to litigation should they elect to proceed without giving the traffic issue more consideration. People don't seem to matter once the government sees more taxes on the horizon. Yorba Linda is a nice place to live and sea alive. Don't take that safety net away.

Obviously we are very much opposed to any and all developments that rely on Stonehaven or Via Del Agua as the primary routes of entry or exit from the area.

Danny & Kim Paul
4820m Stonehaven Drive
Yorba Linda CA 928867
714-779-7036

From: Shawna Schaffner
Sent: Monday, January 28, 2013 11:09 AM
To: Kathy Crum
Subject: FW: Esperanza Hills Project

Was this person on the IS/NOP list?

From: Canning, Kevin [<mailto:Kevin.Canning@ocpw.ocgov.com>]
Sent: Monday, January 28, 2013 10:13 AM
To: Shawna Schaffner; 'Brian Lochrie'
Subject: FW: Esperanza Hills Project

FYI

He offered an odd comment about just getting the notice, so I wanted to follow up with him. I'll let you know how he responds.

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
cell: (949) 235-3846
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Canning, Kevin
Sent: Monday, January 28, 2013 10:12 AM
To: 'Brent Spangenberg'
Subject: RE: Esperanza Hills Project

Please know that the meeting scheduled for this Thursday, January 31st, is primarily a session to allow interested parties to provide input on the topical areas that will be addressed and assessed in the project's Environmental Impact Report (EIR).

From this input, the Draft EIR will be prepared, and then circulated for public comment.

I want to assure you that there will be many additional opportunities for your participation.

I also wanted to follow up on your comment that 'this notice (was) dropped off' at your home yesterday.

Could you please clarify which notice? And how it was dropped off?

I ask because I want to be sure that you receive proper and timely notices for further steps in this process.

Thus, I will be adding you to the noticing list (but having your clarifications will also help)

Thank you, and since you will not be in attendance on Thursday evening, please do not hesitate to contact me if you have any other questions about the process.

Kevin Canning

Contract Planner

OC Planning

300 N. Flower Street, 1st Floor

Santa Ana, CA 92702-4048

phone: (714) 667-8847

cell: (949) 235-3846

email: Kevin.Canning@ocpw.ocgov.com

website: www.ocplanning.net



Please consider our environment before printing this email.

From: Brent Spangenberg [\[mailto:bspang@sbcglobal.net\]](mailto:bspang@sbcglobal.net)

Sent: Monday, January 28, 2013 9:57 AM

To: Canning, Kevin

Subject: Esperanza Hills Project

Good morning Kevin,

First of all, my wife and I want to say “thanks” for having this notice dropped off at our house yesterday.

We are both in agreement this proposed development is going to have a major traffic disruption on Stonehaven Drive, we wanted to express our concerns about this development moving forward.

We are going to be out of town on vacation on 1/31 and will be at any future meetings to voice our displeasure with this project.

Thank you,

Brent Spangenberg

5160 Stonehaven Drive

Office: (714) 970-9348

Cell: (714) 313-6994

Fax: (714) 701-9808

January 29, 2013

From: Mr. and Mrs. Larry Buie

4080 View Park Drive, Yorba Linda 92886

RECEIVED

JAN 30 2013

COUNTY OF ORANGE

Subject: **Esperanza Hills**

As residents who live on a cul-de-sac off of San Antonio Rd we have several concerns regarding this project. First and foremost is the impact of using San Antonio as a major road leading to and from this project. There have always been concerns about the speeding on this road due to the steep grade and the fact that there are homes all along it that face the street. The fact that it is also winding and medians have been added in the middle to slow the speed on this **two-lane only** road only complicate things in terms of adding further traffic. Factor in parked cars, particularly next to these medians, and you have a real problem. It is already difficult at times to get by these narrow openings. For everyone who lives off San Antonio this is our only way in and out of the area. Now consider that all who would be coming down San Antonio along with those from Aqua and Stonehaven must then get onto Yorba Linda Blvd. If a major fire such as the one in 2008 should occur there would be such gridlock we would be lucky to get out at all. This is the biggest concern for all who lived through that '08 fire. There are currently about 250 homes whose only fire escape route is San Antonio Rd, and counting all possible future development that total would rise to **over 700 homes!**

Another major concern for us who live in the cul-de-sacs near San Antonio Park is the impact of having thousands of more people in the area using this small park where there is no parking lot and people must park on either San Antonio or both sides of View Park Dr or spill down into adjoining cul-de-sacs. On game days we can barely get through the cars on both sides of the street and always with the worry that some child or dog is going to run between them after a ball or something. If this project proceeds we would hope that it will include recreational facilities for all citizens to take some of the stress off of tiny and much-used San Antonio Park. But if Esperanza Hills would be a gated community it would make it unlikely that any planned parks and facilities would be available for use by local organized sports like baseball and soccer, and certainly not feasible for the benefit of the general public if access is to be only by foot or horse.

Lastly, most of us who moved into the area 25 years ago did so because of the large lots and open spaces and natural beauty of the area. Much of Yorba Linda has homes that have been built to fit into the natural topography which makes our city unique. Tearing down the hills and moving the dirt around to accommodate a maximum number of houses is not in keeping with the vision of this area.

In conclusion, we feel that the neighbors of this proposed development would be severely and negatively impacted by it and that we stand to gain nothing in return. For these reasons we ask that the Esperanza Hills project be denied.

Sincerely,

Larry and Dawn Buie

From: Shawna Schaffner
Sent: Monday, January 28, 2013 9:04 PM
To: Kathy Crum; Susan Whittaker
Subject: Fwd: Think of the Future in Yorba Linda

Sent from my iPhone

Begin forwarded message:

From: Kevin Canning <entitleplus@gmail.com>
Date: January 28, 2013, 8:29:25 PM PST
To: Doug Wymore <dwymore@q.com>, Gary Lamb <glamb@lambholdings.net>, "Shawna Schaffner" <sschaffner@caaplanning.com>
Subject: Fwd: Think of the Future in Yorba Linda

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: "Susiezack@aol.com" <Susiezack@aol.com>
Date: January 28, 2013, 8:24:42 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Cc: "alanzack@pacbell.net" <alanzack@pacbell.net>
Subject: Think of the Future in Yorba Linda

January 28, 2013
Kevin Canning
Orange County Public Works/
Orange County Planning Department

Dear Mr. Canning:

Smoke in the skies and newscasts on the TV alerted us to the reality of fire in the hills of Yorba Linda. We conferred with our neighbors on Hickory Tree Lane and decided we should start packing "just in case."

It started out calm... with alerting the other neighbors and gathering the pets and computers. As we packed our cars, we kept our eyes on the skyline. We figured that once it hit the ridge above the back of San Antonio, it would be time to go. We never saw the houses on the ridge catch on fire. The flames jumped over them and ignited the dry brush that backed up to the San Antonio and Twin Oak

homes. We were not aware of this until a phone call came from a friend who was trying to reach our house to take our dog for us. He was unable to drive up San Antonio as it was on fire on both sides. Police and the fire turned him away.

What ensued next was PANIC. The word spread..... One last trip and we were all going to head out. But heading out was FRIGHTENING. San Antonio was backed up. We could only wait in line and slowly creep along. Explosions were heard in the hills, which caused further PANIC. The police were running from door to door, spreading the word to the people on San Antonio that it was time to evacuate. Sources were spread thin. We never got a notification. Several of the homes on San Antonio were already on fire. We watched the flames as we sat in line. EXTREME ANXIETY! Our cars slowly crawled up San Antonio and finally over Fairmont.

This is what occurred with the approximately 120 or so homes in our Coventry Hills tract. (Alder homes exited onto the packed Yorba Linda Blvd., as they were not allowed to turn up San Antonio through the flames.) This number is only a fraction of the homes being projected for construction in the hills. How will those families exit in the case of fire???? Our end of Yorba Linda is NOT EQUIPPED for any catastrophes where there would be more people and cars trying to escape.

Please reject the plans for major building in the hills. The roads will be stressed beyond what is reasonable with the additional traffic on a daily basis, but it will be DEADLY in the case of the next fire or other catastrophe.

This letter does not take into consideration all of the other services that will be stressed. Please consider the future in your planning for our county and city.

Concerned residents,

Susan and Alan Zack
4075 Hickory Tree Lane
Yorba Linda, CA 92886
714 777-3006

susiezack@aol.com<<mailto:susiezack@aol.com>>

alanzack@pacbell.net<<mailto:alanzack@pacbell.net>>

January 30, 2013

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

Dear Mr. Canning:

I would like to take this opportunity to express my concerns regarding the proposed Esperanza Hills and Cielo Vista home developments. My home address is 21250 Twin Oak, Yorba Linda, California, 92886-7807. My property is adjacent to the canyon and Orange County flood control area located due east of San Antonio Road. During the November 15, 2008 wildfire, the destructive fire walls swept up and over the canyon, through and past our backyard, up into Chino Hills State Park, and behind Willow Tree Lane and San Antonio Road burning homes, wildlife, corrals and countless acres of natural terrain along its destructive path. The proposed new homes would be directly in the line of future fires that are expected to occur in this historic and now designated "wildfire corridor."

As you may know, the November 15, 2008 fire evacuation effort on San Antonio Road was hindered by the heavy flow of residents' vehicles, RVs, and trailers packed with their belongings, including horses, dogs, and other pets. The addition of several hundred, and possibly even thousands, more residents near this area of Yorba Linda will certainly create increased safety risks, ingress and egress problems on Aspen Way and San Antonio Road, traffic congestion on Yorba Linda Blvd., and other difficulties for residents and first responders during future fires and other emergency situations that require rapid evacuation.

Water supply and low water pressure in this area are tremendous concerns. During the November 2008 fires, water pressure and supplies were strained beyond comprehension. The latter situation will be further exacerbated by increased population. I cannot conserve and ration my water usage any more than I am already doing. With increased population, runoff and drainage systems will be strained further and contain higher levels of pollutants.

I am also very concerned about the loss of natural habitat for Orange County's diminishing wildlife population. The adjacent hills and canyon, as well as the limited amount of fresh water flowing in this area, serve as a wildlife corridor. The canyon, itself, is home to several types of frogs and toads, various types of owls, opossums, raccoons, and a wide variety of lesser known birds and animals. My neighbor recently saw a giant garter snake, a species which is now on the official list of threatened reptiles. The large coyote, hawk, and other predator bird populations that reside in this canyon are extremely effective in controlling the rodent population, specifically mice, rats, ground squirrels, and rabbits.

The proposed Esperanza Hills and Cielo Vista developments would dramatically alter the natural terrain, open spaces, and wildlife communities which I specifically sought when I moved into this area. I encourage you, the Orange County Planning Commission, and the Orange County Board of Supervisors to research thoroughly the additional impact these proposed home developments would have on traffic flow and increased traffic patterns, particularly on San Antonio Road and Yorba Linda Blvd. Though I realize that the proposed home developments would be within an unincorporated area of Orange County and not in the City of Yorba Linda, please consider and respect the City of Yorba Linda's "low density housing" and "no ridgeline building" policies as you make any recommendations to the Orange County Planning Commission, the Orange County Board of Supervisors, etc., regarding the Esperanza Hills and Cielo Vista proposals, as well as any other proposed future projects. Hopefully, the safety issues, traffic problems, wildlife population, and environmental concerns related to the aforementioned proposed developments within this last remaining parcel of open land in this area will be addressed fully, and, in so doing, result in the protection of our community, its residents, its wildlife, and its valuable natural resources. As a 34-year resident of Yorba Linda, I oppose these proposed home developments.

Respectfully,

Roseann Bisignano Thorn
rosesrosebuds@aol.com
(714) 779-2770

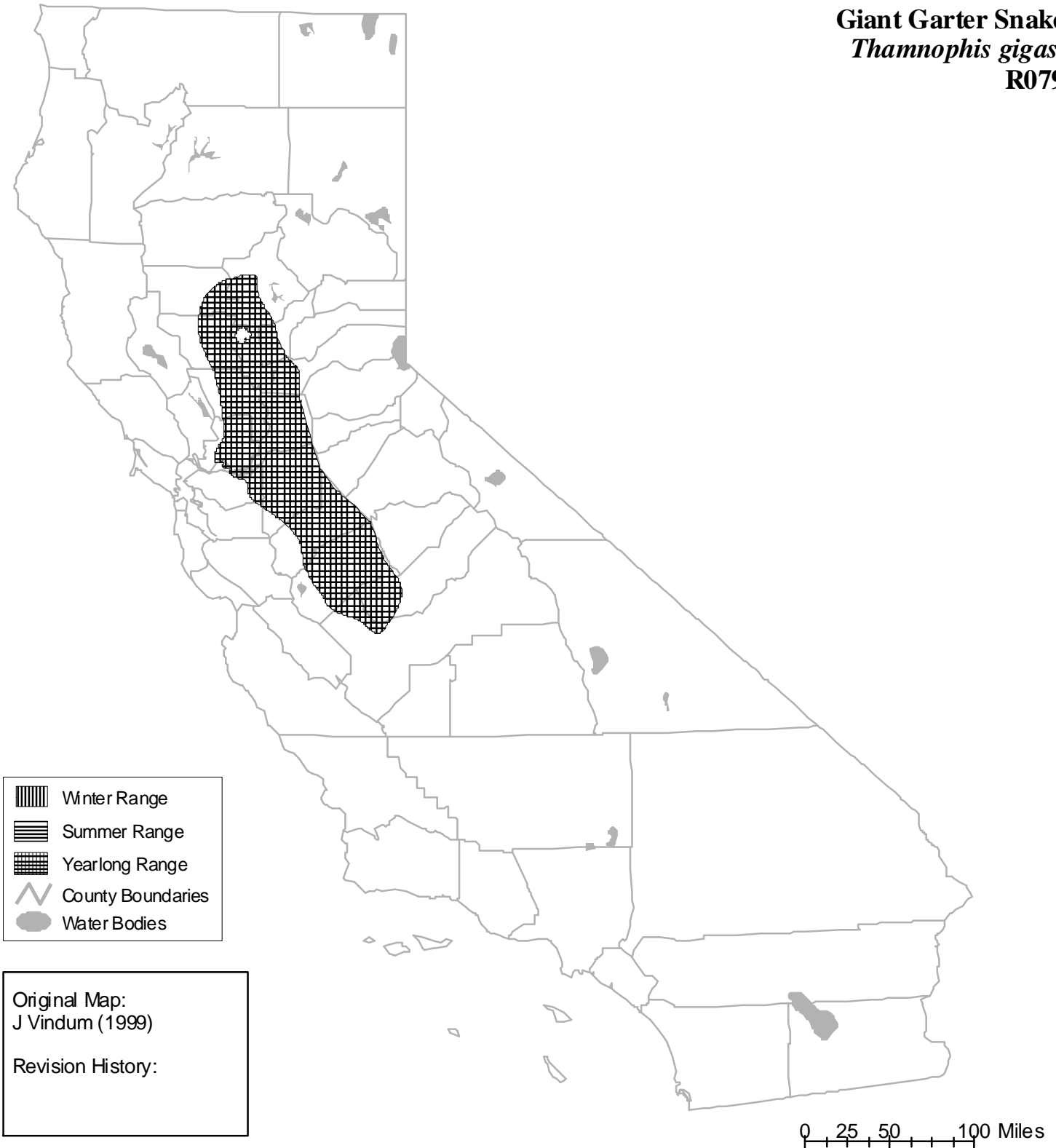
Cc: Ignacio Ochoa, Director of Orange County Engineering Services and Interim Director of OC Public Works, ignacio.ochoa@ocpw.ocgov.com;
Third District Supervisor Todd Spitzer, Orange County Board of Supervisors, todd.spitzer@ocgov.com;
Michael Johnson, Chief of Staff for Third District Supervisor Todd Spitzer, Orange County Board of Supervisors, michael.johnson@ocgov.com;
Chris Nguyen, Policy Advisor for Third District Supervisor Todd Spitzer, Orange County Board of Supervisors, chris.nguyen@ocgov.com;
Orange County Planning Commission c/o Judy Kim, Secretary of Orange County Planning Commission, judy.kim@ocpw.ocgov.com;
Keith Richter, Fire Chief of Orange County Fire Authority and Director of Orange County Fire Services keithrichter@ocfa.org;
Laura Blaul, Assistant Fire Chief and Fire Marshall of Orange County Fire Authority, LauraBlaul@ocfa.org;
Brett Petroff, Deputy Fire Marshall, Orange County Fire Authority Planning and Development Department, BrettPetroff@ocfa.org

California Wildlife Habitat Relationships System

California Department of Fish and Game

California Interagency Wildlife Task Group

Giant Garter Snake
Thamnophis gigas
R079



Range maps are based on available occurrence data and professional knowledge. They represent current, but not historic or potential, range. Unless otherwise noted above, maps were originally published in Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. California Depart. of Fish and Game, Sacramento, California. Updates are noted in maps that have been added or edited since original publication.

RECEIVED

JAN 30 2013

COUNTY OF ORANGE

January 24, 2013

Kevin Canning , OC Public Works & Planning :

It is with trepidation that I must respond to the purposed Cielo-Esperanza Development adjacent to San Antonio Rd. in Yorba Linda . For many years I had looked for a home which offered me some peace and tranquility that my formative years offered in New England ! Finally moving from the City of Tustin in 2000 to what seemed to be a bit of country with lovely hills bordering Chino Hills State Park , changing with the seasons a bonus ! This peace did not last long , soon The Casino Ridge Development began and went on for several years . With nowhere to park the huge double dirt haulers, our level streets were used to store and transfer the trailers as they came filled off the steep hills above . My early morning wake-up calls were that of rigs backing up , radios blaring , smell of diesel fuel from idling engines , clinking of safety chains and voices ! There seemed to be no end to the stream of pick-up trucks going up & down San Antonio .

Next came the horrible fires of 2008 , with the anxious 15 min. we had to evacuate . One of the worst days of my life ! Had to leave my home proceed up hill among a snaking trail of folks getting out of wind swept fire , smoke and embers because San Antonio was closed south to Y.L. Blvd . It was only Fairmont that got us out ? Not knowing if I had a home left , I got a call from a valiant neighbor who stayed behind to man hoses and who put out several spot fires on our street with another neighbor . In this call he related that my home was OK, but we had lost a

dozen close by !! It took weeks to rid the smoke smell , ash and debri from garage, patio and pool . Hope we never experience this again !

The proposal of nearly 500 homes on this pristine property all looks very lovely from drawings , but seem to be on small parcels and close together" look alike" ! It won't take long for residents to spread out beyond these locked entrances to use bigger playing fields , tennis courts and other amenities . The ingress and egress for this project are of great concern to everyone ! Can't fathom the number of trucks , earthmovers, contractors and sub-laborers that have to get in and out in the early stages ? Say nothing of the lenght of time to complete , then we have a whole other scenerio ! No thought has been given to the present homeowners and their safety , ability to park on the street or back out of driveways ! Trash days will be havoc as will weekends .

Our city has just completed projects to assure its residents of adequate water and sewer service . During warm weather we have water restrictions and rolling power blackouts .

MORE & BIGGER is not always BETTER !

This proposal is in short = Suicide by Entrapment *****

Sincerely , Elaine G. Hooke 

21230 Clear Haven Drive , Yorba Linda, Ca. 92886



January 30, 2013

VIA EMAIL (*Kevin.Canning@ocpw.ocgov.com*) & U.S. MAIL

Mr. Kevin Canning
OC Public Works/OC Planning
300 N. Flower Street
Sana Ana, CA 92702-4048

Re: Esperanza Hills Specific Plan – Notice of Preparation and Notice of Scoping Meeting

Dear Mr. Canning:

We have reviewed the Notice of Preparation and Notice of Scoping Meeting for the Esperanza Hills project and have the following comments:

Access

It appears that the major difference between Options 1 and 2 of the Conceptual Site Plan is primary and secondary access.

- Option 1 shows the primary project access connecting to Stonehaven Drive. Secondary access is shown extending through the Cielo Vista tract.
- Option 2 shows the primary access connecting to Aspen through Planning Area 2 of the Cielo Vista project, and secondary access connects to Stonehaven.

There is no existing right of easement through the Cielo Vista property where secondary access is shown on Option 1.

We would also appreciate an opportunity to review the preliminary design, engineering and grading study demonstrating feasibility of the primary access road that connects to Stonehaven and would request that the County review such document(s) and concur in the feasibility of this access before releasing a draft EIR for the Esperanza project.

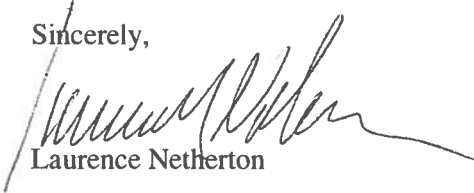
Regarding Option 2, we have documented our objection to the primary access connection to Aspen because this would more create traffic issues than a less intrusive and more feasible route connecting directly to San Antonio in the draw just north of the intersection of San Antonio and Yorba Linda Boulevard. We suggest this be evaluated in the EIR as "Option 2A."

Grading and Permanent Slopes

Both Option 1 and Option 2 show substantial grading and permanent slopes, at some points in excess of 200 ft., on the Cielo Vista property. This constitutes the development of our property and would transform planned natural open space into a manufactured slope. This would diminish the value of Cielo Vista's Planning Area 2 lots, and there is no authorization for such grading.

The above comments should be addressed by the Esperanza proponents with the County. Thank you for the opportunity to comment.

Sincerely,



Laurence Netherton

cc: John Moreland, OC Planning (via email)
Bea Bea Jimenez, OC Planning (via email)
Polin Modanlou, OC Planning (via email)
Douglas Wymore, Esperanza Hills (via email)
Gary Lamb, Esperanza Hills (via email)

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Wednesday, January 30, 2013 2:55 PM
To: Shawna Schaffner; Kathy Crum; 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills and Cielo Vista Building Projects

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Paul Dayles [mailto:pdayles@earthlink.net]
Sent: Wednesday, January 30, 2013 2:51 PM
To: Canning, Kevin
Subject: Esperanza Hills and Cielo Vista Building Projects

Dear Mr. Canning

This is a plea on behalf of my family and neighbors to put a complete stop to any further plans or developments of the Esperanza Hills and Ciela Vista Building Projects.

These plans, if realized, will be a disaster for those of us who live nearby. Please realize the enormous negative impact that the building of all these homes in that location will have on those of us who live here.

If built, these homes will endanger our lives dramatically in case of fires (and by nature they will occur again). It is totally unconscionable to proceed with plans that put people's lives in danger. We have seen the plans and they are ridiculous. These developers do not care and are dishonest in their presentations.

In 2005 during the terrible wild fires, we came to realize how vulnerable our area was to total destruction because of the proximity to the beautiful hills but more importantly, because of the inadequate escape routes: the streets, including Yorba Linda Boulevard were not capable to handle the number of cars fleeing to safer areas.

I personally experienced the panic and feeling of helplessness as our streets, including Yorba Linda Boulevard, were totally clogged while I was trying to get to my house to rescue what could be saved. The flames were within feet of my house and when I frantically called the Fire Dept., I was told that there wasn't enough equipment and that there were already too many fires going on on other streets.

If that is not enough, the additional traffic of an extra thousand cars/trip or more each day on our residential street Stonehaven Drive will destroy it as a residential area and will have a dramatic impact on the air pollution and therefore our health. Who gives these developers the right to do this, to put our family's life in danger and how can Orange County allow this to proceed? Doesn't Orange County have the responsibility to look out for its citizens and protect them from this kind of recklessness? The Yorba Linda City council surely is not in favor of this project and neither are its citizens.

Because of the totally disproportionate increase in traffic coming and going up and down Stonehaven Drive, the intersection with Yorba Linda Boulevard will be a dangerous nightmare during school hours. Even now it is overwhelming with long lines of cars discharging or picking up children but it will become impossible and a very serious safety hazard with all the children and adults trying to cross etc. This is crazy! Do these developers have no conscience?

Even when there is no school, the additional traffic will not only enormously increase the noise level and air pollution, it will cause constant traffic congestions at the intersection with Y.L. Blvd. and our lives will no longer be the same. Our streets and properties were never built for this idiotic increase in homes and traffic. It will simply destroy what we came here for and have worked for all our lives. How can they be allowed to do this?

Also, does Orange County care that the influx of almost 500 homes will statistically produce some 1000 new students in the coming years, will necessitate building new schools and of course, at the expense of the existing people in this neighborhood?

And while this traffic will definitely have an impact on our health with the noise and polluted air, it will obviously lower the values of our homes. Our whole lifestyle for which we have paid and are paying so dearly, will be destroyed by a couple of developers who couldn't care less and should never have given permission to get even this far. We feel it borders on the criminal.

This area of Yorba Linda was never designed to have the hills behind us pillaged by developers and destroy what Yorba Linda living was all about. Please realize that this is not about building more homes in Yorba Linda but building these homes in

an area that was never designed to absorb this development, a development that put the lives of those living there in danger, seriously affecting their health and their life-time investments.

One last thought: If I want to add a balcony to my house, it is required that my neighbors in the area give their OK or I will not get a permit. How then is it possible that two landowners get permission to build 500 homes without the OK by those neighbors whose lives will be deeply affected, even endangered by this? Please do not let that happen.

Paul and Mary Ann Dayles

21730 Allonby Circle

Yorba Linda, CA 92887

pdayles@earthlink.net <<mailto:pdayles@earthlink.net>>

714-970-8555

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Wednesday, January 30, 2013 3:53 PM
To: Shawna Schaffner; Kathy Crum; 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills NOP Response

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

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From: maa3musc@gmail.com [mailto:maa3musc@gmail.com] **On Behalf Of** Marilyn Adams
Sent: Wednesday, January 30, 2013 3:48 PM
To: Canning, Kevin
Subject: Esperanza Hills NOP Response

Mr. Canning,

I reside on San Antonio Rd. in Yorba Linda and will be directly impacted by the proposed Esperanza Hills Project (gate-guarded community of 340 homes) as well as the previously proposed Cielo Vista Project (112 Sage Development homes). I previously emailed Mr. Channary Leng regarding the proposed Cielo Vista Project on August 6, 2012. I am opposed to both projects but will address the Esperanza Hills NOP in this email.

I am opposed to the Esperanza Hills Project for the following reasons:

1. The proposed project is surrounded on three sides by the city of Yorba Linda and on the north by Chino Hills State Park and **is in the Yorba Linda City Sphere of Influence**. Egress and ingress from the proposed development onto Stonehaven/Via Del Agua/Aspen Way and San Antonio Rd. will add 3400 additional car trips per day to our neighborhoods. This does not take into account the 1000 additional car trips per day from the proposed Cielo Vista development (120 homes) already submitted to OC Planning. **This increase of 4400 additional car trips per day will severely impact the homes along San Antonio and their quality of life.** The increase in daily trips is a significant issue during normal times but will become life-threatening during any necessary emergency evacuation.

2. **The property, as stated by the Orange County Fire Authority, is within a severe fire danger area.** We lost many homes (thankfully no lives this time) to the 2008 Freeway Complex Fire. That fast moving fire is still very fresh in our memories as some of the homes which were lost are still not completely rebuilt. I drive by 5 such homes each day of which 2 have just been finished within the last year. Those of us who did not lose our homes are thankful that we were able to evacuate relatively safely from an area with an extremely fast moving fire and with very little advance notice. For many of those trying to evacuate down Stonehaven, Via Del Auga, and San Antonio, the roads were completely blocked with cars attempting to leave 2 to 3 abreast. Once

Yorba Linda Blvd was reached, the traffic was almost at a standstill. We are fortunate that no one lost their life in their car.

I understand that the Esperanza Hills proposed development has incorporated staging areas for 5 fire trucks and increased road widths for evacuation but that will be of little effect if those residents are unable to leave the development using the existing egress roads within Yorba Linda. Currently those individuals living above Aspen Way who try to evacuate down San Antonio will not be able to go down 2-3 abreast as there are islands in the middle of the road thereby narrowing each side to barely 1 lane. Add the additional vehicles trying to get out of the Cielo Vista and Esperanza Hills developments and it is easy to see the huge potential for loss of life for those in the cars trying to leave. We know, and the Orange County Fire Authority continues to state that the firestorm in 2008 was not the last one we will see. Those of us who lived through that horrific event remember just how fast the fire moved and exactly where it raced through the various canyons and low areas. **The homes proposed for the Esperanza Hills development lie directly in the path of the next firestorm with no ability for the residents to evacuate their development. We, as the current residents, realize that we too may not have the time or ability to evacuate the next time as the current roads cannot handle the existing homeowner traffic. This inability to evacuate safely will result in the loss of life in addition to the loss of property. Adding any new homes will put the existing Yorba Linda residents at risk for loss of life.**

3. The proposed Esperanza Hills development is a gate-guarded community within a county island within the City of Yorba Linda During the Esperanza Hills Open House Meeting on August 23, 2012, we were informed that Yorba Linda residents would be able to access the parks within the facility as well as Chino Hills State Park by foot or by bicycle as non-resident vehicles would not be allowed without prior approval. **Yet the individuals living within the development will be using our services, our schools, our parks, our roads, and impacting our ability of evacuate during the next disaster. A gate-guarded community is not appropriate for this area.**

Lastly, both the Esperanza Hills and the Cielo Vista proposed projects are located within the Yorba Linda City Sphere of Influence. Prior to any developments being considered, the property should be annexed to Yorba Linda after which the developments could be proposed under the guidelines of the Yorba Linda General Plan. Suggesting that the completed developments may be annexed at a future date does not address the needs of the residents of Yorba Linda which surround this island of County land.

For the above reasons, I am very much opposed to the proposed Esperanza Hills Project.

Marilyn Allen-Adams
21270 Trail Ridge
Yorba Linda, CA 92886
714-970-6077
1marilynadams@gmail.com

Brian J. Casacchia
4570 Dorinda Rd.
Yorba Linda, CA
92887

TO: Orange County Public Works/OC Planning

Jan. 30, 2013

SUBJECT: Esperanza Hills Project PA 120037/VTTM 17522

ATTN: Mr. Kevin Canning

Dear Planning Commission, as a resident and homeowner in Yorba Linda since 1989 I feel compelled to submit this letter in response and in protest to the proposed "Esperanza Hills Project" my family resides at 4570 Dorinda Rd., Yorba Linda CA, 92887 and have done so for over 23 years. One of the main reasons that I purchased my house was the fact that the property behind me was zoned "A1 (O)", exclusively for agriculture with oil. My home is constructed in a housing tract known as Travis Ranch which was built in 1984 on the adjacent hills of the proposed "Project" and has spectacular views of the area's natural rolling hills and habitat. I bought this house knowing and believing that I would always be able to enjoy the natural scenery of the hills and wildlife, as well as the serene privacy and peace of mind knowing that these hills and its natural habitats would be preserved. The following items are a list of concerns that I feel need to be addressed prior to any preliminary or final approvals to proceed with this project. I also find it hard to believe that the Esperanza Hills Project does not share vital interests with the recently submitted Cielo Vista Project. I believe one project could not survive without the other and that both projects should be reviewed and considered as "one".

Additional items of concerns:

- a) Daily traffic congestion issues, including studies for emergency egressions in the event of disasters or catastrophes.
- b) Preservation and protection of wildlife, habitats and wilderness, both endangered and not.
- c) Fire dept. approvals due to the high risk fire area.
- d) Overloading of the Public schools or additional demand on the city of Yorba Linda's infrastructure including public servants such as police and fire.
- e) Safely plugging or capping of abandoned oil wells, specifically the ones that have broken drilling bits still lodged in them.
- f) Construction dust control, high winds blow regularly through this canyon, and construction dirt and dust would be intolerable if not contained or controlled.
- g) Restrictions on work days allowed and "quiet" times must be set and enforced for early mornings, evenings and absolutely no weekend construction.
- h) Specific storm water plans for the construction phase, approved by the city of Yorba Linda to avoid potential land and mud slides.

In closing, I feel that the city of Yorba Linda should have 100% input and a majority voice in any or all zoning, building or infrastructure changes or approvals, both preliminary and permanent, to allow this project to proceed. I also feel that all the residents of Yorba Linda should have been notified in regards to this major development and not just the residents along the Projects immediate borders. I would also ask that I be added to the county's mailing list.

Respectfully,
Brian Casacchia
714.970.6704

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Thursday, January 31, 2013 8:29 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills NOP

Kevin Canning
Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847

email: Kevin.Canning@ocpw.ocgov.com

website: www.ocplanning.net

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-----Original Message-----

From: James Unland [<mailto:jmunland49@att.net>]

Sent: Wednesday, January 30, 2013 8:54 PM

To: Canning, Kevin

Cc: Jim Unland; Nelson76@sbcglobal.net

Subject: Esperanza Hills NOP

I write to express my deep concern and opposition to the Esperanza Hills and Cielo Vista projects currently in planning for the hills above Stonehaven Drive in Yorba Linda.

The 340 proposed homes in Espananza Hills and the 120 homes in Cielo Vista will add over 4,400 car trips per day to the residential streets of Stonehaven/Via del Auga and Aspen Way. These roads were not built for this type of traffic and the residents of these areas certainly did not bargain for this onslaught when they purchased their homes. Although the development is on County land, it is eastern Yorba Linda that will bear the brunt of the negative impact. It seems to me that the county and city governments have an implied obligation not to threaten the quiet enjoyment of the current residents nor put residents in a more negative situation than existed when they bought their homes.

We lived through the Freeway Complex Fire. Trying to get the current residents out of the Stonehaven loop and, in fact Yorba Linda Blvd. proved almost impossible. Stonehaven was gridlocked with fire on the hills beside the road, threatening to involve the road or jump the road to the residential area. Kids were stuck in cars, with the window rolled up against the fire and smoke, screaming in fear. It was truly scary. Such a fire will happen again. We have to do a better job of exit planning for the current residents. Adding another 1800-2500 Esperanza Hills/Cielo Vista residents to the mix will make the job almost impossible and create a latent danger for them that they will probably not be aware of when they buy their homes. I am sure that "no good fire escape route" will be in the sales literature.

One can't ignore the aesthetic, environmental and geological impacts of putting these homes in a fragile area. This is not a not-in-my-backyard argument. I recognize that the current homes along Stonehaven were built on land that was once native hillside. And it may be arguable that adequate planning was not done with these homes.....we ought not compound the situation by adding 460 homes and over 2,000 residents to the mix.

Sincerely
Jim Unland
4765 Stirlingbridge Circle
Yorba Linda, CA 92887
714-932-7290
jmunland49@att.net

Comments for Cielo Vista & YLE Development Projects

Elizabeth Cox
4745 Blue Mountain Drive
Yorba Linda, CA 92887
714-693-3292
cleo693@roadrunner.com

I reside just one block from where part of this development is proposed. I have been a resident of Yorba Linda for 31 years. In fact my husband and I were married here, our two children were raised their entire lives and attended school here and we attend our church in Yorba Linda. This is our **HOME**.

I will comment on the follow issues that strongly concern and appall me:

1. Effect on fauna, land and recreation
2. Traffic and safety impact
3. Lack of notification

1. I have had the privilege to live in Yorba Linda and witness and enjoy the abundance of its land and fauna. I have watched with awe the beauty of peregrine falcons, hawks, raccoons, meadowlarks, hoot owls, blue birds, hummingbirds, screech owls, skunks, rabbits, coyotes, mountain lions, opossums and numerous other animals and birds. They are one of the main reasons we moved here. Many of these animals make the hills that are going to be raped by this project their home. They depend on it for housing, food and protection. As stewards of this land, we as citizens need to protect them in all ways. This project will do anything but this. It is a travesty what will happen to them. Their homes and habitat and ultimately they will be destroyed. Will we have to go to a zoo to see these animals in the future? What a sad, sad thought. We are a balanced ecosystem all connected. You start depleting and destroying one area and others with

die away also. Why are we not concerned about this? Shouldn't we be preserving our land for our children to come? Why are we not preserving natural land for hiking, walking, bike riding, etc.? What's next? Going to a park will be the only way to see open space and our natural topography, wildlife and our natural land gone. Our right to recreation in an open natural situation is dying before us. We all need to be advocates on behalf of the environment. This means taking a stand when public or private policies and practices threaten the local forest, creeks, open space and habitat. Isn't that what every town and county should be doing? Why should we be interested in open space? Everything we do affects the "consequences of our human presence".

2. The citizens of Yorba Linda lived through the most devastating fire and safety issue a few years ago. This fire was not a freak of nature but something that is expected to occur throughout the years due to the historical hazardous fire area we are in. When this last fire storm occurred, we were gridlocked in trying to evacuate. The traffic on Yorba Linda Blvd. was at a standstill. This entire project will be emptying out onto Yorba Linda Blvd. With both projects equaling about 500 homes, that is a minimum of 1000 more cars. Our community cannot absorb this amount of traffic whether it is in an emergency situation or in everyday use. Has it been taken into consideration the additional traffic the 91 freeway will take on? Take about gridlock. There are times we turn around and go back home because of the extreme congestion on the 91. Shouldn't we be at a no growth status until something can be done to improve our freeways? Are you willing to gamble with our safety and possible our lives?
3. Lastly, I fail to understand why the notice was only sent to residents within 2000 feet of the proposed projects. This is equal to about 1/3 of a mile. These developments will affect residents all along Yorba Linda Blvd. and adjacent streets.

I sincerely hope you will take all these matters into consideration and deal with our concerns and be in constant communications with the City of Yorba Linda and their residents.

Sincerely,

James and Elizabeth Cox

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Thursday, January 31, 2013 10:53 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Development

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

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From: Debbi H. Ball [<mailto:debbihb@earthlink.net>]
Sent: Thursday, January 31, 2013 10:43 AM
To: Canning, Kevin
Subject: Esperanza Hills Development

To whom it may concern:

I would like to add my voice to the number of residents who are concerned and opposed to the development of the hills behind my home in the proposed Esperanza Hills Development. In addition to the increased traffic, which is a concern for both quality of life in Yorba Linda, and for evacuation routes, the effect on local wildlife and the natural environment should be considered. During the fires, it was very apparent how the number of cars overwhelmed the evacuation routes. Had the fire taken a different route, the large number of residents stuck on the roads of San Antonio and Fairmont during the fire would have been at a greatly increased risk of injury or even death. Additional homes and subsequent traffic increase that risk. Having just returned from a mountain bike ride in the proposed area, I was both saddened and appalled that yet another development would be allowed in the shrinking natural environment surrounding this area of Yorba Linda. I would like to be added to the mailing list for future notifications regarding this proposed development.

Thank you,

Debbi Ball

Kevin Canning, OC Public Works/OC Planning
OC Public Works
300 N. Flower St.
Santa Ana, CA. 92702-4048

RECEIVED
JAN 31 2013
COUNTY OF ORANGE

Esperanza Hills Specific Plan (PA120037/VTTM 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?

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.

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.

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!)

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.)

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?

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.

8. Population/Housing

What a huge burden on Stonehaven/Via Del Aqua! 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.

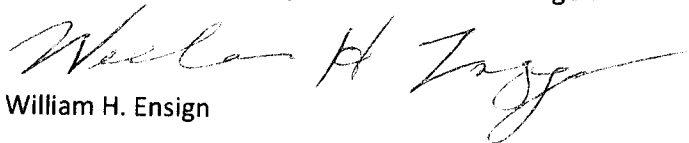
9. Public Services

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!

Increased burden on our already overcrowded schools.

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.



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.

This letter has been sent to voice our concerns regarding the Esperanza Hills Specific Plan (PA 120037/VTTM 17522).

Thank you for your attention,

William H. Ensign

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Thursday, January 31, 2013 4:04 PM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Cielo Vista and Esperanza Hills Projects

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

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From: Brian Gass :: Sandbox Marketing [<mailto:bgass@sandboxmarketing.com>]
Sent: Thursday, January 31, 2013 3:57 PM
To: Canning, Kevin
Subject: Cielo Vista and Esperanza Hills Projects

Dear Mr. Canning-

My family and I recently moved to Yorba Linda from Anaheim in October, 2012. We lived in our Anaheim home for 12 years and scrimped and saved to buy our dream home in Yorba Linda. While this dream home became a reality we recently learned about the proposed Cielo Vista and Esperanza Hills proposed housing projects. These projects will cause our dream home to become a nightmare.

Let me explain why these proposed projects are not good for my families quality of life:

- While we did not live through the Freeway Fire Complex, we can't imagine the peril of actually getting out of our neighborhood in a timely manner. In speaking to many of our neighbors when we moved in, we heard many horror stories that detailed the challenges of getting out of the neighborhood. The sheer number of people trying to exit, while firefighters and EMS people were trying to get into the area was problematic. San Antonio Road is already very traffic filled at certain points of the day and the increased population to the area would mean certain disaster when the NEXT fire does in fact burn through the hills of Yorba Linda.
- Traffic and congestion is a major concern for our family. My wife and young girls ride their horses in the area. One of our horses, in particular, gets very nervous when large trucks get near him. Having large

belly dump trucks moving soil out of the area means that my wife and kids will be in danger of getting thrown off and risk injury. While this may not matter to the developer, it weighs heavy on my mind.

- The natural landscape was another reason that we bought our house in the neighborhood. We have a great view of the natural hillsides and picturing homes strewn about the hillside makes us very sad. Hearing the coyotes at night and seeing Red Tailed Haws circling is just part of the charm of Yorba Linda. Please do not let someone take this away.

In closing, it is imperative that you do not allow these projects to be built. The downside does not outweigh the upside. While I realize that the county and municipalities will try and push this through because of the potential tax revenues, quite simply it is not an idea that has been thoroughly thought out.

The residents in this neighborhood overwhelmingly reject this project and will make every attempt to stop these projects from happening. I hope that reasons outlined above will help the Coutny of Orange to make a decision that is best for the sake of public safety, and not just the financial bottom line.

Thanks in advance for your time.

Brian Gass
21180 Ridge Park Drive
Yorba Linda, CA 92886

Brian Gass
bgass@sandboxmarketing.com
Sandbox Marketing, Inc.
428 W. 6th Street
Tustin, CA 92780
(714) 730-9500 Office
(714) 730-9520 Fax
(714) 749-3341 Cell
www.sandboxmarketing.com



TO: Kevin Canning, OC Public Works / OC Planning

From: Lindon Baker, concerned resident of Yorba Linda

RE: Comments regarding Esperanza Hills NOP

Mr Canning:

I am a strong proponent of a landowner's right to develop his property for his own use and benefit, except that this must not conflict with nor impair the rights and enjoyment of neighboring property owners. As the saying goes, your absolute right to swing your fist absolutely ends at the tip of my nose. However, this landowner is not proposing to develop the property for his own use, but intends to offer the developed properties for sale to third parties. Sadly, commercial developers of projects like this have a poor history of concern for neighboring properties, and even less concern for the future buyers of the project. Thus, projects of this type require intense scrutiny by many parties in order to protect the community and the future buyers.

Comment #1: Ingress / Egress

The project proposes a single paved entry / exit road to a gated community of over 300 homes. The applicant proposes to construct a single primary access route connecting into existing residential neighborhood streets under either of two proposed alignments identified as option 1 or option 2. A single access point places unfair additional traffic onto existing residential neighborhood streets. The access should be redesigned to incorporate at least two entry / exit roads (and gates, if the applicant so chooses), potentially by constructing both the option 1 and the option 2 routes.

Comment #2: Traffic Mitigation

The project proposes to route traffic in and out of the development through existing residential neighborhoods via either of two single access points. Routing that much extra traffic through any one existing neighborhood would be unfair to existing residents. The route identified as Option 2 would connect to Aspen Way and San Antonio Road. These streets have many existing homes fronting to the street and take driveway access directly from these streets. Adding substantial daily traffic to this residential neighborhood street would be unfair to existing residents. The route identified as Option 1 would connect to Stonehaven Drive, also a residential street with many existing homes fronting on the street and with driveways on Stonehaven. Adding substantial daily traffic to this residential neighborhood street would be unfair to existing residents. Because the Stonehaven neighborhood was more responsibly planned than the proposed project, Stonehaven Drive also connects to Via Del Agua, providing two routes into and out of the Stonehaven neighborhood. Only a handful of homes front onto Via Del Agua, or take driveway access from Via Del Agua. There appears to be adequate adjacent landscape and slope area to significantly widen Via Del Agua, and to

substantially improve the intersection at Via Del Agua and Yorba Linda Boulevard. It must be the responsibility of the Esperanza Hills project to negotiate right-of-way acquisition with the City of Yorba Linda and/or private landowners. It must also be the sole responsibility of the project to bear the cost of the widening and intersection improvements. In summary, the added traffic burden from the project needs to be split between at least two independent routes to lessen the impact on any one existing neighborhood.

Comment #3: Emergency Evacuation

The project has presented two optional emergency evacuation plans, each utilizing only a single primary access road, and each promising a secondary unpaved emergency access route. As outlined in other comments, a single primary access road is unrealistic for a project of this size, back up in the hills, in a wildland-urban interface zone with known high fire hazard and fire severity. Fire and smoke behavior in hillside and canyon area during wind driven fire events is erratic and can change very rapidly. Any one route can be rendered unusable in a matter of seconds. The project should provide at least two paved primary access routes for daily use, plus at least one additional emergency route, preferentially, all in different directions of travel.

Comment #4: Emergency Evacuation Plan Coordination

The City of Yorba Linda has recently transitioned police services to the OC Sheriff. The OC Sheriff now provides an Emergency Management Coordinator to the City of Yorba Linda. Ms Elizabeth Daoust, Sr Emergency Management Program Coordinator for the Orange County Sheriff, is presently updating the Evacuation Plan for the City of Yorba Linda. Because the applicant proposes to evacuate the project residents into and through the City of Yorba Linda, the project evacuation plan should be coordinated with the City plan.

Comment #5: Emergency Evacuation Plan Sufficiency

The applicant has proposed an emergency egress plan that assumes that simply identifying a path out of the proposed project and onto nearby existing Yorba Linda streets is sufficient. This is like an airline telling me that there are lots of emergency exit doors, and a row of lights will lead me to the doors. Stepping through one of those emergency exit doors will not improve my situation if we are at 35 thousand feet. Simply pointing to an exit route out of the project is not sufficient if there is no assurance that this route actually takes evacuating residents someplace viable.

Comment #6: Utility Infrastructure Seismic Resistance

The applicant asserts that the project has been designed to locate homes away from the earthquake fault crossing the property. Critical utility infrastructure, notably water and sewer, must necessarily cross the fault line. Since interruption of the water supply to the community presents multiple health and safety risks, the water lines crossing the

fault should utilize special construction features to reduce the risk of fracture in a seismic event, potentially including transiting the fault above ground. Similarly, a sewer break can have health and safety consequences to the neighborhood, as well as environmental consequences over a larger area, and the sewer lines crossing the fault should utilize special construction features to reduce the risk of fracture in a seismic event, potentially including transiting the fault above ground.

Comment #7: Bridge Negation from Seismic Event

The project proposes a pre-fab bridge across blue mud canyon, directly within the fault zone. The bridge could be rendered unusable following a seismic event either by actual damage, or by the standard practice of shutting down bridges until they can be inspected and determined safe. According to Lucy Jones, the Chief Scientist of the USGS Multi-Hazard Demonstration Project, there is an expectation of massive uncontrolled and completely unattended wildfires in urban-wildland interface zones following a significant seismic event. The fires will rage for about a week before outside resources can be brought in to begin to battle the wildfires. Residents of the proposed project would need to evacuate ahead of fires following the seismic event, but the bridge would not be an option for evacuation, or for eventually arriving fire fighters. The bridge is not a good solution for regular or emergency access routes.

Comment #8: Residential Fire Sprinkler System Functionality during Fire Flow

As a result of existing ordinances all homes in the project will need to include fire sprinklers. Because the project is located in a very hazardous fire area, fire sprinkler systems of standard, minimally compliant design can be rendered ineffective when the water pressure is reduced by nearby firefighting activities pulling fire flows from the water system. The flying ember environment during a wildfire greatly increases the risk of multiple home ignitions from flying embers, and fire sprinklers could easily save the homes, if the sprinklers remained operable. This simply requires increasing the downhill gravity flow capacity of the water system to maintain higher than the minimally acceptable residual pressure during fire flow.

In addition, placing a couple of extra fire sprinklers in accessible attic areas near vent openings, even though not required for minimal code compliance, can save a home at very minimal incremental cost.

Comment #9: Dark Sky Compliant Exterior Lighting

The project is proposed in currently uninhabited natural hillside areas that are fully in the view of thousands of homes in Yorba Linda and surrounding communities. An aspect of the view is the night sky. Lighting needs to be carefully controlled in the development to avoid glaring light when viewed from homes below, as well as protect the night sky from light pollution. Light escaping into the sky both damages the environment and represents wasted energy. Light escaping the intended use area can be a visual nuisance to neighbors and also represents wasted energy. All lighting in both public

and private areas in the project should be fully compliant with the guidelines and model ordinances and regulations put forth by the International Dark-Sky Association (www.darksky.org). Conformance will entail use of carefully selected and properly placed and adjusted lighting devices with design features and documentation to support each application.

Comment #10: Energy Efficient Lighting

With the incandescent light bulb now relegated to history books in California, the project should not include any lighting fixture that can accept an incandescent bulb. This may be beyond minimal code compliance, but is offered as an environmental mitigation.

Comment #10: Infrastructure for Reclaimed Water

The project is proposed to be a gated community with large common landscaped areas maintained by a community association. This is an ideal configuration to facilitate separate piping for the irrigation systems such that they could readily be connected to a source of reclaimed water. At the moment, reclaimed water is not available in the vicinity of the project, but continuing to develop projects without infrastructure to accommodate reclaimed water usage is part of what limits the future distribution of reclaimed water.

Comment #11: Water Efficient Landscape

The proposed project is very large and will require large irrigated landscape areas for fire protection, recreation, and aesthetic appeal. The project includes large manufactured slope areas requiring planting and irrigation to protect the slopes from erosion. California, Orange County, and Yorba Linda and local jurisdictions have adopted various water efficient landscape ordinances. The content and effective dates vary. The project should conform to the most restrictive requirements of the applicable ordinances, including provisions not yet mandatory. Going beyond the minimum is offered as an environmental mitigation.

*** END***

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 8:28 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Proposed Home Development
Attachments: IMG_0036.jpg

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Patrice Werschmidt [<mailto:pwerschmidt1@att.net>]
Sent: Friday, February 01, 2013 6:32 AM
To: Canning, Kevin
Cc: Patrice Werschmidt; 'GARY WERSCHMIDT'
Subject: Esperanza Hills Proposed Home Development

Dear Mr. Canning,

I am writing to you today with regard to the Esperanza Hills proposed home development which will add 340 homes to our neighborhood, in addition to the over 150 homes proposed for this area from a different developer. I am completely dismayed and confounded that such projects are even being considered in this area.

I live on Heatheridge Drive which is at the top of Stonehaven and was a victim of the Freeway Complex fires. We, and many of our neighbors, completely lost our homes and all of our belongings in that devastating fire. All of us, except for two lots, have been completely rebuilt. However, none of us have forgotten the chaos and tragedy incurred that day. For those who do not live here, they may not know that there were no firefighters on our street when our homes were up in flames. The firefighters were told not to go to the top of the hill for fear of being trapped on the hill as the wildfires rushed through. Moreover, for those of us told to evacuate, we were stuck going down Stonehaven until my husband jumped out of the car, ran down to Yorba Linda Blvd., and personally stopped traffic on Yorba Linda Blvd so that our families could evacuate. I know the situation was similar on San Antonio. I cannot possibly imagine how these two narrow access streets could accommodate ~500 new homes even during normal circumstances, but absolutely not during an emergency. Unless you personally went through that experience, you cannot imagine the feeling of being trapped on the hill with your child in the car and relying in an individual (in this case my husband) to abandon his car and stand in the middle of Yorba Linda Boulevard to stop traffic so we could evacuate. He was doing this at the time that our house was in flames. As I mentioned before, even the firefighters were advised not to go up to try to save our homes for fear of being trapped on the hill.

In addition to my concern for my family and my neighbors safety, is my concern for Yorba Linda as a resident. While it is my understanding that this tract of land are in Orange County, they lie right in the middle of the Yorba Linda

community. If you look at the statistics for our town, our school systems is already overcrowded and our parks are used to capacity and beyond with our current sports teams. I do not see anything on these plans for a new school to be built or a new park planned within these developments. Moreover, I can't even begin to image the environmental impact of such a project on our community and wildlife. Moreover, I don't understand how a project can be built within the community of Yorba Linda, use all of the resources of Yorba Linda, but not be part of the Yorba Linda community.

I ask you as a resident of Yorba Linda, a taxpayer of Orange County, to please deny this project from moving forward in any way. I have attached a couple of photos of my home after the Freeway Complex fire and I am sure you can understand my level of concern regarding this project moving forward.

Thank you for your consideration of my comments.

Patrice Werschmidt
21905 Heatheridge Drive
Yorba Linda, CA 92887
714-777-4135

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 8:29 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Project

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Connie Romney [<mailto:bcromney@aol.com>]
Sent: Friday, February 01, 2013 1:02 AM
To: Canning, Kevin
Subject: Esperanza Hills Project

January 29, 2013

re: The proposed project called Esperanza Hills

I am writing because of my concern regarding the Esperanza Hills impact. As residents who live on a cul-de-sac off of San Antonio Rd we have several concerns regarding this project.

First and foremost is the impact of using San Antonio as a major road leading to and from this project. There have always been concerns about the speeding on this road because of the steep grade and the fact that there are homes all along it that face the street. The fact that it is also winding and medians have been added in the middle to slow the speed on this **two-lane only** road only complicate things in terms of adding further traffic. Factor in parked cars, particularly next to these medians, and you have a real problem. It is already difficult at times to get by these narrow openings. For everyone who lives off San Antonio this is our only way in and out of the area. Now consider that all who would be coming down San Antonio along with those from Aqua and Stonehaven must then get onto Yorba Linda Blvd. If a major fire such as the one in 2008 should occur there would be such gridlock we would be lucky to get out at all. This is the biggest concern for all who lived through that '08 fire. There are currently about 250 homes whose only fire escape route is San Antonio Rd, and counting all possible future development that total would rise to **over 700 homes!**

Another major concern for us who live in the cul-de-sacs near San Antonio Park is the impact of having thousands of more people in the area using this small park where there is no parking lot and people must park on either San Antonio or both sides of View Park Dr or spill down into adjoining cul-de-sacs. On game days we can barely get through the cars on both sides of the street and always with the worry that some child or dog is going to run between them after a ball or something. If this project proceeds we would hope that it will include recreational facilities for all citizens to take some of the stress off of tiny and much-used San Antonio Park. But if Esperanza Hills would be a gated community it would make it unlikely that any planned parks and facilities would be available for use by local organized sports like baseball and soccer, and certainly not feasible for the benefit of the general public if access is to be only by foot or horse

Lastly, most of us who moved into the area 25 years ago did so because of the large lots and open spaces and natural beauty of the area. Much of Yorba Linda has homes that have been built to fit into the natural topography which makes our city unique. Tearing down the hills and moving the dirt around to accommodate a maximum number of houses is not in keeping with the vision of this area.

In conclusion, we feel that the neighbors of this proposed development would be severely and negatively impacted by it and that it could even cause great concern for the safety of the residents living in this area. For these reasons we ask that the Esperanza Hills project be denied.

Sincerely,

Brent and Connie Romney

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 8:31 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: scoping meeting

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Charles Wolfe [<mailto:cwolfe5303@att.net>]
Sent: Thursday, January 31, 2013 10:24 PM
To: Canning, Kevin
Cc: Carol Wolfe
Subject: scoping meeting

Kevin, my wife Carol and I were at the Esperanza Hills scoping meeting tonight and have a few questions/concerns

1. The plan to have only one egress road and a "fire" exit is beyond dangerous. The planning commission needs to fully evaluate this design provision and ask themselves, if there was significant traffic congestion and delays evacuating the area during the 2008 fire, how can adding 400 additional homes be a sound, moral decision? The answer is simple, it is not. Add in the other developments and this idea borders on being a criminal offense; of course, it's not. But, you weren't in Yorba Linda in 2008 during the fire, I was, and as a result, understand the ramifications of what is being proposed..

2. The amount of grading required to build homes and infrastructure will have a significant visual impact and the residents of Yorba Linda have the right to see a 3-D representation, from a reasonable distance, to fully understand the visual impact to the existing hillsides. The 2-D drawings provides no manner in which evaluate the appearance of the development.

Thank you for explaining the process and the details of the development. I sincerely hope you understand the concerns that were expressed this evening. I'm sure if you had been in the neighborhood that day you would have a much greater appreciation for our emotional response.

Sincerely,

Charles and Carol Wolfe

5303 Paseo Serra
Yorba Linda, CA 92887

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 8:32 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Project

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: docramo@aol.com [<mailto:docramo@aol.com>]
Sent: Thursday, January 31, 2013 9:43 PM
To: Canning, Kevin
Subject: Esperanza Hills Project

Kevin,

Not sure about this category for inclusion in the EIR but I'll take my best stab @ it.
Let's call it LIABILITY .

A relative recent development in Yorba Linda is Hidden Hills.

The major part of this area was developed from 1990 to present.

There has been multiple litigations for "slipping and sliding" (geologic ?) which the city has paid out multi million dollars in settlements and cost of litigation.

There is a current Judgement against the Yorba Linda Water District for 70 million dollars from the district's inability to provide ANY water to upper Hidden Hills homes during the Freeway Complex Fire of Nov. 15 2008.

These cases have a significant impact on all taxpayers of the city and customers of Yorba Linda Water District.

Even in the best case and process to try and cover all bases in the EIR to minimize these potential pitfalls, what are the impacts

to all entities both public and private when something goes wrong?

Does the city need to increase it's liability policy to cover future risks from this development ?

Does the Yorba Linda Water district need to also do the same ?

Or as usual do the fiscal impacts fall on the people of Yorba Linda ?

I believe this is a category that should be explored in the EIR as this development has a tremendous potential for liability to all parties

that participate in this project and the residents of Yorba Linda.

This is a very large development in an extremely hazardous area with multiple exposures to litigation, in even the best case scenario,

and what are the potential impacts when liability and litigation converge?

Thank you for your consideration,

David Ramocinski

22865 Hidden Hills Rd.

Yorba Linda, Ca. 92887

714 692 9270

From: Kevin Canning <entitleplus@gmail.com>
Sent: Thursday, January 31, 2013 8:35 PM
To: Shawna Schaffner; Kathy Crum
Cc: Doug Wymore; Gary Lamb
Subject: Fwd: Esperanza Hills Development
Attachments: image001.emz; ATT00001.htm; image003.emz; ATT00002.htm; ATT00003.htm

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: Chris Pailma <cwpailma@gmail.com>
Date: January 31, 2013, 7:08:12 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Subject: **Esperanza Hills Development**

Mr. Canning,

Please add me to the County's mailing list.

I wanted to contact you regarding the proposed Esperanza Hills Development, and my concerns for the safety of my family and my neighbors. In 2008, the Freeway Complex Fire<http://en.wikipedia.org/wiki/Freeway_Complex_Fire> raged through the ridge where the Esperanza Hills Development is proposed to be built (see the red "X" on the map). Many of my neighbors had to flee their houses to escape the encroaching flames.

[cid:image004.[png@01CDFFE6.4FC676E0](#)]

The prospect of having nearly 400 households attempting to flee a similar threat on the same sleepy two lanes streets is a scary one. I believe it is a recipe for a tragedy with the real potential of loss of life.

Via Del Agua is a meandering two line road that exits out onto Yorba Linda Boulevard. Without the potential for an emergency evacuation, it is hardly designed to handle the addition of many hundreds to a few thousand car trips that would take place daily on this street.

(Via Del Agua)

[cid:image011.[jpg@01CDFFE6.4FC676E0](#)]

The other exit is on Stonehaven where there are already many hundreds of established homes. It could hardly handle the additional traffic load that 400 surplus households would bring. It has very steep grade that would be dangerous with the addition of all the extra car trips and would be disastrous in a wild fire emergency.

(Stonehaven)

[cid:image012.jpg@01CDFFE6.4FC676E0]

The Esperanza Hill project puts the current residents of the area at an even greater risk of injury or death from another wild fire. I live on Blue Mountain Drive, two houses into the cul-de-sac, and my home is considered by my fire insurance carrier, State Farm, as an extreme fire risk. I can only imagine what the homes in this proposed development would be considered. I believe most would be uninsurable given the tremendous fire risk.

In addition to the life-threatening fire risk, the prospect of having Earth moving machines kicking petroleum laced dirt into the air for many years is of great concern to me. I have two young children. Construction dust pollutes the air surrounding the site, and the increase in diesel traffic to construction sites further deteriorates air quality. Children like mine living near such pollution face an increased risk of asthma. Construction dust is often more harmful than average household dust because it may contain substances like asbestos, synthetic mineral fibers, cement residue, and saw dust; therefore, it often causes more severe allergies. Furthermore, heavy metals and other chemicals from the construction site can easily contaminate surrounding soil and water.

Building this new community as a parasite onto an existing and established community given the fire and health dangers is a terrible idea, and I urge you and the Orange County Public Works to consider the risks and impacts when making your decision regarding this project.

Sincerely,

Christopher Pailma
4710 Blue Mountain Drive

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 9:36 AM
To: 'Chris Pailma'
Subject: RE: Esperanza Hills Development

Thank you for your comments. You'll be added to the mailing list – both email and USPS.

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

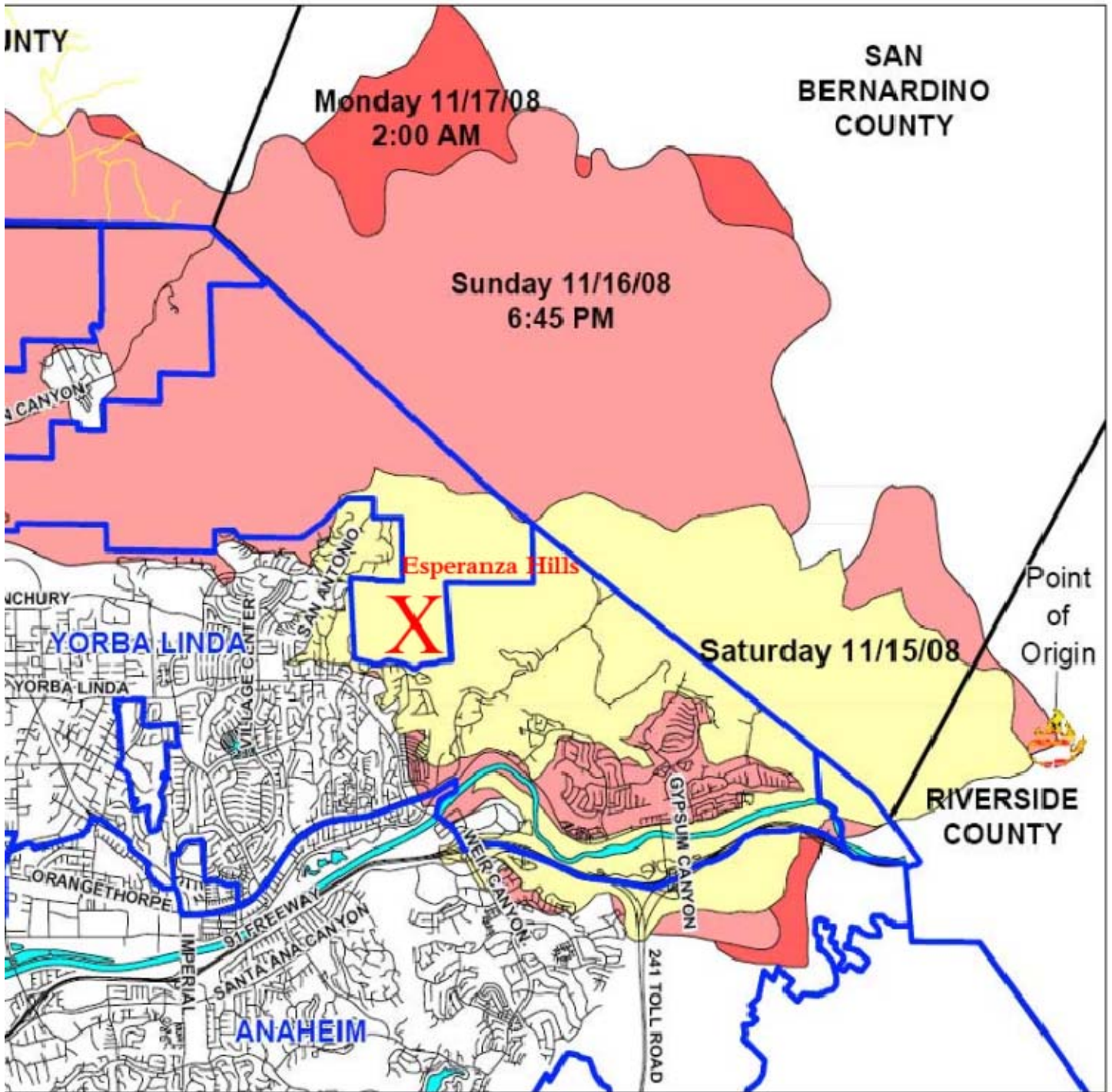
 Please consider our environment before printing this email.

From: Chris Pailma [<mailto:cwpailma@gmail.com>]
Sent: Thursday, January 31, 2013 7:08 PM
To: Canning, Kevin
Subject: Esperanza Hills Development

Mr. Canning,

Please add me to the County's mailing list.

I wanted to contact you regarding the proposed Esperanza Hills Development, and my concerns for the safety of my family and my neighbors. In 2008, the [Freeway Complex Fire](#) raged through the ridge where the Esperanza Hills Development is proposed to be built (see the red "X" on the map). Many of my neighbors had to flee their houses to escape the encroaching flames.



The prospect of having nearly 400 households attempting to flee a similar threat on the same sleepy two lanes streets is a scary one. I believe it is a recipe for a tragedy with the real potential of loss of life.

Via Del Agua is a meandering two line road that exits out onto Yorba Linda Boulevard. Without the potential for an emergency evacuation, it is hardly designed to handle the addition of many hundreds to a few thousand car trips that would take place daily on this street.

(Via Del Agua)



The other exit is on Stonehaven where there are already many hundreds of established homes. It could hardly handle the additional traffic load that 400 surplus households would bring. It has very steep grade that would be dangerous with the addition of all the extra car trips and would be disastrous in a wild fire emergency.

(Stonehaven)



The Esperanza Hill project puts the current residents of the area at an even greater risk of injury or death from another wild fire. I live on Blue Mountain Drive, two houses into the cul-de-sac, and my home is considered by my fire insurance carrier, State Farm, as an extreme fire risk. I can only imagine what the homes in this proposed development would be considered. I believe most would be uninsurable given the tremendous fire risk.

In addition to the life-threatening fire risk, the prospect of having Earth moving machines kicking petroleum laced dirt into the air for many years is of great concern to me. I have two young children. Construction dust pollutes the air surrounding the site, and the increase in diesel traffic to construction sites further deteriorates air quality. Children like mine living near such pollution face an increased risk of asthma. Construction dust is often more harmful than average household dust because it may contain substances like asbestos, synthetic mineral fibers, cement residue, and saw dust; therefore, it often causes more severe allergies. Furthermore, heavy metals and other chemicals from the construction site can easily contaminate surrounding soil and water.

Building this new community as a parasite onto an existing and established community given the fire and health dangers is a terrible idea, and I urge you and the Orange County Public Works to consider the risks and impacts when making your decision regarding this project.

Sincerely,

Christopher Pailma
4710 Blue Mountain Drive

From: Kevin Canning <entitleplus@gmail.com>
Sent: Thursday, January 31, 2013 5:03 PM
To: Shawna Schaffner; Kathy Crum
Cc: Doug Wymore; Gary Lamb
Subject: Fwd: Esperanza Hills

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: "cdviva@aol.com" <cdviva@aol.com>
Date: January 31, 2013, 4:51:08 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Subject: **Esperanza Hills**

Kevin,

I would like to be put on the county mailing list.
My name is Conrad Viva and I am extremely concerned with the idea of 340 plus home being built in an existing growing neighborhood. I cannot begin to describe the fear of another fire event in our neighborhood.

I am writing this email to express the negative impact this housing development will make.

- ** Additional Traffic in an area where no one stops for stop signs going down hills
- ** Unnecessary traffic lights will be created in a "sleeper" neighborhood
- ** Fire Danger exiting the main arteries
- ** Impact to our home values
- ** Driving impact
- ** Endless Construction
- *** We just don't need It!

Thanks for listening

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 10:27 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills NOP Feedback

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: David Spellman [<mailto:dspellman18@gmail.com>]
Sent: Friday, February 01, 2013 10:24 AM
To: Canning, Kevin
Subject: Esperanza Hills NOP Feedback

Kevin,

I was fortunate enough to be able to attend the NOP meeting last night for the proposed Esperanza Hills development. Clearly the sentiment and emotion expressed during that meeting demonstrated that this development presents challenges very unique when compared to other developments. In addition to the obvious and significant challenges of traffic impacts, school capacity, aesthetics (no gated communities in Yorba Linda), lack of public parks, damage to sensitive wildlife areas, and other issues, this proposed development has an issue that I feel strongly cannot be mitigated. And that is safety. As was clearly expressed in the NOP meeting all the surrounding areas of this development (primarily San Antonio and Via Del Aqua/Stonehaven) just lived through a disastrous fire that raged through this area, many of which were lucky to get out alive. I'm one of those. I live on San Antonio road and as I evacuated during the 2008 fires heading south on San Antonio road I could not exit onto Yorba Linda Blvd due to the flood of cars doing the same. As I sat stopped on San Antonio I could see the fire pass over the street directly behind me and can't help but think that had just a few more cars been there in front of me I might have been stopped in the middle of those flames. Words simply can't express the concern I have for my families and neighbors safety should another 500 cars be attempting to get out via these streets when another fire occurs. Therefore I implore you to ensure that this is the TOP priority when evaluating this project.

Regards,

Dave Spellman
4460 San Antonio Road
Yorba Linda, CA 92886

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 11:06 AM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza hills project

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: gstralka@yahoo.com [<mailto:gstralka@yahoo.com>]
Sent: Friday, February 01, 2013 11:02 AM
To: Canning, Kevin
Subject: Esperanza hills project

I do not agree with the building of this project ...
Heavy traffic issues on stonehaven and aesthetics are my concerns ..
Gerald stralka
4760 devonport cir.
Y.I. [92887](tel:92887)
[714 779-6448](tel:7147796448)
Connected by DROID on Verizon Wireless

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 12:49 PM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: NOP (Notice of Preparation) proposed 340 house Esperanza Hills development comments

And note request to be added to mailing list

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Newman, Ken A [<mailto:Ken.Newman@bp.com>]
Sent: Friday, February 01, 2013 12:41 PM
To: Canning, Kevin
Cc: whusky-1@msn.com
Subject: NOP (Notice of Preparation) proposed 340 house Esperanza Hills development comments

2/1/2013

Kevin Canning, OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048

Mr. Canning -

I was unable to attend last evenings meeting as I am working very long hours.

I wish to voice my objection to the proposed subject development, Esperanza Hills.

I reside and own my residence from the time it was built in 1987 at 4580 San Antonio Rd. in Yorba Linda.

This project will negatively affect my families life, property, valuation, and the wildlife surrounding my home.

This project should not be built. San Antonio Road is already heavily travelled with most drivers exceeding the speed limits up and down the hill in front of my home. The traffic noise is excessive. I can not sit or sleep in my front rooms due to the noise. The traffic at the intersection of Yorba Linda Blvd and San Antonio takes 5 to 10 minutes to get through the light on school mornings.

I am very concerned about when the next wild fire will occur. During the 2008 Fire I had to save my own home with absolutely no help from the fire departments and had very little water pressure. I lost all vegetation and received some structural damage. This is 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 Anna 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. I was alone in my back yard fighting off flaming embers and never wish to go through this surreal helpless feeling again. I felt that I was going to die. My neighbors lost their home and it took nearly 16 hours all night long for it to be extinguished with garden hoses and burn down. I was up more than 36 hours with hose in hand. 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 wish this fear upon no one.

There are (2) large 36 inch diameter high pressure natural gas lines that supply a large portion of gas to the LA Basin behind our house. I do not wish to have a San Bruno 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. A road behind my house is out of the question and in addition to the danger would leave me sitting on an island in a freeway with roads in front and back of my house.

My family is susceptible to allergies and the disruption of soil from building would be horrific for them from the pollen and spores becoming airborne. There is a natural spring flowing year round behind my property where wild life drink, including beautiful birds. After the fires we had flooding in the canyon after several storms and during heavy rains continues to this day.

I ask that I be added to all mailings regarding development.

Please do not build here. The risks are to high for little benefit for anyone in the area.

Thank you.....

Ken Newman
4580 San Antonio Rd.
Yorba Linda, Ca....92886

Home 714-970-2698
Cell 562-676-6176

Email: whusky-1@msn.com

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 1:08 PM
To: 'Marcelo Franzetti'
Subject: RE: Esperanza Hills project

Thank you for submitting your comments, and (per your second email) yes, I will add you or verify that you are on the mailing list – both email and USPS

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Marcelo Franzetti [mailto:mfranzetti@roadrunner.com]
Sent: Friday, February 01, 2013 12:58 PM
To: Canning, Kevin
Cc: 'Marcelo Franzetti'
Subject: Esperanza Hills project

Dear Mr. Canning,

I am writing to you to state that I oppose your project of building houses across the street from my home for the following reasons.

1) Safety. During the fires of November 2008, my house was about to burn down with my wife and one of my children in it. It was only because of the wind change that it did not burn down. Unfortunately this shift in wind caused my neighbors home across the street to burn down. The fire came by so quickly that there was no evacuation alert by anyone until it was too late. My son opened the front door to leave and was pelted by embers from the flames (we later saw holes on his shirt where the embers burned through). My wife tried to go out the back door and she saw flames in our back yard. A couple of days later this was verified by a neighbor who stated that the flames were going over our home. I live on Stonehaven just before it turns into Via del Agua right across the street from the fields where you and Cielo Vista are trying to build houses. The fire was so big that it crossed Stonehaven past my home and went over my two story home into my back yard. I am trying to give you a picture of the intensity and devastation of this fire and how quickly it can overcome any plan or action. My wife just got in her car with my son and one of my dogs and left. She was not able to go anywhere as Stonehaven was backed up past our driveway. She went on the wrong side of the road to get out. Our neighbor across the street was not so lucky as their car caught on fire in their driveway and all they could do was run and put their kids in other peoples cars to get them out and they had to evacuate with another family in another car. Yorba Linda Blvd was also so backed up that it was gridlocked. There was nowhere to go. If the winds didn't change, I can't imagine how many people would have died. After my wife left, I came home 45 minutes later to try to save the rest of my pets. I came back on Esperanza and the traffic leaving our area was backed up for miles. When I got to my home it was still intact but my neighbors had caught fire. I was at my home for 15 minutes and when I came out their home was completely engulfed in flames. It took just 15 minutes. during these precious minutes the police banged on my door to tell me to evacuate and that there were NO firefighters coming. I live at the bottom of the hill and for them to tell me that there were no firefighters coming was unimaginable. My home is one of the easiest to have access to. My point is that there were not enough personnel to cope with this and there never will be unless everyone becomes a firefighter. Well, a majority of the residents did become one as they stayed and protected their homes and others homes with garden hoses

and buckets. An hour and a half after I left and got my family to safety, a neighbor called me to state that a neighbor had put out a fire that had started on my home. Yes, my home caught on fire 3 hours after my wife left, 2 hours after my neighbor's house burned down and the fire was supposed to be past our area. If it wasn't for that neighbor my home would have burned to the ground. I have not repaired that damage as a reminder to me of what happened and what could have happened. I welcome you to come and see this damage and then imagine if it was your home and your family. In these proposed house sites, there are no new streets and no new evacuation plans. People could not get out with the last fire, how are 1000+ more people going to get out with the same roads. The next time, the fires are going to go through your proposed houses unless you clear the whole hillside of brush.

2) Traffic. Again, your plan does not create any new streets, just using the same crowded ones we already have. Also, these streets only go to Yorba Linda Blvd which is already crowded in itself. With your plan, if your street exits to Stonehaven, it will be right before my home. This means that I will have 1000+ cars going past my home every day, several times a day. It will become a major thoroughfare. As it is now, it can take 5 to 10 minutes to get out of my driveway in the morning. I, again, welcome you to come to my home and you could see for yourself just how easy it is to get out of my driveway now. Stonehaven will be backed up, bumper to bumper. If your street exits to Aspen way it will clog up San Antonio with the same bumper to bumper traffic. Either way this all spills onto Yorba Linda Blvd. which is already heavily congested most of the time and is the only major street going through Yorba Linda.

3) Aesthetics. My wife and I bought our home for the area and what it represents. I wanted some wildlife and scenery of nature. There are no homes across the street and everyday I look out of my home and see this nature. If your proposal goes through, I will have to see a bunch of houses and cars coming right up to my front yard. Also, there will be great impact on the wildlife in the area. Where will they go?

4) Property value. I believe that the value of my home will go down dramatically due to it being on Stonehaven. Stonehaven will become a major thoroughfare and thus making my home less appealing, especially to families with small children. Stonehaven will be a dangerous street. My view will be taken away. If I want to sell in the years of construction, who would want to buy a home when trucks are coming and going right in front of them, not to mention the noise levels this construction will create. Also, having that many more homes will bring down the value of all the homes in Yorba Linda.

These are the major reasons that object to your project. I cannot stress enough the safety issue. The fire of 2008 was very devastating. I am amazed that with over 120 homes destroyed no one lost their lives. There were not enough exits to leave, there were not enough firefighters, there was not enough water, and most of all there was NOT ENOUGH TIME! No one can predict a fire. If this project is accepted as is then the next fire will very likely have loss of life. This plan is endangering my family, all my current neighbors lives, and all of the people who buy those houses.

Sincerely,

Marcelo Franzetti

21610 Stonehaven Dr.
Yorba Linda, Ca 92887



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

Feb 1, 2013

Kevin Canning
OC Public Works
300 N. Flower St
Santa Ana Ca. 92702
Kevin.canning@ocpw.ocgov.com

Re. Comments on the Initial Study/NOP for the Esperanza Hills project (Project Number: PA120037)

Dear Mr. Canning,

Orange County Coastkeeper is an environmental organization with the mission to protect and preserve the region's marine habitats and watersheds through education, advocacy, restoration, research and enforcement. We have reviewed the Initial Study/NOP and other relevant documents for the Esperanza Hills project and have the following comments focused on Section 9, Hydrology and Water Quality:

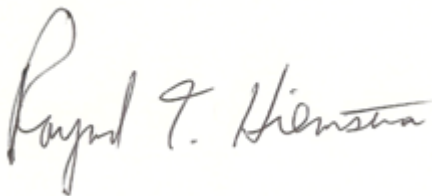
1. The designation in Section 9a should be changed from a less than significant Impact/MM to a significant impact. The narrative for the water quality section states that "several hydrodynamic features will be used to treat and capture water runoff while providing recreational opportunities and landscaped areas" from an examination of the available documents these hydrodynamic features appear to be little more than grass covered short term detention basins, one of which will double as soccer fields. This type of BMP is not effective at mitigating residential runoff that commonly contains bacteria, metals, oil and grease and nutrients along with other pollutants. Additionally the receiving water for the development, the Santa Ana River is on the state 303d Impaired Waterbody list for bacteria contamination so any additional bacteria loads to the river from this development will be a serious problem.
2. The designation in section 9c should be changed from a less than significant Impact/MM to a significant impact. The massive grading and stream alterations planned for the project along with the substantial increase in impervious area, will result in increased stormwater flows to offsite receiving waters. The narrative for the water quality section provides no discussion on how stormwater flows from the project will be treated to mimic current conditions, which should be the goal. While the proposed hydrodynamic features may be able to manage the rate of flow of stormwater from the site they will do nothing to reduce increased volume of water that will result from the impervious areas of the project. The increased overall volume of stormwater and accompanying longer discharge timeframe will inevitably result in downstream erosion and siltation, and substantially impact water quality in the receiving waters.
3. The designation in section 9e should be changed from a less than significant Impact/MM to a significant impact. As noted in comment one, residential runoff is a known source of a variety of pollutants that can significantly impact receiving water quality if not properly treated. A grassy short term detention basin is not sufficient to significantly reduce the large volume of pollutants the project will produce. The narrative in the water quality section makes no mention of any attempt to reduce or treat pollutants beyond the use of the stated Hydrodynamic features. At the very least the narrative

needs to address the treatment of pollutants through the use of natural treatment systems (such as constructed wetlands) or advanced filtration systems that are proven to substantially reduce pollutant loads. Additionally there should be a discussion on how pollutant loads and stormwater flows will be reduced through the use of Low Impact Design (LID) Best Management Practices (BMPs). It will be necessary to incorporate LID BMPs throughout the project to reduce pollutant loads and stormwater flows from the residential units to a level that does not significantly impact the receiving waters.

4. The designation in section 9f should be changed from a less than significant Impact/MM to a significant impact. As with most residential developments this project will likely become a substantial source of polluted dry weather "nuisance" flows due to over watering, car washing, hosing down driveways and decks, etc. This nuisance flow will have a significant impact on the character and habitat of the local receiving waters. Some of these streams are now intermittent; others are characterized by very low flows or wetland areas. The addition of dry weather nuisance runoff to these streams will result in a substantial change in the water quality in these streams and the habitat they provide. The project should be designed in a way that eliminates all dry weather flows from the project to maintain the water quality and habitat value to the adjacent receiving waters.

In closing, it is clear that from a review of the available information that the Esperanza Hills Project as proposed would have a substantial impact on water quality in the area. We request that the designations in sections 9a, 9c, 9e, and 9f are changed from a less than significant Impact/MM to a significant impact. Based on our experience the proposed hydrodynamic features will do little to mitigate for the increased pollutant and stormwater flows the project will produce. The EIR for the project should include a detailed discussion on how appropriate water quality features including natural treatment systems, advanced filtration and/or the extensive implementation of LID BMPs will be used to mitigate for the substantial impacts on water quality the project will pose. Additionally there should be a discussion of how dry weather nuisance flows will be eliminated from the project to protect the water quality and habitat in the local receiving waters.

Thank You,

A handwritten signature in cursive script that reads "Raymond F. Hiemstra".

Ray Hiemstra
Associate Director
Orange County Coastkeeper

SHUTE, MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: 415 552-7272 F: 415 552-5816
www.smwlaw.com

PETER R. MILJANICH
Attorney
miljanich@smwlaw.com

January 31, 2013

Via E-Mail and U.S. Mail

Kevin Canning, OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048
E-Mail: Kevin.Canning@ocpw.ocgov.com

Re: Notice of Preparation of an Environmental Impact Report and Notice of Scoping Meeting for the Esperanza Hills Project (Project No. PA120037)

Dear Mr. Canning:

On behalf of Hills For Everyone, we write to comment on the Notice of Preparation of an Environmental Impact Report and Notice of Scoping Meeting for the Esperanza Hills Project (Project No. PA120037). Hills For Everyone is a non-profit organization that strives to protect, preserve, and restore the environmental resources and natural environs of the Puente-Chino Hills and surrounding areas for the enjoyment of current and succeeding generations, and is closely following the County's processing of the proposed Esperanza Hills Project.

The recently released NOP is required to provide adequate and reliable information regarding the nature of the proposed Project and its probable environmental impacts, in order to "solicit guidance from public agencies as to the scope and content of the environmental information to be included in the EIR." California Environmental Quality Act (CEQA) Guidelines § 15375; *see also* CEQA Guidelines § 15082(a)(1).

Unfortunately, the NOP provides little information about some critical aspects of the proposed Project, including Project objectives, alternatives, and cumulative impacts. This makes it difficult to provide a comprehensive response to the NOP or the scope of the EIR. Set forth below are our initial comments relating to the information

that has been provided. The County must ensure that the EIR for the Project provides extensive, thorough analysis of the topics described below.

I. Probable Environmental Impacts

In a number of substantive areas, the NOP fails to provide anything more than the most basic information describing the probable environmental effects of the proposed Project. The NOP also gives little indication of what the County believes to be the probability that the proposed Project will result in various environmental impacts. In the absence of more information, we can only assume that the EIR will provide an exhaustive and detailed analysis of the Project's impacts in all of the listed environmental issue areas.

The County should pay particular attention to its evaluation of impacts related to fire hazards. The fire hazards caused by and affecting development in the Puente-Chino Hills area cannot be overstated, a fact made abundantly clear by the devastation of the 2008 Freeway Complex. The Project site is located in a Very High Fire Hazard Severity Zone and has burned regularly: in addition to the Freeway Complex, it was subject to fires in 1943 and 1980. The Project will undoubtedly increase the size of the area's wildland-urban interface, and the EIR must evaluate the impacts of increased risk of fire to the surrounding environment specifically including adjacent Chino Hills State Park, to local and state fire and emergency service providers, and to the current and future residents of the region.

II. The Cielo Vista Project

The Cielo Vista Project, a significant residential development, has recently been proposed for the area located directly west of the proposed Esperanza Hills Project site. Cielo Vista would include the construction of 112 dwelling units on an 83 acre parcel adjacent to the Esperanza Hills Project site. Access to the Esperanza Hills site may be provided by access corridors to be constructed as part of the Cielo Vista Project. NOP at 17, Exh. 8; 19, Exh. 9. The Yorba Linda Water District has advised representatives of both development projects that water and sewer services and facilities must be planned and designed together. *See* Yorba Linda Water District, Comments Regarding the Notice of Preparation (NOP) of EIR for Proposed Cielo Vista Project (Project No. PA100004), August 2, 2012 (included as Attachment A).

In light of these common access corridors and utility connections, development of Esperanza Hills constitutes a reasonably foreseeable consequence of the Cielo Vista Project, and therefore must be considered part of the Cielo Vista Project.

Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal. 3d 376, 394–96. The environmental effects of these two developments should be collectively evaluated in a single EIR. See Letter from Gabriel M.B. Ross to Channary Leng, OC Public Works/OC Planning, Notice of Preparation of an Environmental Impact Report and Notice of Scoping Meeting for the Cielo Vista Project (Project No. PA100004), August 6, 2012 (included as Attachment B). CEQA prohibits piecemealed review of two developments that are truly a single project.

CEQA defines a “project” as “the whole of an action, which has a potential for resulting in either a direct physical change” or “a reasonably foreseeable indirect change in the environment.” CEQA Guidelines § 15378(a); see also CEQA Guidelines § 15378(c) (term “project” means the whole of the “activity which is being approved”). Thus, an agency must take an expansive view of any particular project as it conducts the environmental review for that project. See *McQueen v. Bd. of Directors* (1988) 202 Cal.App.3d 1136, 1143 (term “project” is interpreted so as to “maximize protection of the environment”).

An “EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effect.” *Laurel Heights*, 47 Cal.3d at 394–96. *Laurel Heights* requires a project proponent to analyze future expansion and other such action in an EIR if there is “telling evidence” that the agency has either made decisions or formulated reasonably definite proposals as to expand a project in the future. *Id.* at 396–97.

Here, there is ample evidence that the Esperanza Hills project is a foreseeable consequence of Cielo Vista, and that the two are, in fact, the same project. Most obviously, the Cielo Vista Project will provide Esperanza Hills with required access corridors and water and sewer connections. They are, in effect, a single project building houses on two adjacent and closely-related sites.

Even if Cielo Vista and the Esperanza Hills were separate projects, CEQA would still require the County to consider their environmental impacts together. Construction of the Cielo Vista access corridors and utility connections are the first steps toward development of Esperanza Hills. Established CEQA case law holds that the analysis of environmental effects must occur at the earliest discretionary approval, even if later approvals will take place. See, e.g., *Bozung v. Local Agency Formation Comm.*, (1975) 13 Cal.3d 263, 282 (expressing the importance of environmental review “at the

earliest possible stage”). The environmental impacts associated with this additional development must be analyzed with those of the Cielo Vista Project.

The Orange County Local Agency Formation Commission (LAFCO) has also requested that the County prepare a combined analysis of the environmental impacts of the Cielo Vista and Esperanza Hills projects. *See* Orange County LAFCO, Response to NOP for Cielo Vista Project, August 1, 2012 (included as Attachment C).

In any event, because the two developments are so closely related, a single EIR would provide the most efficient and effective environmental review. A single EIR will provide a more comprehensive evaluation of environmental impacts and will also assist the County in crystallizing its analysis of alternatives to the development of widely dispersed, single-family homes in the Puente-Chino Hills area.

At the very least, the County’s environmental review for each of the two developments must thoroughly analyze the cumulative impacts of the other. CEQA requires that the EIR must assess the cumulative impacts of the Project when viewed in connection with the effects of past projects, other current projects, and probable future projects. Pub. Res. Code § 21083(b)(2). The development of Cielo Vista will significantly magnify the Esperanza Hills Project’s impacts related to biological resources, fire hazards, circulation, and virtually every other issue area mentioned in the Esperanza Hills NOP. A complete cumulative impacts analysis is essential for understanding the full environmental impacts of the Project.

III. The Bridal Hills, LLC and Yorba Linda Land, LLC Parcels

The NOP also mentions two currently undeveloped parcels located west and northwest of the Esperanza Hills Project site: the Bridal Hills, LLC parcel and the Yorba Linda Land, LLC parcel. NOP at 1. It appears that significant development activity is currently planned for at least one of these areas. A Conceptual Site Plan and Grading Study for the project area indicates that the developers of the Bridal Hills parcel are planning to construct 40 homes and to undertake major grading activities on that site. *See* Yorba Linda Estates Study #18A – YLE, Nicholas/Long, Simmons, Friend, Conceptual Site Plan / Grading Study, March 2012 (included as attachment D). The NOP explains that access to both the Bridal Hills and Yorba Linda Land parcels will be provided for in the proposed project lot and street design. NOP at 1. In fact, the NOP contains a Vegetation/Biological Resources Map for the “Esperanza Hills Specific Plan Area” that includes the Bridal Hills and Yorba Linda Land parcels within the project boundary. NOP at 11, Exh. 5.

Development of the Bridal Hills and Yorba Linda Land parcels therefore constitutes a reasonably foreseeable consequence of the Esperanza Hills Project, and must be considered part of the Esperanza Hills Project. *Laurel Heights*, 47 Cal. 3d at 394–96. The environmental effects of all of these developments, along with those of Cielo Vista, should be collectively evaluated in a single EIR.

In any event, again, because the developments are so closely related, a single EIR would provide the most efficient and effective environmental review. At the very least, the County’s environmental review for each of the developments must thoroughly analyze the cumulative impacts of the others.

IV. Project Alternatives

The County’s evaluation of alternatives to the Project will be a critically important exercise. An EIR must describe a range of alternatives to the proposed project, and to its location, that would feasibly attain the project’s basic objectives while avoiding or substantially lessening the project’s significant impacts. Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a). A proper analysis of alternatives is essential for the County to comply with CEQA’s mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(a); *Citizens for Quality Growth v. City of Mount Shasta*, 198 Cal. App. 3d 433, 443–45 (1988). As the California Supreme Court explained in *Laurel Heights*, “[w]ithout meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA’s fundamental goal that the public be fully informed as to the consequences of action by their public officials.” 47 Cal. 3d at 404.

Unfortunately, the NOP fails to define the specific objectives for the proposed Project. Without a thorough understanding of the proposed Project’s purpose, it is all but impossible for the County or the public to identify and evaluate reasonable and feasible Project alternatives. Nor is it possible, in the absence of clearly defined Project objectives, for members of the public or other public agencies to identify or provide meaningful input on alternatives or the scope of the EIR. The County must clearly articulate the Project objectives, in order to systematically identify and analyze the significant effects of the proposed Project and the feasible mitigation measures or alternatives that will avoid or substantially lessen such significant effects.

The County's NOP explicitly identifies only one "alternative" to the proposed Project. After explaining that CEQA requires a description of reasonable alternatives to the project, the NOP states, "Therefore, while the EIR will analyze potential impacts of the project as the site exists in unincorporated Orange County, it will also consider the alternative of future annexation to the City of Yorba Linda. Additional project alternatives will be determined based on project impacts." NOP at 21. The County must ensure that the EIR includes a robust discussion of additional alternatives that would lessen the significant impacts of the Project.

In developing Project alternatives, the County should not restrict its identification and evaluation of alternative sites to Orange County itself; it must assess alternative locations across the state. This alternatives analysis must also evaluate various other options for meeting housing demands, looking beyond the large-lot subdivision model presented by the proposal. Infill sites and other non-sprawling solutions must be considered as alternatives.

V. Conclusion

The NOP provides little information about some critical aspects of the proposed Project, making it difficult to provide a comprehensive response to the NOP or the scope of the EIR. We respectfully request that the County thoroughly consider all of the information in these initial comments when preparing the EIR for the Esperanza Hills Project and the three related projects discussed here. This information is required to provide the basis for a comprehensive analysis of environmental impacts and the identification of feasible mitigation measures and Project alternatives.

Kevin Canning, OC Public Works/OC Planning
January 31, 2013
Page 7

We appreciate the opportunity to provide these comments. Please keep me informed of all notices, hearings, staff reports, briefings, meetings, and other events related to the proposed Project. Please also notify me of the release of the draft EIR for the proposed Project.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Peter R. Miljanich

Attachments:

Attachment A: Yorba Linda Water District, Comments Regarding the Notice of Preparation of EIR, August 2, 2012

Attachment B: Letter from Gabriel M.B. Ross to Channary Leng, Orange County Public Works/Orange County Planning, August 6, 2012

Attachment C: Orange County LAFCO, Response to NOP for Cielo Vista Project, August 1, 2012

Attachment D: Yorba Linda Estates Study #18A – Conceptual Site Plan/Grading Study, March 2012

cc: Claire Schlotterbeck, Hills For Everyone
Ron Krueper, CA Department of Parks and Recreation, Los Lagos District
Matt Chirdon, CA Department of Fish & Wildlife
Joyce Crosthwaite, Orange County LAFCO
David Brantley, City of Yorba Linda

455857.4

ATTACHMENT A



Yorba Linda Water District

*Reliable and Trusted Service
for More Than 100 Years*

August 2, 2012

Ms. Channary Leng
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048

Subject: Comments regarding the Notice of Preparation (NOP) of EIR
 For Proposed Cielo Vista Project (Project No. PA100004)

This is in response to the NOP for the subject project, dated July 5, 2012. Yorba Linda Water District (District) is the water service provider and sewer collection service provider for the proposed project area. On February 10, 2010 and June 6, 2012, the District provided Conditional Will-Serve Letters for water and sewer services, respectively, for the subject project. In those letters the following conditions were noted:

This letter is issued at the request of the developer for the entitlement process. Accordingly, this Conditional Will-Serve Letter is not a contractual offer or commitment to provide service, but a representation that the proposed development area is in, or may be annexed to the Yorba Linda Water District. The applicant must satisfy certain conditions specified by the District and agreed to by the applicant before service will be available to supply the project. Any future, binding commitment by the District to service this project will be subject to the availability of water and sewer facilities and the planning, design, and construction of adequate facilities to meet the demands of the project in accordance with (1) the terms and conditions of a Pre-annexation Agreement to be executed by the applicant and the District; and (2) the terms and conditions of an Application to an Agreement with the Yorba Linda Water District for Water and Sewer Service executed by the applicant and the District; both in accordance with the District's policies existing at the time such agreements are executed.

In addition to the conditions noted above, District staff has had recent meetings with representatives for the proposed Cielo Vista Project. Meetings have also taken place with representatives for another proposed single-family residential project referred to as the Yorba Linda Estates Project. This latter project would be located northeasterly of the Cielo Vista Project. These two proposed projects would develop the last major undeveloped parcels in the District's service area. The representatives for each of the two projects were advised that water and sewer services and facilities for the two projects must be planned and designed in concert to serve the combined area. That is, separate or piece-meal development of water and sewer services is not acceptable.



In this regard, they were advised that the District is proceeding with a project called the Northeast Area Water Service Planning Study. The study will be based on hydraulic modeling to determine the various alternative means to service the potential new residential developments as well as to meet the ultimate needs and goals of the District for this portion of the water service area. A critical element to be factored into the study will be the fire flow requirements, which we understand will be established in the near future by the Orange County Fire Authority. The planning study is expected to begin in August 2012, and may be completed by January 2013.

In Section 6 of the Cielo Vista Project Description Summary, Utilities and Infrastructure, Potable Water, it states that "Points of connection for water utilities that would serve the project exist in Aspen Way and Via del Agua." This is an assumption that has not been validated. Connection at these points assumes that water can be made available from the existing water facilities and infrastructure near the proposed project. This is yet to be determined; additional water facilities are likely necessary, the cost of which will be proportionately borne by the proposed project.

Concerning sewer services for the projects, the representatives for the two projects were advised that the District will require gravity-sewer service from all areas of the Yorba Linda Estates Project, with such service extending southerly and westerly downward to and through the Cielo Vista Project to connect to existing District sewers. Engineering studies by the project developers will be required to confirm the size of the sewer lines throughout the projects, and to confirm that the existing downstream sewers have adequate existing capacity for the additional flow.

Should you have any questions regarding this letter, please feel free to contact me at (714) 701-3102, or via email at sconklin@ylwd.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Conklin'.

Steve Conklin, P.E.
Engineering Manager

Copy: Andrew Keyworth, OCFA

ATTACHMENT B

SHUTE MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: 415 552-7272 F: 415 552-5816
www.smwlaw.com

GABRIEL M.B. ROSS
Attorney
ross@smwlaw.com

August 6, 2012

Via E-Mail and U.S. Mail

Channary Leng
OC Public Works/OC Planning
300 N. Flower Street
Santa Ana, CA 92702-4048
E-Mail: Channary.Leng@ocpw.ocgov.com

Re: Notice of Preparation of an Environmental Impact Report and Notice of Scoping Meeting for the Cielo Vista Project (Project No. PA100004)

Dear Ms. Leng:

On behalf of Hills For Everyone, we write to comment on the Notice of Preparation of an Environmental Impact Report and Notice of Scoping Meeting for the Cielo Vista Project (Project No. PA100004). Hills For Everyone is a non-profit organization that strives to protect, preserve, and restore the environmental resources and natural environs of the Puente-Chino Hills and surrounding areas for the enjoyment of current and succeeding generations, and is closely following the County's processing of the proposed Cielo Vista Project.

The recently released NOP is required to provide adequate and reliable information regarding the nature of the proposed Project and its probable environmental impacts, in order to "solicit guidance from public agencies as to the scope and content of the environmental information to be included in the EIR." California Environmental Quality Act (CEQA) Guidelines § 15375; *see also* CEQA Guidelines § 15082(a)(1).

Unfortunately, the NOP provides little information about some critical aspects of the proposed Project, including Project objectives, alternatives, and cumulative impacts. This makes it difficult to provide a comprehensive response to the NOP or the scope of the EIR. Set forth below are our initial comments relating to the information

that has been provided. The County must ensure that the EIR for the Project provides extensive, thorough analysis of the topics described below.

I. Probable Environmental Impacts

In a number of substantive areas, the NOP fails to provide anything more than the most basic information describing the probable environmental effects of the proposed Project. The NOP also gives little indication of what the County believes to be the probability that the proposed Project will result in various environmental impacts. In the absence of more information, we can only assume that the EIR will provide an exhaustive and detailed analysis of the Project's impacts in all of the listed environmental issue areas.

The County should pay particular attention to its evaluation of impacts related to fire hazards. The fire hazards to development in the Puente-Chino Hills area cannot be overstated, a fact made abundantly clear by the devastation of the 2008 Freeway Complex. The Project site is located in a Very High Fire Hazard Severity Zone and has burned regularly: in addition to the Freeway Complex, it was subject to fires in 1943 and 1980. The Project will undoubtedly increase the size of the area's wildland-urban interface, and the EIR must evaluate the impacts of increased risk of fire to the surrounding environment, to local and state fire and emergency service providers, and to the current and future residents of the region.

II. The Murdock Property Project

Significant development activity is currently planned for the area known as the Murdock Property, located directly east of the proposed Project site. The Conceptual Site Plan and Grading Study for the Murdock Property indicates that the developers of the Murdock Property are planning to construct 373 homes and to undertake major grading activities on that site. *See* Yorba Linda Estates Study #18A – YLE, Nicholas/Long, Simmons, Friend, Conceptual Site Plan / Grading Study, March 2012. Under the plans for both properties, access to the Murdock Property would be provided by access corridors to be constructed as part of the Cielo Vista Project. *Id.*; NOP at 9. The Yorba Linda Water District has also advised representatives of both development projects that water and sewer services and facilities must be planned and designed together. *See* Yorba Linda Water District, Comments Regarding the Notice of Preparation (NOP) of EIR for Proposed Cielo Vista Project (Project No. PA100004), August 2, 2012.

In light of these common access corridors and utility connections, development of the Murdock Property constitutes a reasonably foreseeable consequence

of the Cielo Vista Project, and therefore must be considered part of the Cielo Vista Project. *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 394–96. The environmental effects of the two developments should be collectively evaluated in a single EIR. CEQA prohibits piecemealed review of two developments that are truly a single project.

CEQA defines a “project” as “the whole of an action, which has a potential for resulting in either a direct physical change” or “a reasonably foreseeable indirect change in the environment.” CEQA Guidelines § 15378(a); *see also* CEQA Guidelines § 15378(c) (term “project” means the whole of the “activity which is being approved”). Thus, an agency must take an expansive view of any particular project as it conducts the environmental review for that project. *See McQueen v. Bd. of Directors* (1988) 202 Cal.App.3d 1136, 1143 (term “project” is interpreted so as to “maximize protection of the environment”).

An “EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effect.” *Laurel Heights*, 47 Cal.3d at 394–96. *Laurel Heights* requires a project proponent to analyze future expansion and other such action in an EIR if there is “telling evidence” that the agency has either made decisions or formulated reasonably definite proposals as to expand a project in the future. *Id.* at 396–97.

Here, there is ample evidence that the Murdock Property development is a foreseeable consequence of Cielo Vista, and that the two are, in fact, the same project. Most obviously, the Murdock Property development depends on the Cielo Vista Project for the construction of access corridors and water and sewer connections.

Even if Cielo Vista and the Murdock Property development were separate projects, CEQA would still require the County to consider their environmental impacts together. Construction of the Cielo Vista access corridors and utility connections are the first steps toward development of the Murdock Property. Established CEQA case law holds that the analysis of environmental effects must occur at the earliest discretionary approval, even if later approvals will take place. *See, e.g., Bozung v. Local Agency Formation Comm.*, (1975) 13 Cal.3d 263, 282 (expressing the importance of environmental review “at the earliest possible stage”). The environmental impacts associated with this additional development must be analyzed now with those of the Cielo Vista Project.

In any event, because the two developments are so closely related, a single EIR would provide the most efficient and effective environmental review. A single EIR will provide a more comprehensive evaluation of environmental impacts and will also assist the County in crystallizing its analysis of alternatives to the development of widely dispersed, single-family homes in the Puente-Chino Hills area.

At the very least, the County's environmental review for each of the two developments must thoroughly analyze the cumulative impacts of the other. CEQA requires that the EIR must assess the cumulative impacts of the Project when viewed in connection with the effects of past projects, other current projects, and probable future projects. Pub. Res. Code § 21083(b)(2). The development of the Murdock Property will significantly magnify the Cielo Vista Project's impacts related to biological resources, fire hazards, circulation, and virtually every other issue area mentioned in the Cielo Vista NOP. A complete cumulative impacts analysis is essential for understanding the full environmental impacts of the Project.

III. Project Alternatives

The County's evaluation of alternatives to the Project will be a critically important exercise. An EIR must describe a range of alternatives to the proposed project, and to its location, that would feasibly attain the project's basic objectives while avoiding or substantially lessening the project's significant impacts. Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a). A proper analysis of alternatives is essential for the County to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(a); *Citizens for Quality Growth v. City of Mount Shasta*, 198 Cal. App. 3d 433, 443–45 (1988). As the California Supreme Court explained in *Laurel Heights*, “[w]ithout meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process. . . . [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully informed as to the consequences of action by their public officials.” 47 Cal. 3d at 404.

Unfortunately, the NOP fails to define the specific objectives for the proposed Project. Without a thorough understanding of the proposed Project's purpose, it is all but impossible for the County to identify and evaluate reasonable and feasible Project alternatives. Nor is it possible, in the absence of clearly defined Project objectives, for members of the public or public agencies to identify or provide meaningful input on alternatives or the scope of the EIR. The County must clearly articulate the Project objectives, in order to systematically identify and analyze the

Ms. Channary Lang
August 6, 2012
Page 5

significant effects of the proposed Project and the feasible mitigation measures or alternatives that will avoid or substantially lessen such significant effects.

The County's NOP explicitly identifies only two alternatives to the proposed Project: a "No Project Alternative" and an "Alternative Location." NOP at 13. The County must ensure that the EIR includes a robust discussion of additional alternatives that would lessen the significant impacts of the Project. In developing Project alternatives, the County should not restrict its identification and evaluation of alternative sites to Orange County itself; it must assess alternative locations across the state. This alternatives analysis must also evaluate various other options for meeting housing demands, looking beyond the large-lot subdivision model presented by the proposal. Infill sites and other non-sprawling solutions must be considered as alternatives.

IV. Conclusion

The NOP provides little information about some critical aspects of the proposed Project, making it difficult to provide a comprehensive response to the NOP or the scope of the EIR. We respectfully request that the County thoroughly consider all of the information in these initial comments in the EIR for the Cielo Vista Project. This information is required to provide the basis for a comprehensive analysis of environmental impacts and the identification of feasible mitigation measures and Project alternatives.

We appreciate the opportunity to provide these comments. Please keep me informed of all notices, hearings, staff reports, briefings, meetings, and other events related to the proposed Project. Please also notify me of the release of the draft EIR for the proposed Project.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Gabriel M.B. Ross

cc: Claire Schlotterbeck, Hills For Everyone
422324.4

ATTACHMENT C



CHAIR
CHARLEY WILSON
 Director
 Santa Margarita
 Water District

VICE CHAIR
SUSAN WILSON
 Representative of
 General Public

PAT BATES
 Supervisor
 5th District

JOE CARCHIO
 Councilmember
 City of Huntington Beach

PETER HERZOG
 Councilmember
 City of Lake Forest

JOHN MOORLACH
 Supervisor
 2nd District

JOHN WITHERS
 Director
 Irvine Ranch Water District

ALTERNATE
BILL CAMPBELL
 Supervisor
 3rd District

ALTERNATE
JAMES FISLER
 Director
 Mesa Consolidated
 Water District

ALTERNATE
DEREK J. MCGREGOR
 Representative of
 General Public

ALTERNATE
BOB RING
 Councilmember
 City of Laguna Woods

JOYCE CROSTHWAITE
 Executive Officer

August 1, 2012

Ms. Channary Leng
 OC Public Works/OC Planning
 300 N. Flower Street
 Santa Ana, CA 92702-4048

SUBJECT: Notice of Preparation of an Environmental Impact Report

Dear Ms. Leng,

The Orange County Local Agency Formation Commission (LAFCO) has reviewed the County's Notice of Preparation of an Environmental Impact Report for the Cielo Vista project. The project raises several concerns and as a responsible agency, we appreciate this opportunity to comment on the project as described in the Notice of Preparation.

LAFCO's interest in the Cielo Vista project as it relates to CEQA is as follows:

1. LAFCO is a responsible agency under CEQA for the future annexation of the Cielo Vista project to the City of Yorba Linda.
2. The project raises a number of substantive issues that have significant implications to LAFCO, the City of Yorba Linda, and the County of Orange.

In summary, the proposed development of the Cielo Vista project in unincorporated Orange County without a definitive plan and process in place for annexation to the City of Yorba Linda raises issues about:

- Consistency with existing County policies for spheres of influence (SOI) and the creation of developed, inhabited unincorporated islands.
- The long-term delivery of reliable and efficient public services to future residents.
- The impacts to the City and its residents resulting from County service providers travelling through the City and adjacent residential neighborhoods to serve the Cielo Vista project.

LAFCO AS RESPONSIBLE AGENCY

The Orange County Local Agency Formation Commission (LAFCO) is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act," Govt. Code Section 56000 *et seq.*). Under the Act, LAFCO is required to make determinations regarding a proposal for changes of organization or reorganization (Govt. Code Section 56880). The Act also established the factors which LAFCO must consider in making its determinations, including any policies adopted by LAFCO to create planned, orderly and efficient patterns of development (Govt. Code Section 56668). Because of this role and pursuant to Section 21069 of the Public Resources Code, LAFCO is a responsible agency for the future annexation of the Cielo Vista project (also known as the Sage Property) to the City of Yorba Linda. Additionally and pursuant to Section 15086 of the California Environmental Quality Act (CEQA) Guidelines, LAFCO is responsible for reviewing and providing comments on this Notice of Preparation (NOP) and the subsequent Environmental Impact Report (EIR).

LAFCO has reviewed the NOP and provide the comments contained within this letter as the County begins preparation of the EIR.

LAFCO COMMENTS

The EIR should address the impacts and any necessary mitigation, including but not limited to the annexation process. In particular, the EIR should address the factors as identified in Government Code Section 56668. These factors include, but are not limited to, the following considerations:

1. Project Summary

Annexation - Project Description

The "Project Description" in the Notice of Preparation references "the project is within the City of Yorba Linda Sphere of Influence (SOI)." The EIR should clearly identify the potential annexation of the Project area as part of the "whole of the project" and discuss the timing of annexation relative to the timing of the proposed development plans.

Annexation - Whole of the Project

CEQA Guidelines section 15378 states that a "project" means the whole of an action, which has a potential for resulting in either a direct physical changes in the environment, or a reasonably foreseeable indirect physical change in the environment."

In this case, the current development proposals of the Cielo Vista and the anticipated development of the Murdock properties together would result in direct physical changes in the environment. Actions that are part of one project and that are reasonably necessary to effectuate a single project (e.g. access through the Cielo Vista project to the Murdock property) are considered part of the "whole of the action." Accordingly, all aspects of both projects should be considered in one environmental document prepared

by the County. In performing its analysis of the project and the potential impacts of future applications for annexation, LAFCO requests that the County prepare a combined analysis of the environmental impacts of both projects (Cielo Vista and the Murdoch property). CEQA notes "that environmental considerations do not become submerged by chopping large projects into many little ones, each with a potential impact on the environment, which cumulatively may have disastrous consequences." (Burbank-Glendale-Pasadena Airport v. Hensler (1991) 233 CA3d 577.)

2. Public Services and Utilities

Section 56653 of the Act requires that each application for a change of organization include a "plan for providing services within the affected territory." Among other things, the plan for services must indicate "when those services can feasibly be extended to the affected territory." (Govt. Code Section 56653(b)(3))

Although the focus of Subsection 56653(b)(3) is on the timing of the *initiation* of services, the point of this subsection, especially when considered with the remaining requirements of Section 56653, is on continuous, reliable service provision to the affected area. The EIR's discussion of impacts in the area of public services should be made with reference to and consistent with the plan for services submitted under the Act, in particular, Section 56668, containing the criteria for approval of the annexation. Similar discussion and references should be made in the analysis of Land Use/Planning and Population/Housing.

In addition to the services and utilities identified in the NOP, LAFCO is requesting the EIR include analysis and discussion of the environmental impacts of the following municipal services:

Water Availability

This section should include a discussion of water supplies as required under Subsection 56668(k) of the Act, including a discussion of the Project's consistency with relevant Urban Water Management Plans. The Cielo Vista project is within the boundary of the Yorba Linda Water District (YLWD) which is identified as the retail water service provider to the proposed Project territory, but the NOP omits discussion of the Orange County Water District (OCWD).

OCWD is responsible for maintaining the quality and availability of the groundwater for groundwater producers such as the YLWD. As the ground water "manager" OCWD restricts pumping by retail water providers to those within the boundary of OCWD. YLWD has proposed annexation of approximately 6,100 acres in the eastern portion of the District to OCWD. The Cielo Vista project is within the proposed annexation area. OCWD submitted a Notice of Preparation for an Environmental Impact Report in July, 2011. The agency is currently preparing the EIR and discussion

of the long-term availability of local groundwater supplies should be assessed and discussed in the EIR prepared for the Cielo Vista project. As lead agency, the County should consult with OCWD to determine the adequacy of groundwater supplies for the Cielo Vista project.

Additionally, the project alternatives should include consideration and discussion of the effects of annexation and no annexation to OCWD on the Cielo Vista project.

Water Quality

The EIR should address storm water permitting requirements, including the preparation of a Storm Water Pollution Prevention Plan, change in surface imperviousness due to the project, drainage basins, emergency response to spills, and general compliance with the regional storm water permit.

Fire Protection and Emergency Response Services

The EIR should discuss and potentially evaluate whether there are significant environmental impacts for the project area that result from fire and emergency response being provided through the City's contract (Yorba Linda contracts with OCFA for fire protection) or the County's contract.

Law Enforcement

The EIR should discuss and potentially evaluate whether there are significant environmental impacts for the project area that result from law enforcement being provided through the City's contract (Yorba Linda contracts for law enforcement with the Orange County Sheriff's Department) or directly from the Sheriff's Department.

Sewer

The EIR should identify and evaluate both local and regional wastewater service providers and the impacts the project may have on their system. This section should include discussion of local sewer service by the Yorba Linda Water District and regional collection and treatment of wastewater from the project area by the Orange County Sanitation District.

Solid Waste Disposal

The City of Yorba Linda is the logical provider of solid waste disposal to the project area. Orange County Waste Recycling currently administers contracts for solid waste disposal within unincorporated islands, such as the one proposed to be created by development of the Cielo Vista project. The Draft EIR should identify and evaluate the service levels and potential impacts to the environment by both of the public agencies capable of administering contracts for solid waste disposal services to the project area.

Street sweeping

The City of Yorba Linda is the logical provider of street sweeping services to the project area. The Draft EIR should identify and evaluate the provision of this service to the project area and identify any potential environmental impacts.

3. Local Policies: Land Use & Planning

The EIR should address any conflict with applicable environmental plans or policies of agencies with jurisdiction over the project including, but not limited to, the policies described below:

County, League, and LAFCO Sphere of Influence Policy Guidelines

The Cielo Vista project is located in unincorporated territory within the sphere of influence of the City of Yorba Linda. The Draft EIR should adequately discuss the County's adopted *Sphere of influence Policy Guidelines (Attachment A)* and the timing of the Cielo Vista project relative to the future or concurrent annexation of the project site to the City of Yorba Linda.

On July 27, 1999, the Orange County Board of Supervisors adopted the *Sphere of Influence Policy Guidelines*. These *Policy Guidelines* were also adopted by the Orange County Division of the League of Cities and by LAFCO. Pages 3 and 4 of the *Policy Guidelines* list a number of policy guidelines for development within spheres of influence, including the following policy statement:

"Urban development should occur within existing cities, Spheres of Influence, or planned cities. Initiation of annexation to the city should occur at the earliest time in the planning process consistent with these Policies. Initiation of annexation to a city should occur prior to the issuance of building permits."

Creation of a Developed, Inhabited Unincorporated County Island

As part of its post-bankruptcy external restructuring program, the County has implemented changes in policy direction to:

- Shift the County away from the delivery of municipal services;
- Focus on the provision of regional services; and
- Work with Orange County cities to annex adjacent unincorporated areas and shift the responsibility of delivering municipal services to the cities.

As part of this change in policy direction, the County works with LAFCO and local cities to implement the Unincorporated County Islands Annexation Strategy (*Attachment B*). Development of the Cielo Vista project in unincorporated territory would create a developed, inhabited unincorporated area located adjacent to the City of Yorba Linda, and could create significant environmental consequences with respect to

how municipal services will be provided to future residents. The Draft and Final EIRs should address any potential significant impacts to the future residents of the Cielo Vista project and adjacent City residents, as a result of developing the proposed 112 single-family residences in unincorporated County territory. Specifically, the Final EIR should address: (1) the ability and the capacity of the County to adequately provide the above mentioned municipal-level services to the Project and (2) the potentially significant environmental impacts to the City's residents resulting from County service providers travelling through the City's adjacent residential neighborhoods to serve the Cielo Vista project.

LAFCO Island Annexation Policy

Since 2000, LAFCO has worked with the County and cities to develop an islands strategy of aligning policies and practices. The LAFCO Island Annexation Policy (*Attachment C*) represents the current form of LAFCO's effort to align the interests and processes (e.g. municipal service alignment process) to ensure that unincorporated developments are built to city standards facilitating the eventual annexation of these areas to their adjacent city jurisdictions.

The County, as lead agency for the Cielo Vista project, should address any inconsistency in the development standards as currently proposed in County jurisdiction with those of the City of Yorba Linda to ensure the project can be annexed to the City without impacting future residents of the project or the City. Additionally, the EIR should explore the concept of municipal service agreements as discussed in the attached documents as an alternative to services provided by the County and should assess the comparative impacts to the environment.

City of Yorba Linda General Plan

In December 1993, the City of Yorba Linda adopted its current General Plan including the Land Use Element. The City identified a number of goals and policy statements as part of the 1993 General Plan. The County, as lead agency for the Cielo Vista project, should also address any inconsistencies with the policies identified by the City of Yorba Linda in the Final EIR. The policies that should be addressed include, but are not limited to, the following:

- Policy 7.1: *"Seek the annexation of Shell, Murdock and other undeveloped properties within the northern sphere of influence based upon development plans that ensure access, infrastructure and land use concepts which are acceptable to the City."*
- Policy 7.2: *"Require developers of undeveloped properties to complete improvements for required infrastructure and/or provide funds for required infrastructure (both on-site and related improvements) in accord with City determined service levels."*

4. Mitigation Measures

As a responsible agency, LAFCO can also raise issues for potential mitigation for discussion in the Draft and Final Environmental Impact Reports (CEQA Guidelines 15126.4). As currently proposed all municipal services by the County would have to travel to through the City to serve the project. Additionally, all traffic to and from the project would impact adjacent City streets. The County, as lead agency, should address the cumulative impacts of the actions in the EIR and includes appropriate mitigation measures. LAFCO is requesting the following impacts to City services be considered and mitigation measures are included in the EIR:

- Traffic impacts to the City, specifically impacts to San Antonio Road and Yorba Linda Boulevard.
- The City, as the logical provider of municipal services may be impacted by the proposed development and should be addressed in the EIR.

5. Alternatives

The State CEQA Guidelines cite the importance of various alternatives in the EIR as critical for informed decision making: *"An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternative that will foster informed decision making and public participation."* (CEQA Guidelines 15126.6)

LAFCO is requesting the EIR include a discussion of an "Annexation" alternative and adequately address the following significant impacts under the alternative:

- The development of a 112-unit residential project that is NOT in compliance with City standards.
- The potential impacts to the developer and/or the residents that would result from having to upgrade or otherwise improve street widths, sidewalks, and other infrastructure to bring up to City standards for annexation.

LAFCO is requesting the EIR include discussion of a "No Annexation" alternative and adequately address the following significant impacts under the alternative:

- The creation of a large, developed, and inhabited unincorporated County Island consisting of a 112-unit residential development project.
- Reduced levels of services to Cielo Vista residents for:
 - Law enforcement.
 - Fire protection and emergency response services.
 - Roads (maintenance, street lighting, landscaping, sweeping).
 - Code enforcement.

- Local representation and government accountability.
- The short-term and long-term fiscal impacts to the County of Orange of assuming responsibility of and service costs for providing the following municipal services to a 112-unit residential project in unincorporated County territory:
 - Law enforcement.
 - Fire protection and emergency response services.
 - Roads (maintenance, street lighting, landscaping, sweeping).
 - Code enforcement.
 - Local representation and government accountability.
- The impacts to the City and its residents resulting from County serviced providers travelling through the City and adjacent residential neighborhoods to serve the Cielo Vista project.
- The application of a municipal services agreement between the County and City for the City to provide services to the Cielo Vista project.

In summary, the Draft EIR should address *Orange County's Sphere of Influence Policy Guidelines* and the timing of the unincorporated development relative to future or concurrent annexation of the Cielo Vista project to the City of Yorba Linda.

The EIR should also describe the County's plan for public services (e.g. law enforcement, fire, water, sewer, parks, street sweeping, code enforcement, etc.) in the project area and identify and evaluate the alternative service providers for the project upon development and annexation of the Cielo Vista planned community to the City of Yorba Linda.

Thank you for this opportunity to respond to the Notice of Preparation. Please send one copy of the Draft EIR to me via email (jcrosthwaite@oclafco.org) or by mail at 12 Civic Center Plaza, Room 235, Santa Ana, CA 92701. If you have any questions or concerns regarding this response, please contact me or Ben Legbandt, Policy Analyst, either by email at blegbandt@oclafco.org or by phone at (714) 834-2556.

Sincerely,



Joyce Crosthwaite
Executive Officer

ATTACHMENT A

ORANGE COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

July 27, 1999

Submitting Agency/Department: EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

At this time Members of the Board of Supervisors may report on and discuss activities related to the External Restructuring Program for the County of Orange, including approval of the following:

1. Recommendations from Board City/County Subcommittee regarding proposed Sphere of Influence Policy Guidelines - All Districts (Continued from 6/2/99, Item 125)

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) SMITH: Y (2) SILVA: Y (3) SPITZER: Y (4) COAD: Y (5) WILSON: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s) 99-301
- Ordinances(s)
- Contract(s)

Item No. 32

File 20883

Special Notes:

Copies sent to:

CEO
Board offices
Auditor



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
DARLENE J. BLOOM, Clerk of the Board

By: _____
Deputy



COUNTY OF ORANGE
BOARD OF SUPERVISORS

ROBERT E. THOMAS HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA
P. O. BOX 687
SANTA ANA, CA 92702-0687

RECEIVED
99 JUL 23 AM 11:23
CLERK OF THE BOARD
COUNTY OF ORANGE
SANTA ANA, CALIFORNIA

**Agenda Item No. 32
July 27, 1999 Meeting**

Board of Supervisors
County of Orange
10 Civic Center Plaza
Santa Ana, CA 92701

Subject: Proposed Sphere of Influence Policy Guidelines

Fellow Board Members:

On June 29, 1999 the Board requested that the City/County Subcommittee return with recommendations regarding the proposed Sphere of Influence Policy Guidelines. Since then we have met with representatives of the League of Cities, Orange County Division and the Building Industry Association (BIA) in an effort to reach consensus on the Policy Guidelines.

Based upon our meetings the past few weeks, we are pleased to present a document which can be supported by the League of Cities, Orange County Division, and BIA, and which meets the goals of our overall long-term annexation strategy. In summary, the proposed Draft Resolution and Policy Guidelines reflect a careful balance between the need to respect the many months of effort spent developing Policy Guidelines which were unanimously approved by the League of Cities, while ensuring that the Board Resolution contained the necessary provisions with regard to our desire to not impact the timing associated with the processing of development applications. This balance has been achieved and we are jointly recommending full Board support of this item.

The enclosed Draft Resolution also contains additional language which recognizes that the Sphere of Influence Policy Guidelines are the first step toward our overall annexation strategy which includes County Islands. We feel it is important to stress the importance of County Islands to the full Board, and to support Supervisor Coad's efforts on behalf of this Board to develop specific strategies and programs for our County Islands. It should be noted here that both parties – the League of Cities representatives and the BIA – recognize the need to address the County Island issue.

CEO and County Counsel representatives will be available prior to or at the Board Meeting to address any technical or legal questions regarding the proposal.

RECOMMENDED ACTION

Adopt Draft Resolution approving Sphere of Influence Policy Guidelines.

Respectfully,



Thomas W. Wilson
Vice-Chairman



James W. Silva
Supervisor, Second District

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2
3 RESOLUTION OF THE BOARD OF SUPERVISORS OF
4 ORANGE COUNTY, CALIFORNIA

5 July 27, 1999

6 On motion of Supervisor Wilson, duly seconded and carried, the following Resolution was
7 adopted:

8 WHEREAS, representatives of the County, the cities and the Building Industry Association of
9 Orange County have met to attempt to reach consensus on policy guidelines to guide private
10 development and the provision of municipal services in city spheres of influence; and

11 WHEREAS, the proposed policy guidelines have been submitted to this Board for review and
12 approval;

13 NOW, THEREFORE, BE IT RESOLVED THAT THIS BOARD HEREBY FINDS AND
14 DETERMINES AS FOLLOWS:

15 1. Approval of these policy guidelines is not a project for purposes of the California
16 Environmental Quality Act because the guidelines are not intended to direct or influence development,
17 rather they serve solely as a framework for cooperation among affected agencies and landowners and
18 only become a formal policy with regard to individual city spheres of influence when this Board and the
19 City Council reach agreement on their adoption and implementation; and

20 2. This Board will consider application of these policy guidelines to individual city spheres of
21 influence upon approval of these guidelines by the affected city, and

22 3. The guidelines will be considered in conjunction with future General Plan amendments
23 within city sphere of influence areas, and

24 4. These guidelines are not intended to impact County regional facilities as they are applicable
25 only to private development projects and the County has an adopted policy to oppose annexation and
26 incorporation proposals that impact County regional facilities necessary for the County's core business
27 functions, and

28 Resolution No. 99-301
External Restructuring Program
for County of Orange BPD:ep
sphereres2

1 5. The County is the local agency with ultimate responsibility for review and approval of
2 development projects in unincorporated territory whether or not they are located in city spheres of
3 influence, and

4 6. This action does not confer any authority to delay or cause an increase in development
5 application processing time, and

6 7. Private property rights shall not be abrogated as a result of interpretation or implementation
7 of the Policy Guidelines as development applications are processed.

8 BE IT FURTHER RESOLVED that this Board hereby approves use of the proposed Sphere of
9 Influence Policy Guidelines submitted by the County Executive Office subject to the matters set forth in
10 this resolution.

11 BE IT FURTHER RESOLVED that this Board recognizes that the proposed Sphere of Influence
12 Policy Guidelines are the first step toward an overall County Annexation Strategy which will also
13 address County Islands. The CEO is directed to immediately undertake the necessary actions to
14 complete a County Annexation Strategy in conjunction with LAFCO and the cities. This Board will
15 review the progress of this work effort in ninety days in conjunction with a status report on the
16 implementation of the Sphere of Influence Policy Guidelines.

17 BE IT FURTHER RESOLVED that this Board hereby directs:

18 1. The County Executive Office to work with affected cities towards the application of the
19 policy guidelines in individual city spheres of influence for developing areas and report back within
20 ninety days.

21 2. The Planning and Development Services Department to develop protocols and procedures for
22 the processing of development applications within developing sphere of influence areas to implement
23 the applicable policy guidelines. The procedures will be reviewed by affected parties, including the
24 Development Processing Review Committee prior to approval by the Director of Planning and
25 Development Services Department.

26 3. The County Executive Office and the Planning and Development Services Department to
27 develop a report and recommendations regarding the long-term planning and governance assumptions
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1 for unincorporated areas outside of existing spheres of influence and General Plan open space areas
2 within existing spheres for consideration by LAFCO as part of its update of spheres of influence.

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The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors on July 27, 1999, to wit:

AYES: Supervisors: THOMAS W. WILSON, JAMES W. SILVA, TODD SPITZER
CYNTHIA P. COAD, CHARLES V. SMITH

NOES:
EXCUSED:
ABSTAINED:

Charles V. Smith

CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.



Darlene J. Bloom

DARLENE J. BLOOM
Clerk of the Board
County of Orange, State of California

Resolution No: 93-301
Agenda Date: 07/27/1999
Item No: 32



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

DARLENE J. BLOOM, Clerk of the Board of Supervisors

By: _____
Deputy

Sphere of Influence Policy Guidelines
(adopted July 27, 1999 by Board of Supervisors Resolution 99-)

Mission Statement

These policy guidelines are the product of a facilitated dialogue between the League of California Cities-Orange County Division, the County of Orange, the Local Agency Formation Commission (LAFCO), and the Building Industry Association of Orange County to address projected growth and the provision of municipal and regional services in developing areas, hereinafter Developing Spheres of Influence.

The intent of these policy guidelines is to clarify the relationship between cities and the County with respect to urban planning, to promote the efficient, effective, and equitable delivery of local and regional services for existing and future residents, and to define a collaborative process with respect to development standard determinations for Developing Spheres of Influence. These guidelines also recognize that urban development should occur within existing cities, Spheres of Influence, or new communities.

Nothing in these policy guidelines shall be interpreted to affect or change pre-existing approved entitlements or development agreements, nor does it apply to county islands, which will be subject to future policy development. These policies also are not intended to establish countywide development standards. Rather, they reflect recognition that each Sphere of Influence is unique and requires site specific planning and flexibility.

Definitions

“Design Standards” shall mean regulations pertaining to the location, height, bulk, density, intensity, setback and size of buildings and structures and local street widths.

“Developing Spheres of Influence” shall mean the Spheres of Influence to be established by LAFCO based on the considerations set forth in the Sphere of Influence Policy Guidelines for the following cities and, in the future, to existing cities where LAFCO establishes a new SOI boundary, and any newly incorporating cities:

- Anaheim (Santa Ana Canyon)
- Brea
- Newport Beach (Newport Coast and Banning Ranch)
- Huntington Beach
- Irvine
- Lake Forest
- Orange (East Orange)
- San Clemente
- Yorba Linda (Chino Hills)

Development Standards shall mean standards for Infrastructure, Public Safety Regulations and Design Standards. Design Standards are not applicable to: 1) interim uses such as agriculture; or 2) public utilities.

Infrastructure shall mean standards for street alignments and grades and arterial and primary widths, drainage and sanitary facilities, public utilities, parks, public easements and other public facilities, or fees in lieu thereof, which will be operated and maintained by a city upon annexation.

New Communities shall mean areas designated as potential new cities through a joint LAFCO/County process.

Public Safety Regulations shall mean building codes and regulations adopted pursuant to the provisions of Health and Safety Code.

Sphere of Influence shall have the meaning as set forth in Government Code Section 56076.

Urban Level Municipal Services may include, but are not necessarily limited to, water, sewer, streets, street lighting, park and recreation services, building and zoning enforcement, animal control, law enforcement, fire protection, libraries, and crossing guards.

Policy Guideline Objectives

These Policy Guidelines will facilitate the orderly planning and development of Orange County by:

- Providing a framework for cooperative relations among cities, the County, and landowners by minimizing project by project controversy through advanced agreement on Sphere of Influence policy.
- Providing for urban development in a manner that results in annexations and new cities that are efficient, effective, and equitable to existing and new residents, landowners, and service providers.
- Conserving the resources of service providers within Orange County while recognizing the legitimate rights and interests of property owners.
- Assisting the general public in understanding the planning and service responsibilities of local governments providing urban municipal and regional services within Orange County.
- Assisting LAFCO to establish Spheres of Influence based upon a city's demonstrated ability to plan and serve the area.

- Furthering a successful and cooperative framework to promote flexibility, options, and incentives in the implementation of these policies.
- Discouraging the creations of new "unincorporated islands" within Developing Spheres of Influence.

Policy Guidelines

Spheres of Influence are established by the Local Agency Formation Commission, as required by state law, to identify the physical boundaries and service areas of cities and special districts. Current LAFCO policy calls for territory to be included within a Sphere of Influence if that area will need urban services within the next ten to fifteen years. Spheres of Influence are amended periodically and as conditions warrant.

The following policy guidelines concern development proposals within Developing Spheres of Influence. They do not apply to land covered by a pre-annexation agreement between a city and landowner.

1. Cities should have the option to provide Urban Level Municipal Services to areas within Spheres of Influence where the city has a demonstrated willingness and ability to provide Urban Level Municipal Services. This guideline is not intended to address the provision of services by independent special districts, which topic is subject to LAFCO jurisdiction.
2. Urban development should occur within existing cities, Spheres of Influence, or planned cities. Initiation of annexation to the city should occur at the earliest time in the planning process consistent with these policies. Initiation of annexation to a city should occur prior to the issuance of building permits.
3. Spheres of Influence reflect a city's demonstrated willingness and on-going ability to provide land use planning and to plan for and extend public services. This policy guideline acknowledges that LAFCO has the sole authority to determine spheres of influence, and LAFCO concurrence is necessary for implementation of this guideline.
 - a) In conjunction with LAFCO review of a city's Sphere of Influence, the city must develop a plan of service consistent with the level of detail commonly found in General Plans for the proposed sphere area. The plan will include:
 1. Land Use Designations
 2. Location of existing services and infrastructure
 3. Capital improvement and funding plans
 4. Level and range of services proposed for the area

- b) It is anticipated that LAFCO would reevaluate a city's Sphere of Influence on a priority basis and determine if the sphere shall be maintained, revised or eliminated consistent with these policy guidelines if a city's actions significantly alter the need for urban services, or the provision of urban services within the sphere area.
4. The cities, the County, and LAFCO will periodically coordinate and complete Sphere of Influence updates so that responsible agencies can develop general plans, ordinances, and procedures consistent with these policy guidelines.
5. The public interest is served when the County acts to provide compatibility in land use planning and development standards in developing spheres areas. Development Standards applicable within Developing Spheres of Influence should allow consideration of the following:
 - a) City standards for Infrastructure improvements, including public parks, and Public Safety Regulations should be utilized.
 - b) City Design Standards will be the starting point of discussions between the city and the landowner for a development proposal. Cities and landowners will work cooperatively to achieve consensus by using flexibility, incentives, and other options to achieve agreement on the applicable Design Standards. In the event the city and landowner cannot agree on appropriate Design Standards, the County will make the final determination on the Design Standards which will apply based upon an evaluation of the legitimate objectives of the city and the landowner. Factors to be considered by the County shall include, but not be limited to, balancing the landowner's need for responsiveness to the marketplace with the city's need for consistency with the city's Design Standards.

Sections 5(a) and (b) are intended to recognize that while the County will have ultimate responsibility for the application of Development Standards within a Developing Sphere of Influence area, compatibility with City Infrastructure and Public Safety Regulations facilitates the ultimate annexation of the development to the city. It is anticipated that each City will identify development standards to be addressed at the time formal policies are considered for individual Sphere of Influence areas.

Guidelines for Annexation Incentives

The following incentives are permissive options to address permit process time and cost and shall not be construed to apply to Development Standards and Design Standards, or negate a landowner's option to process all aspects of a development through the city or County.

1. Flexible Processing Options

The County and the city may each submit a development processing time and cost proposal for landowner consideration. Should the landowner wish a development proposal to be processed through the city, the County and city will pursue a cooperative agreement allowing city processing prior to the effective date of annexation.

2. Pre-annexation agreements, which eliminate the need for the extension of Urban Level Municipal Services by the County will be considered a public benefit for the purposes of County development agreements.

3. To promote early annexation, the city will consider offering incentives, including but not limited to, the following:

- a) Pre-annexation planning and zoning
- b) Pre-annexation subdivisions
- c) Creative public financing opportunities
- d) Pre-annexation agreements
- e) Pre-annexation development agreements
- f) Financial incentives
- g) Phased annexations

Implementation

The Board of Supervisors directs:

- 1) the CEO to work with affected cities towards the application of the policy guidelines in individual city spheres of influence for developing areas and report back within ninety days.
- 2) the Planning and Development Services Department to develop protocols and procedures for the processing of development applications within developing sphere of influence areas to implement the applicable policy guidelines. The procedures will be reviewed by affected parties, including the Development Processing Review Committee prior to approval by the Director, Planning and Development Services Department, and
- 3) CEO and Planning and Development Services Department to develop a report and recommendations regarding the long-term planning and governance assumptions for unincorporated areas outside of existing spheres of influence or general plan open space areas within existing spheres of consideration by LAFCO as part of its update of spheres of influence.

WHITE PAPER

ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO)
COUNTY OF ORANGE AND
LEAGUE OF CALIFORNIA CITIES, ORANGE COUNTY DIVISION

UNINCORPORATED COUNTY ISLAND ANNEXATION STRATEGY

January, 2000

INTRODUCTION

The County of Orange recently completed an intensive restructuring of county government and an assessment of the regional, public services provided by the County. As a result of the assessment, the leaders of Orange County determined that the provision of municipal, city-level services to unincorporated islands is not a core county business. Therefore, a concentrated effort to identify, assess, revitalize and annex the unincorporated islands throughout Orange County has become a major priority for the County Executive Office, Strategic and Intergovernmental Affairs Department (CEO/SIA).

Thus began the coordinated effort with the County, the Orange County Local Agency Formation Commission (LAFCO), and the League of California Cities, Orange County Division to develop a comprehensive strategy to facilitate the annexation of the unincorporated islands throughout the county. The following is a description of previous actions taken in regard to County islands, the current status of the County islands, strategies to facilitate annexation to the adjacent city, an implementation strategy and the next steps required to reach the overall goal of transitioning municipal services from the County to cities.

The County Executive Office developed a comprehensive inventory of the County's unincorporated islands in August 1999. The Inventory is divided into the following three categories of unincorporated areas: small islands, redevelopment areas, and major unincorporated communities. Seventy-eight unincorporated areas are mapped and cataloged, and demographic, land use, and service data is provided for each area. The *Inventory of Unincorporated Areas* was distributed to County agencies, cities, special districts and interested parties and will serve as the baseline data for this unincorporated island annexation strategy.

On September 14, 1999 the Board of Supervisors approved the *Community Revitalization Program for Unincorporated Islands*. The purpose of the revitalization program is to coordinate Orange County agencies to revitalize unincorporated neighborhoods through community policing, community code enforcement and community based programs. The Board of Supervisors allocated \$500,000 as part of the Fiscal Year 99/00 budget to implement the revitalization program in both small islands and major unincorporated communities.

Fourth District Supervisor, Cynthia Coad has taken the lead on the revitalization strategy and recently implemented an ongoing revitalization plan for the major unincorporated community in the El Modena area. The County's Probation Department, in coordination with the County Executive Office will continue to implement the revitalization strategy at up to seven additional sites that can include major unincorporated communities and small unincorporated island areas. A description of the revitalization program as an annexation strategy will be further defined in this report.

ANNEXATION STRATEGY

The following are annexation strategies that can be used to assist cities and/or provide incentives to annex the unincorporated areas within the city's sphere of influence. All the following strategies will not be applicable to every unincorporated area and should be considered on a case-by-case basis to meet the needs of the annexing city and the unincorporated community residents.

New Legislation – AB 1555/Longville Bill

On October 9, 1999 the Governor approved and signed AB 1555, a bill authored by Assemblyman John Longville, to promote the annexation and elimination of unincorporated county islands. The bill authorizes the Local Agency Formation Commission (LAFCO) to approve, without an election, the annexation or reorganization of an unincorporated island or unincorporated islands within city limits under specified conditions depending on whether the proceeding is initiated on or after January 1, 2000, or January 1, 2007. In summary, the conditions require that the island(s) can not exceed 75 acres, the annexation is proposed by resolution of the annexing city, the territory will benefit from annexation, or is already receiving benefits from the city and that the island was not created after January 1, 2000. A comprehensive description of AB 1555 and the conditions are described in the attached bill text.

LAFCO Fee Waivers for Small Islands

On November 2, 1999 the Orange County Board of Supervisors approved the *County of Orange FY 1999-2000 First Quarter Budget Report* which included the allocation of \$50,000 to LAFCO to facilitate the annexation of small county islands. This net County cost item would offset the cost of processing small island annexations sponsored by the County or that have been determined to require a fee waiver by LAFCO.

Pre-Annexation Agreements

A pre-annexation agreement between the County and the annexing city will allow an opportunity to collectively define gaps between County and city standards and service levels to facilitate the

ultimate annexation of the island to the city. Ideally, the County and city will commit money and/or resources to respond to the specific, identified needs to bring the island to compatible city standards and service levels. The pre-annexation agreement will assure the city and island residents that certain needs will be met and/or land use uniqueness will be preserved, and will assure the County that the city will annex the island now or at some specified time in the future.

Pre-Annexation Development Agreements

Currently undeveloped islands are subject to the development standards established by the Orange County Planning & Development Services Department, which may be more, or less restrictive than the development standards of the annexing city. A Pre-Annexation Development Agreement between the County, the city and the landowner/developer will ensure that the development standards will not change when the property is annexed to the city. The County and the annexing city will agree to allow the landowner/developer the option of developing the property through the County process or the city process. On the condition that the County process is used, the County, the landowner/developer and the city will negotiate agreeable development standards that are the same, or comparable to the city's building codes and regulations.

Phased Annexation Strategy

The *Orange County Inventory of Unincorporated Areas* is a complete inventory of the developed unincorporated areas throughout the County. Several Orange County cities have multiple unincorporated islands within the city's sphere of influence which could be cost prohibitive to the city to annex them all in one annexation process. Therefore, the County will negotiate a pre-annexation agreement with a city that provides for phased annexations. Essentially, the city will have the option to annex portions of the unincorporated areas within the city's sphere of influence over a negotiated time period. The property tax transfer percentage between the city and the County will be proportional to the annexed areas. The full percentage as defined in the city/county property tax exchange agreement will be available to the city when the last

unincorporated area is annexed to the city. The city may choose to annex all the unincorporated islands within the city in one complete annexation process.

City/County Contract Service Agreements

Currently, the Board of Supervisors serves as the "city council" to the residents of unincorporated islands. It is the County's responsibility to provide municipal and regional services to the unincorporated island areas. However, due to the fragmentation of islands throughout the County, municipal service delivery is often uneconomical for the County and could be provided more efficiently by the adjacent city. In many cases cities already provide the first response for emergency services such as police and fire. Service contracts with adjacent cities to provide city-level services such as police, planning and street maintenance would address this inefficiency and contribute to an overall plan to ultimately annex the unincorporated island to the adjacent city.

First, where County service levels in an unincorporated island do not match those of the adjacent city, and thus need to be increased to facilitate annexation, service contracts with cities would preclude the need for temporarily increasing County staffing and resources to service the islands at a level commensurate to the services provided by the adjacent city. An example of this is street sweeping on neighborhood streets which is currently not done by the County, but may be done by the adjacent city in its neighborhoods. Second, the residents would have a local contact point for services such as building permits, code enforcement, public safety, etc. This creates an image for the island residents of belonging to the city (in turn improving community support for annexation), and allows the city to begin to have an influence on the character of the island.

In other words, until annexation, the County would operate under contract with the city as though the island is already annexed to the city. The County would give control of the islands to the city which would provide all of the needed services, including land-use decisions that comply with the city's general plan overlay for the island. Any deviations from the County's general plan overlay will require County approval. Where County and city land use restrictions deviate,

and residents prefer to retain the County land use, it may be appropriate to grandfather in certain land uses (e.g. density levels or existence of sidewalks).

Until annexation occurs, the County will continue to receive the revenue (sales and property taxes, etc.) which is generated from the County island property/uses unless the County agreed that the revenue could go to the city as full payment for the contract services provided by the city to the island. This would need to be studied on an island-by-island basis.

Revitalization Strategy

It has recently been brought to the forefront, by Supervisor Coad, that it is time to begin giving more attention to all County islands, some of which have become a haven for crime, gangs, blight, and an overall disengagement from the surrounding city whose sphere of influence they are within. Not only is there a variance in the size of these islands, but also the type of special attention they may need to have addressed. However, each island does have one thing in common with the others: they have not received the overall attention necessary to deal with their pressing needs.

Some of these islands have a distinct difference in appearance than that of the surrounding city whose sphere of influence it is within. It may be the type of land use, infrastructure needs, lack of services such as street sweeping, abandoned cars left on the streets, lack of code enforcement, undergrounding of utilities and other matters which tend to distinguish the island from the surrounding city. It is as much, and maybe more, in the city's interest to get the island cleaned-up and compatible with surrounding uses and image, as it is to the County.

At the direction of Supervisor Coad, the County Executive Office and the Orange County Probation Department are coordinating a comprehensive revitalization strategy that includes the participation of the following County departments: Sheriff-Coroner, Planning & Development Services, Health Care Agency, District Attorney, Social Services Agency, and Housing & Community Development. The purpose for the revitalization strategy is to demonstrate the County's interest in revitalizing unincorporated neighborhoods through community policing.

community code enforcement and community programs. The specific components of the Revitalization Strategy are defined in a separate report. The County and city can use the strategy to improve qualifying unincorporated islands as a condition of annexation.

IMPLEMENTATION STRATEGY

There are several components necessary to facilitate the annexation of the unincorporated islands throughout Orange County. The components defined in this strategy include developing a partnership between the annexing cities, the County and LAFCO as a first step. The partners will then identify specific islands for annexation, define a timeline to annex the islands, prepare a comprehensive fiscal and service level analysis, prepare a community outreach plan, and coordinate with affected agencies. As a final step, the partners will jointly notify the affected agencies and departments regarding the completed annexation(s).

1. *City/County Partnership*

The success of an annexation strategy and policy is contingent on the partnership between the cities and the County of Orange. It is important to create a partnership between each city and the County so that we are all going in the same direction, and know what each of the partners is responsible to provide/contribute. The League of California Cities, Orange County Division recently convened an Annexation Task Force comprised of elected leaders and city managers to coordinate with the County of Orange and LAFCO to develop an annexation policy for Orange County. Upon approval of a final annexation policy the partnership will continue to promote and market annexations to cities, implement the annexation policy, convene community outreach forums, and offer technical assistance on annexation issues on a countywide basis.

2. *Schedule & Timeline for Annexation*

The *Inventory of Unincorporated Areas* is the most comprehensive study of the unincorporated islands throughout the County. The City/County/LAFCO partnership will proactively coordinate a list of small islands from the Inventory that are considered non-controversial and can use one or more of the strategies defined in the previous section. The partners will focus on uninhabited islands first, followed by the smallest islands that are currently considered part of the adjacent city and will not be subject to resident opposition. The partners will also reactively identify the islands that have been requested by cities for

annexation and assist with the annexation of those areas by obtaining the information listed in the following section, *Inventory of Unincorporated Areas*.

3. *Inventory of Unincorporated Areas*

Expand the data in the *Inventory of Unincorporated Areas* to include the following information for the islands identified by the partners. The data will assist with the facilitation of annexations by providing a comprehensive analysis of the economic impact of the unincorporated island to the annexing city: (not listed in order or priority of importance)

1. Cost to Provide Services
2. Current Service Levels
 - Street sweeping
3. Code Enforcement
 - Abandoned vehicle removal
4. Public Protection/Safety
 - Crime statistics
 - Gang related activity & gang prevention programs
 - Service calls
 - Current staffing levels
 - Community-based policing program
5. Infrastructure & Roads
 - Maintenance schedule
 - Future capital improvement projects
 - Age of infrastructure
 - Sidewalks, curbs, gutters, etc. consistent with City standards
6. Demographic and housing data
7. Number of registered voters
8. Number of commercial establishments and annual sales tax revenue generated
9. Annual turnover/resale rate of existing property (commercial and residential)

10. Parcel tax or assessments – County Service Areas, street lighting districts, special purpose taxes
11. Service level unit of measurements
12. Current allocation of CDBG funds for projects within the subject County islands.
13. Actual and projected property tax increment generated in the island that is currently within a County redevelopment project area (RDA). Projects currently funding by RDA funds.
14. Sewer/septic
15. Land use planning and zoning information
16. School Districts

4. *Community Outreach*

It is important to create city/county partnerships to collectively develop community outreach programs in coordination with LAFCO. The unincorporated island residents are integral to the overall annexation process. Therefore, public community forums in the affected unincorporated island areas will be convened to discuss proposed annexations, respond to residents' concerns regarding annexation, and solidify the united approach between the city and the County regarding the annexation of the area.

Historically, one of the formidable barriers to annexation, has been that the residents of the island do not want to change the status quo. There is a fear, whether real or perceived, that annexing to a city will result in a different lifestyle imposed through the city's general plan, zoning, restrictive building/other codes, costly sewer connection fees or possibly a difference in the amount of taxes they will be required to pay (utility user fees, special taxes, annual sewer fees and assessments, etc.).

Furthermore, it is important to understand, that even though the city and County would like to facilitate the annexation of the County islands, the residents will continually resist if they think they will lose these perceived benefits/independence as a result of annexation. The residents must be educated regarding any differences in services, including direct benefits

that would result from annexation such as increased city-level services, increased public safety, lower taxes, access to city facilities, and the potential to "grandfather" land use standards in some cases.

5. *Sanitation District Coordination*

The data gathering process for the inventory will identify the number of properties that are currently on septic systems within the island. The annexing city will determine if the property must be converted to sewer as a condition of the annexation. However, in light of the environmental impacts of septic systems, it is doubtful that any city, or the County for that matter should continue to allow septic systems. There may need to be both city and county policies providing for the sunseting of septic systems. If so, the city and county representatives will coordinate with the Sanitation District to transition the property from septic to sewer, determine the costs and payment for services.

6. *Orange County Fire Authority Coordination*

The unincorporated islands/areas currently are serviced by the Orange County Fire Authority, and to pay for those services a portion of the property taxes which are paid by the property owners in the unincorporated island/area goes into the County Structural Fire Fund to pay for these services. When a County island is annexed into a city, the portion of the property tax that historically went into the County Structural Fire Fund needs to be addressed.

If the Orange County Fire Authority is the service provider to the annexing city, then OCFA will thereafter continue to be the service provider to the service provider and the share of the property taxes which goes into the County Structural Fire Fund should continue unchanged. However, if the annexing city has its own fire department or is a contract city with OCFA or another city, then it seems that the portion of the property taxes which historically have gone into the Structural Fire Fund should then go directly to the city.

This is a matter which the Board of Supervisors and OCFA need to address. The Structural Fire Fund is under the jurisdiction and control of the Board of Supervisors, but pursuant to the terms of the Joint Powers Agreement, which established the OCFA, all Structural Fire Fund revenue was pledged to OCFA to cover operational costs for the unincorporated areas.

7. *Notification of Annexation to Affected Departments*

The LAFCO process currently provides notification to the County, Assessor, Auditor and Surveyor when an annexation is complete. The implementation strategy will also require a final notification of annexation to all impacted departments and agencies to include, but not limited to the following:

- Orange County Board of Supervisors
- Affected City Council
- League of Cities Task Force Members
- County of Orange Departments:
 - CEO/Budget Department
 - Health Care Agency
 - Housing & Community Development
 - Planning & Development Services Department
 - Public Facilities & Resources Department
 - Registrar of Voters
 - Sheriff-Coroner

NEXT STEPS

The *Unincorporated County Island Annexation Strategy* is the first step in a comprehensive approach to annex the unincorporated islands throughout Orange County to the adjacent cities. Transitioning the provision of municipal services to the cities will allow the County to begin focusing on core County businesses at a regional level. However, as a follow-up to the annexation strategy, addressing the following issues will move the County towards completing the overall goal.

Revitalization Strategy

Expand the Revitalization Strategy and develop a comprehensive approach to reinvest County resources into the unincorporated areas. The revitalization will include all unincorporated areas of the County, and will not be limited to islands.

Fiscal & Service Level Analysis

Expand the analysis to all unincorporated areas identified in the Inventory. The analysis is currently limited to those islands or unincorporated communities that have been identified for annexation by the League/County/LAFCO partnership or the annexing city.

Service Contracts

Facilitate contracts with cities adjacent to unincorporated communities to provide municipal services. Contract with the city to provide land use services, permits, code enforcement, etc. to begin eliminating the County's responsibility to provide city-level services on an on-going basis in unincorporated islands.

ATTACHMENT C

Policy & Procedural Guidelines for Annexation of Small Islands (Gov't Code 56375.3)

IV. SMALL ISLAND ANNEXATION PROCEDURAL GUIDELINES

The following shall serve as procedural guidelines for processing small island annexations pursuant to Government Code §56375.3.

The Commission may approve small island annexations, and order the annexation of territory without protest or an election, if it determines that all of the following conditions apply:

- A. The annexation is initiated on or after January 1, 2000 and before January 1, 2014.
- B. The annexation is proposed by resolution adopted by the affected city.
- C. The annexation does not exceed 150 acres in area, and that area constitutes the entire island.
- D. The territory is surrounded in either of the following ways: surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean, or surrounded by a city to which annexation is proposed and adjacent cities. An unincorporated island is "substantially surrounded" if: (1) more than 50 percent of the island's boundary is contiguous to the annexing city, or (2) more than 50 percent of the island's boundary is contiguous to the annexing city and the Pacific Ocean.
- E. The territory is not located within a gated community where services are currently provided by a community services district.
- F. The territory is substantially developed or developing based upon one or more factors, including, but not limited to, the following:
 - The availability of public utilities
 - The presence of public improvements
 - The presence of physical improvements upon the parcel or parcels in the area
- G. It is not prime agricultural land.
- H. The territory will benefit from the annexing city.
- I. The Commission may offer incentives such as reduced fees for cities annexing small islands.

ATTACHMENT C

Original Adoption Date: 11/19/2001
Date of Last Review: 2/9/2011
Date of Last Revision: 3/11/2005, 2/9/2005

ITF Guiding Principles, Best Practices and Municipal Services Alignment Process

- ❖ ITF Purpose: To develop island annexation and alternative service guiding principles and best practices.

- ❖ Guiding Principles
 1. The purpose of cities and the County unincorporated islands within their sphere of influence is the same - to provide “community” for the residents.
 2. Communities need to be whole and healthy from a municipal service perspective.
 3. It is the role of government to provide municipal services in a manner that makes communities whole and healthy.
 4. Annexation and Municipal Service Agreements are different from one another and both are tools for government to make communities whole and healthy from a municipal service perspective.
 5. Currently there are disparities of municipal services and their associated costs among cities and County unincorporated islands.
 6. The goal for County and City government is to align cities and the unincorporated islands within their spheres of influence from a municipal service, capital improvement investments, and associated costs perspective in order to foster healthy and whole communities.
[Note 1: The above guiding principles shift LAFCO’s focus away from securing annexations and onto aligning government leadership, municipal services and associated costs
[Note 2: “Alignment” is defined as “matching the city’s existing codes and standards unless otherwise agreed upon by County and city.”]

- ❖ Best Practices
 1. Inventories
 - ♦ County inventory of costs associated with unincorporated islands
 - Identify methodology
 - Conduct inventory

 - ♦ City Island infrastructure inventory
 - Conduct inventory
 - Each city on a case-by-case basis identifies a “reasonable” and specific timeframe (or lifespan, e.g. number of projected years) for costs associated with the infrastructure improvements and maintenance required to achieve infrastructure alignment.

 - INVENTORIES ARE A BEST PRACTICE BECAUSE THEY:

- Provide objective data for decision-making for both the county and cities
- Provide data that is viewed as credible because it is gathered by the county and cities
- Align the county and city financial interests in defining a “fair,” equitable cost-sharing burden

2. Alignment practices

- ◆ Specific plans to bring land use and planning among islands and cities into alignment
- ◆ Municipal service agreements for police, fire and code enforcement alignment to eliminate disparity in services and associated costs
- ◆ Affordable housing alignment agreements, including development, parking and traffic standards to address affordable housing issues and impacts
- ◆ Annexation as a tool for achieving alignment is possible at any point that the city and county agree on annexation
 - ALIGNMENT IS A BEST PRACTICE BECAUSE:
 - It reduces the disparity of municipal services offered among communities in islands and communities in cities; thus making them whole from a municipal services perspective
 - It eliminates the need for island residents to choose between disparate county and city standards and levels of service
 - It eliminates city residents paying for portions of island resident services
 - It ensures island residents pay their fair share for the municipal service they receive
 - It provides factual data for island residents that is not manipulated or distorted by outside interests
 - It eliminates the major issues contributing to resident opposition to annexation without the disruption of proposing annexation. [e.g. police, fire, code enforcement, land use]
 - It eliminates city government issues associated with land use planning compatibility and code enforcement.
 - It [through Municipal Service Agreements] is a financial incentive for cities to engage with the county to align municipal services

3. Pilot Projects

- ◆ Conduct pilot projects.
 - PILOT PROJECTS ARE A BEST PRACTICE BECAUSE:
 - They provide a “safer” environment and opportunity for all parties to test, refine and learn from the alignment process

- They provide an opportunity to demonstrate the effectiveness of the alignment process
- The project and the respective cities and players participating in the pilot project can be used to educate and promote the process to other cities

4. Fiscal Model Template

- ♦ Use the Fiscal Model Template as the basis for fiscal impact studies
 - THE FISCAL MODEL TEMPLATE IS A BEST PRACTICE BECAUSE:
 - It generates and results in fiscal impact studies that are viewed as more “credible” because they identify and represent the fiscal perspectives of the County, city, and residents (ALL THAT ARE IMPACTED)
 - It identifies available funding.
 - It clearly defines and standardizes the data and information required for the study analysis which helps simplify the time and work effort required to produce the data; i.e. It increases data collection efficiency.
 - It has the support of City Manager and the County CEO to ensure that accurate, timely data collection is a priority.
 - It generates “credible” fiscal impact studies that all parties – County, cities, residents – can rely upon for decision-making
 - [Note 3: For Fiscal Model Template see Attachment A]

❖ Island/City Alignment Process

1. Supervisor affirms that he/she wants the island communities in their respective districts to be aligned from a municipal service and associated cost perspective. [Comment: These alignment messages may be much easier for supervisors to deliver to constituents than messages trying to justify annexation.]
2. Supervisors that want their communities aligned identify and prioritize the islands that will be aligned
 - 2a: LAFCO notifies the cities with the prioritized islands in their Sphere of Influence that the Supervisor is interested in aligning municipal services, explains the process, answers questions and factors any city concerns into the process going forward.
3. Supervisors that want their communities aligned initiate alignment best practices
 - ♦ CEO’s Office initiates cost inventory for priority islands
 - ♦ Specific plans initiated for priority islands
 - ♦ MSA discussions initiated
4. LAFCO invites city managers associated with priority islands to conduct infrastructure inventory; informs city that county is inventorying costs of serving the island; informs city that specific plan is being completed

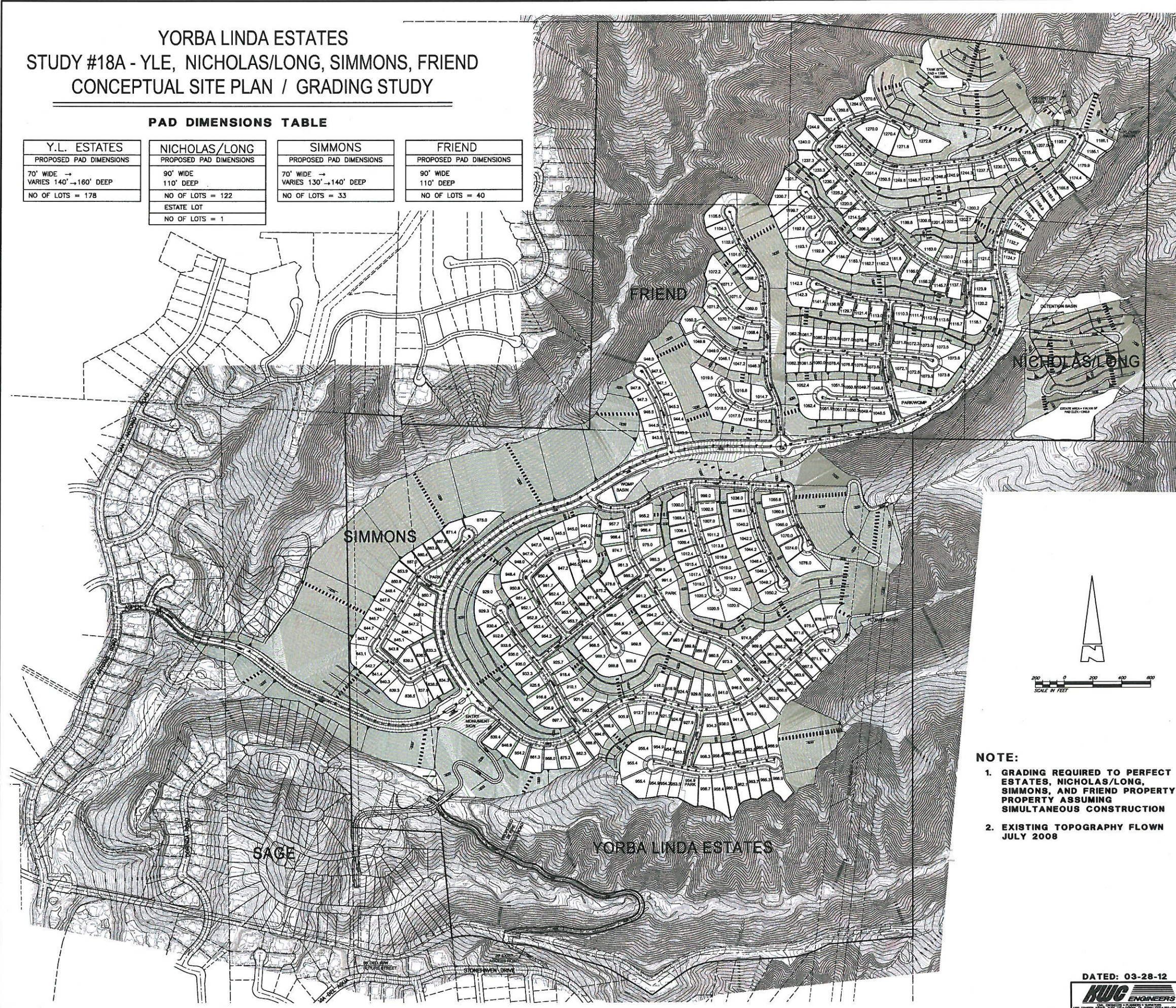
5. LAFCO convenes meeting with county and city to review/discuss cost inventory to serve islands and island infrastructure inventory
6. City Manager determines if city is “comfortable” engaging in informal talks about aligning municipal services among the city and island
7. City Manager recommends to city council that informal discussions commence
8. City Council agrees to informal discussions [Comment: Similar to the Supervisors, the alignment messages may be much easier for City Council members to deliver to their constituents than messages justifying annexation.]
9. City Manager, County CEO and LAFCO design a plan to align MS and associated costs using MSA’s for police, fire, and code enforcement. . Plans designed on a case-by-case basis and may include:
 - Any all or a combination of the alignment practices [e.g. MSA’s, affordable housing agreements, redevelopment agreements, community outreach and education agreements.]
10. City Council and County agree on plan to align municipal services and associated costs.
11. Alignment plan implemented and completed.
12. Alignment Process Outcomes:
 - Cities and islands aligned from municipal service and associated cost perspective; aligned in a manner that is agreeable to county and city; City-County cost burden equally shared; residents not asked to make a decision about municipal services and level of service;
 - Islands are as aligned as much as possible and thus optimally positioned for eventual annexation
 - Most reasons for residents to oppose annexation are “address” and/or cost of municipal services and possibly police/sheriff service.
 - The only decisions for residents are the cost they want to pay for municipal services and how much they want to pay to maintain “address.”
 - County and city positioned to jointly communicate to island residents the costs of their municipal services and to offer them the choice of annexing for a specified cost and address change or to maintain their island status. [This is a much simpler communication task; reduces and defines the issues for residents to consider or oppose; less resources required...dollars and staff...to implement the communication plan; achieves healthy and whole communities from the municipal service perspective either way...through alignment best practices or annexation.]

ATTACHMENT D

**YORBA LINDA ESTATES
STUDY #18A - YLE, NICHOLAS/LONG, SIMMONS, FRIEND
CONCEPTUAL SITE PLAN / GRADING STUDY**

PAD DIMENSIONS TABLE

Y.L. ESTATES PROPOSED PAD DIMENSIONS	NICHOLAS/LONG PROPOSED PAD DIMENSIONS	SIMMONS PROPOSED PAD DIMENSIONS	FRIEND PROPOSED PAD DIMENSIONS
70' WIDE → VARIES 140' → 160' DEEP	90' WIDE 110' DEEP	70' WIDE → VARIES 130' → 140' DEEP	90' WIDE 110' DEEP
NO OF LOTS = 178	NO OF LOTS = 122	NO OF LOTS = 33	NO OF LOTS = 40
	ESTATE LOT		
	NO OF LOTS = 1		



NOTE:

1. GRADING REQUIRED TO PERFECT ESTATES, NICHOLAS/LONG, SIMMONS, AND FRIEND PROPERTY ASSUMING SIMULTANEOUS CONSTRUCTION
2. EXISTING TOPOGRAPHY FLOWN JULY 2008

DATED: 03-28-12



R:\03\1200\PRELIM\CAD\YORBA LINDA ESTATES\CONCEPTUAL SITE PLAN\CONCEPTUAL SITE PLAN STUDY 18A.dwg 03/29/2012 18:42

February 1, 2013

Dear Mr. Canning,

The Esperanza Hills proposed development needs to be “stopped in its tracks”. There is no way to fix the current proposal to make it acceptable to the community.

This area already has extreme fire danger as shown by the 2008 fire. This proposal would make the situation unbearably worse. As one member of the public commented last night, everyone involved with this project will have blood on their hands when the next fire, or the ones after that, result in fatalities.

You had numerous professional public safety employees at the Jan 31 meeting telling you and the developers that there were no ways to fix the safety issues. You and everyone else behind the project need to listen to them.

The existing evacuation routes and procedures were shown to be grossly inadequate in 2008. The project does nothing to make it better and assuredly makes it much worse. As another resident pointed out, you need to look at the development plans for the existing neighborhoods and see what was said about emergency evacuations. Clearly, either the developers and their employees were lying, or the truth was hidden from the YL City Council. Your EIR should evaluate those built-out EIRs and see where they went wrong.

The soils are a huge issue. As I said at the meeting, my neighborhood is just a few hundred feet from these developments and the soils are still moving after 25 years!!! The city slurried the streets about three years ago, filling in all the cracks. But we now have dozens of cracks in front of my house and hundreds on my street. Some are small but many are wide. I refuse to believe that homeowners would not try to make the city or county liable for some of the mess that results. And YL homeowners downhill would not be protected from the leaks of ruptured pipes. All of the work of your geological consultants needs to be made public and opened to critique by experts.

Yorba Linda has never allowed such deep filling of canyons as is proposed at Esperanza Hills. The consequences of the proposed earth moving is truly “off the charts” compared to anything that has been done in this area before.

I am very concerned that your biological surveys need to be done during all seasons of the year. Rare and endangered species are more active in some seasons than in others, and may use the natural areas only on a seasonal basis.

I think that it is a violation of state environmental laws to process the Cielo Vista and Esperanza Hills EIRs as two separate documents. I think it will end up being argued in court if the two developers insist on processing them separately. The access to Esperanza Hills depends on what is developed on the Cielo Vista property. As just one example, the north-south skinny access road proposed directly through the Cielo Vista homes is just ridiculous.

You have already distributed misleading views of the property. At the August meeting, you distributed a view of the entrance gate that showed sky above the entrance. Based on the grading plan, there would actually be a huge manufactured slope behind the entrance gate.

You need to provide views of this property from many local roads/homes/parks/freeways showing both the current existing condition and the proposed massive manufactured slopes that would exist if the plan were approved.

The existing neighborhoods mostly have roads that follow the pre-existing ridges and drainages. Esperanza Hills is totally inconsistent with that. Basically there are roads going straight up to big man-made plateaus. Unsafe traffic will come shooting down those roads into our neighborhoods.

The connections at Aspen Way and onto Stonehaven can not handle the volume of traffic generated by this proposal even during regular daily traffic. To say that the roads could handle it during a fire, and allow fire trucks to enter during a fire, is just a ridiculous statement.

Thank you for the opportunity to comment. Please be sure to keep me informed about the project.

Sincerely,

Robert M. Kanne

4825 Via Del Corral
Yorba Linda, CA 92887

HikerBob@aol.com

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 5:06 PM
To: Mark Schock
Subject: Re: Esperanza Hills Project - Public Comments

Mark,
Your comments are noted and received. Thank you.

Kevin Canning
(949) 235-3846
Sent from my iPhone

On Feb 1, 2013, at 4:54 PM, Mark Schock <mschock74@earthlink.net> wrote:

> February 1, 2013
>
> Mr. Kevin Canning
> Contract Planner
> OC Planning
> 300 N. Flower Street, 1st Floor
> Santa Ana, CA 92702-4048
>
>
> Subject: Public Comments Regarding Esperanza Hills Project
>
> Mr. Canning
>
> As a resident of Yorba Linda who experienced the Freeway Complex Fire, who currently lives UPWIND and to the EAST of the proposed Esperanza Hills Project, I would like to take this opportunity to make several public comments.
>
> 1. Before any County of Orange employees or appointed or elected officials, begin their review, or approval, of any and all documents related to the proposed Esperanza Hills Project, I strongly recommend that all parties be required to view the Metropolitan Water District Santiago Tower Security Camera Videos taken during the November 15, 2008 Freeway Complex Fire. These videos show in real time, the devastating speed and intensity of the fire where it raced down the canyon where the proposed Esperanza Hills Project, and the proposed emergency evacuation route, will be built if approved by the County. Any proposed fire related emergency evacuation route that would cause/direct evacuees to travel towards the flames during a Historic Fire Corridor event does not seem sound, and should be thoroughly reviewed. It is my understanding that the Metropolitan Water District has destroyed/purged the videos from its document archives in accordance with their ongoing document management policies and process. However, I do have copies of the videos that were obtained through a Public Records Request from the Metropolitan Water District and the Yorba Linda Water District. These video files are extremely large, and cannot be e-mailed due to their large size. Please contact me directly and advise the best method/format for me to provide copies of the video to the County of Orange to be used as part of the public comment and overall Esperanza Hills Project review process. The viewing of the MWD Santiago Tower Freeway Complex Fire Videos, will most assuredly give anyone responsible for reviewing or approving Esperanza Hills Project plans, a much greater insight into whether or not the proposed development plans are adequate as currently presented.
>

> 2. All fire emergency related issues, opinions, reviews, and approvals for the Esperanza Hills Project need to be PEER REVIEWED. Whichever fire agency that is charged with the responsibility for the PEER REVIEW of the Esperanza Hills Project, should also be required to review the MWD Videos mentioned in Item #1 above as part of the peer review process.

>

> 3. Based on information provided at last night's meeting on the Esperanza Hills Project, it sounds like residents from the Cielo Vista Project might be expected to also utilize the proposed fire evacuation route as currently provided in the Esperanza Project. If this is so, both projects need to be considered as one when determining the adequacy and appropriateness of any proposed fire related evacuation route.

>

> Thank you very much for your review and consideration of these public comments related to the Esperanza Hills Project.

>

> Mark Schock

> 4955 Fairwood Circle

> Yorba Linda, CA 92887

>

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 4:11 PM
To: Shawna Schaffner; Kathy Crum; Doug Wymore; Gary Lamb
Subject: Fwd: Esperanza Hills Project

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: Kim Young Hi <yhk9988@hotmail.com>
Date: February 1, 2013, 4:00:59 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Subject: **Esperanza Hills Project**

Dear Mr. Canning:

My wife, Kate and myself, Young Hi are the owners and residents of 21725 Thistledown Cir., Yorba Linda, CA 92887.

We are fully and completely opposed to this Project for the following reasons:

- This project, we believe very strongly, will reduce our property value a lot as your development will completely obstruct our view of hills of nature that we have now. For this view we were charged a premium and we did gladly as the view is a very important part of the property. It is self-evident that we won't be able to sell our premium to the buyer if this project begins. That's why we are deadly against this project as it will directly impact on our property value.
 - It is our concern that the congested traffic condition will reduce not only the quality of life but most importantly it will reduce the property value.
Remember the brush fire of 2008!
 - Noise and pollution will be unbearable.
- Looking forward to the news favorable to us.
Kate and Young

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 4:11 PM
To: Shawna Schaffner; Kathy Crum; Doug Wymore; Gary Lamb
Subject: Fwd: Esperanza Hills Specific Plan

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: Steve Anderson <sanderson7667@gmail.com>
Date: February 1, 2013, 4:00:58 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Cc: Steve Anderson <sanderson7667@gmail.com>
Subject: **Esperanza Hills Specific Plan**

Dear Mr Canning,

Our names are Steve and Carolyn and we live at 21270 Twin Oak, Yorba Linda, Ca. Having reviewed information in the contents of the Esperanza Hill Project Environmental Impact study and having attended the scoping meeting last night, January 31, 2013, at the Travis Ranch school we feel it is important to send this letter. We will start by saying that it appears most of our issues are addressed and will be studied in the proposed EIR. However, like most (all) of those present last night and we are not sure or confident at this point that many of the issues raised by your office and those present can be mitigated. We will all be watching for the upcoming EIR report it's findings and recommendations. There are 4 major areas that we am concerned with which are outlined below

Traffic: Egress and Ingress issues are certainly extremely important and one way in and out of the project seems out of the question for safety reasons. Further, these routes will be fed into existing streets, San Antonio and Stonehaven that have trouble at peak times in today's environment let alone in disaster situation with more people trying to traverse those residential streets . We were at home in 2008 and didn't loose our home but did evacuate. As fire got to 100 yards from our home we left, saying goodbye to our home. As we left the house and tried to go south on San Antonio toward Yorba Linda Blvd, we couldnt make it as blocked by everyone else leaving the area. No police, no fire department just homeowners trying to escape the fire. Also, and not to be lost in the analysis is Yorba Linda Blvd itself. I am not confident that the Yorba Blvd could handle the increased traffic load with the completion of these projects. No matter what recommendations or mitigation that addresses for the Ingress and Egress issues in the EIR response on getting out of these new neighborhoods...will Yorba Linda Blvd be able to handle the increased traffic? Question that need analysis and discussion

Cumulative Effect: We agree with you as well as the City of Yorba Linda that the EIR must

look at the cumulative effect of both the Esperanza and the Cielo Vista Projects. Any proposed mitigation recommendation must include analysis both projects and their cumulative impact.

Environmental Impact: There are a number of areas we are including here; from air quality to effects on existing animals and wildlife, to geological issues, to noise pollution, to effects on the visual/scenic character of the area that will be impacted by these developments. All must specifically addressed in the in the EIR. I am not sure how one can mitigate the removal of hilltops and current open spaces and am looking forward to EIR responses.

Yorba Linda Requirements/Standards: As mentioned in the Esperanza Scope meeting and the documentation that was provided, the city of Yorba Linda will, in all likelihood annex the entire project area. Therefore it is very important that any concerns the City may have are heard. Issues related to current Yorba Linda policies, density concerns, hazardous waste concerns and aesthetic concerns etc must be addressed. Ultimately the City and all of us who live there have a responsibility to uphold the quality of our environment, the safety of our City and the quality of life we moved here to enjoy.

Certainly some complex issues with the implementation of these projects and we look forward to seeing the EIR response as the process continues. We thank you for leading the Scoping Meeting and look forward to updates you will have in the future.

Respectfully Submitted

Steve and Carolyn Anderson
21270 Twin Oak
Yorba Linda, Ca 92886

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 5:02 PM
To: Hersh, Peter
Cc: Canning, Kevin; Modanlou, Polin; Jimenez, Bea Bea; Moreland, John
Subject: Re: Esperanza NOP Comment

Peter,

Thank you for your comments. I note that the delay in notification did not seem to effect the timely submittal of comments by Sage Communities.

Regarding grading, we seem to also have a situation where your client is proposing grading and also drainage improvements onto the Esperanza site. Those applicants have informed us that they have granted any such permission. These inconsistencies need to be resolved and I'm confident they will be as we move forward with both projects. As soon as your client submits the requested land plan revisions to address these encroachments, we will begin to be able to address these issues more directly.

Please note that last evening's meeting was the scoping meeting for the Esperanza Hills project, and as such was largely focused on the community's input regarding topics and areas of concern they felt should be addressed that that project's EIR. I stated to the group that any land use designs or proposals should be considered 'proposed' or 'conceptual' at this time in that the County had not yet started its critical project review and comment.

Thank you again for your comments.

Kevin Canning
(949) 235-3846
Sent from my iPhone

On Feb 1, 2013, at 4:26 PM, "Hersh, Peter" <phersh@coxcastle.com> wrote:

> Kevin:

>

> Cielo Vista is in receipt of the handouts from last night's scoping meeting. We are concerned over the inaccuracy of the Esperanza project graphics in that Option 1 visually misrepresented the lack of substantial grading and the creation of major new slopes on the Cielo Vista project area, which if shown would appear to be even more extensive than the grading shown for Option 2. Such inaccuracy limits meaningful public comment, because comments cannot be provided on what is not shown, and can be construed as being hidden from the public.

>

> Additionally, please note that Cielo Vista has not engaged in grading discussion with the Esperanza applicant, and no authorization has been given for such grading for either Option 1 or Option 2 in the Cielo Vista project area.

>

> Also, note that Cielo Vista was not notified of the NOP until two weeks after its issuance at which time it learned about the two project options at a meeting with County staff on its own project.

>

> Thank you for considering these additional comments.

>

> Peter

>

> Peter Hersh

> Planning &

> Land Use Specialist

> Professional Profile<<http://coxcastle.com/lawyers/bio.cfm?attorneyID=116#nothing>>

> Cox Castle Website<<http://coxcastle.com/>>
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>
>
>
>
> Cox Castle & Nicholson LLP
> Orange County § Los Angeles § San Francisco
>
> 19800 MacArthur Boulevard, Suite
500<<http://maps.google.com/maps?q=19800+MacArthur+Boulevard%2CSuite+500%2CIrvine%2CCA+92612&hl=en>>
> Irvine, CA 92612
>
> 949-260-4635 (Direct Line)
> 949-260-4600 (Main)
> 949-260-4699 (Fax)
> 714-323-4700 (Cell)
> phersh@coxcastle.com<<mailto:phersh@coxcastle.com>>
>
> Assistant: Lisa Leibovici § 949-829-4786
>
>
> <Esperanza Hills NOP map inconsistencies.PDF>

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 3:16 PM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills Development

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: barbsinner@gmail.com [<mailto:barbsinner@gmail.com>]
Sent: Friday, February 01, 2013 3:11 PM
To: Canning, Kevin
Subject: Esperanza Hills Development

Dear Kevin,

Thank you for your time last evening at Travis Ranch. I can appreciate the extra hours you put in.

Please know, that as a homeowner that lost my home in the Freeway Complex Fire, I will join with the others to FIGHT this project with every breath I have. My home never saw a drop of water from firefighters, the police even when notified did nothing to get the looters off my property. I lost EVERYTHING that ever meant anything to me in my life. And as if that wasn't bad enough, I lived through three long years of hell going through the process of rebuilding my home.

I will never forget the intense feeling of fear I had when I escaped my home in my car, with the few things it could hold, drove down San Antonio and faced the gridlock and the feeling that I made it out of my home, but I was going to die in my car because I couldn't escape the traffic. Others who couldn't make it down San Antonio turned around and drove up the hill, into the oncoming fire storm. Not a pretty alternative.

And now they want to add 500 homes. Really?? No one died last time, I guess they want to see deaths next time?? The addition of new homes will not serve as a fire break. NOTHING serves as a fire break against embers flying at 50 miles an hour. So the new homes won't burn?? So the new homeowners won't need to evacuate?? They'll just close the windows and keep the kids indoors?? The new homes may not burn, may not need firefighters. But our older homes will burn and need firefighters that won't be able to reach any homes because of the traffic and gridlock from evacuating homeowners!!

Besides the fire risk, the idea of adding 5000 trips per day down San Antonio is ludicrous!! (500 homes, two or more drivers, 10 trips per driver, including service people) I frequently have trouble pulling out of my own driveway now!! The addition of the homes on Casino Ridge doubled our traffic and that was less than two hundred homes. Our quality of life will be forever changed in a negative manner. Our property values will suffer, if we can ever sell our homes on San Antonio!!

Enough said. Just know that these projects are a horrible idea, and we promise to fight it and win!!

Sincerely,

Barbara Sinner

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 3:03 PM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Esperanza Hills - Notice of Preparation

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Les Mesa [<mailto:lmesa@ix.netcom.com>]
Sent: Thursday, January 31, 2013 2:52 PM
To: Canning, Kevin
Cc: Les & Liz Mesa
Subject: Esperanza Hills - Notice of Preparation

February 1, 2013,

Kevin Canning
OC Public Works/OC Planning
300 N. Flower St.
Santa Ana, CA 92702-4048

Dear Mr. Canning,

I am writing this letter in response to the proposed Esperanza Hills Development Project. I am opposed to the project for a number of reasons. One of the primary reasons is the lack of ingress and egress to the development. This would be compounded in the event of an emergency, such as a fire, earthquake or other manmade or natural disasters. As many people shared at the Scoping Meeting last night at Travis Ranch Elementary School, living through and experiencing the past fire has left an enduring impression. The current roads are inadequate for ingress and egress for the additional traffic that the new homing development would create. Opening Aspen Road off of San Antonio is a poor solution to gain access into the new

development. Opening the second street off of Stonehaven would not mitigate this problem. The residents living on Aspen Road would have their residential street turned into a major thoroughfare. The mere suggestion of stating that the Emergency Fire Roads would mitigate the increase in vehicular and pedestrian traffic in an emergency such as a fire or earthquake is ludicrous. The plan needs to include new paved public access roads or the plan should be discarded.

When I spoke at the Scoping Meeting, I shared that I was present during the past fire in the capacity of a Police Officer, Supervisor. I drove through these areas checking on other police personnel posts. It was almost impossible to access some areas due to the fire, smoke and fire related issues. The fire department did not want to send some personnel into these areas in fear that they may get trapped in a fire area.

Other concerns are the environmental issues that this project would create with wildlife, hillside development and the mere fact that the project is building 300 homes on top of an existing earthquake fault. The project speaks of conducting a great deal of cut and fill to level for the project. Again, I am opposed to the project in its current proposed plan.

Mr. Canning, I thought you did a very good job last night narrating and explaining the project. You had a room full of citizens that were opposed to the project and you maintained a professional and positive decorum.

Respectfully Submitted,

Les & Liz Mesa
21200 Twin Oak
Yorba Linda, CA 92886
714 981-0731
imesa@ix.netcom.com

From: Canning, Kevin <Kevin.Canning@ocpw.ocgov.com>
Sent: Friday, February 01, 2013 2:30 PM
To: Shawna Schaffner; Kathy Crum
Cc: 'Douglas Wymore'; 'Gary Lamb'
Subject: FW: Opposition to the new housing projects

Kevin Canning

Contract Planner
OC Planning
300 N. Flower Street, 1st Floor
Santa Ana, CA 92702-4048
phone: (714) 667-8847
email: Kevin.Canning@ocpw.ocgov.com
website: www.ocplanning.net

 Please consider our environment before printing this email.

From: Steven Pollack [<mailto:stevenppersonal@gmail.com>]
Sent: Friday, February 01, 2013 2:27 PM
To: Canning, Kevin
Subject: Opposition to the new housing projects

Dear Kevin,

Thank you for a very complete presentation last night of the proposed housing projects between San Antonio and Hidden Hills in Yorba Linda. I appreciate your objectiveness, but as you saw last night, there is nothing anyone can do to make adding any more homes to this part of YL acceptable to anyone living here now. I believe the impact, regardless of how well mitigated would have too negative an impact on the quality of life on so many fronts to residents all over the city and exceptionally so within several miles of the new projects. I will be very interested to see how the EIR is finalized, but the danger, the traffic, the pollution and endangerment of the surrounding wilderness, etc will be far too great for me to accept.

Thank you for considering the emotion of those of us who have lost so much in the way of property, personal wealth, irreplaceable heirlooms and now potentially losing even more in the quality of our lives.

Respectfully,
Steven Pollack
4520 San Antonio, YL

Taher K. Campwala
4980 Aviemore Drive
Yorba Linda, California 92887

RECEIVED
FEB 1 2013
COUNTY OF ORANGE

January 31, 2013

OC Public Works
300 North Flower Street
P.O. Box 4048
Santa Ana, California 92702-4048

Re: Esperanza Hills Specific Plan (PA 120037/VTTM 17522)

To Whom It May Concern:

We have been residents of 4980 Aviemore Drive in Yorba Linda since 1989, and we are writing to oppose the Esperanza Hills Project. Our reasons for petitioning against the project are numerous and significant. This development project has been poorly planned, without little regard for the many negative consequences and effects it will have. The Esperanza Hills Project, if allowed, will significantly undermine the natural environment and the quality of living for the numerous residents long established in this area.

The Initial Study done by the County of Orange, Department of Public Works, identifies "potential significant impacts" in the areas of:

- aesthetics
- air quality/greenhouse gas emissions
- agriculture
- biological resources
- hydrology/water quality
- land use
- noise
- population/housing
- public services
- recreation
- traffic
- and, public services.

These consequences are of great concern, and to allow such negative and deleterious effects to occur in this neighborhood is unacceptable.

The Esperanza Hills Project will level and alter approximately 470 acres of rolling hills and ravines, have an adverse effects on the scenic vista, and substantially degrade the existing visual character and quality of the site and its surroundings. Moreover, the project conflicts with the existing zoning for agricultural use, and will destroy the wildlife and vegetation. It will also negatively impact air quality standards, due to increased greenhouse gases and vehicle pollutants.

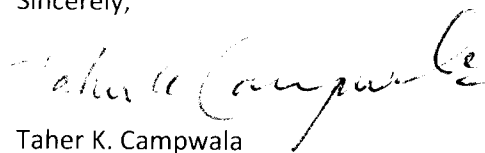
Furthermore, there will be increased noise in a currently quiet, peaceful residential neighborhood due to increased number of people, vehicles, etc. Additionally, according to the Initial Study, the project construction is exempt from the County Noise Ordinance. The grading for the first phase of the project will take 6 to 8 months, and the construction will last an additional 6 to 10 months. That means that the first phase of construction will take 1 to 1.5 years to complete. The second phase of construction is planned to take the same amount of time, which is an additional 1 to 1.5 years. Thus, the total construction will last for 2 to 3 years. It is unacceptable for the county to ignore and "exempt" the construction noise for several years in a quiet residential neighborhood. Also, our streets will be dug up to provide underground utilities, including sewer and water lines. This will cause inconvenience, noise, and further pollution.

The project will bring 340 new residential homes to the area, which will house more than 1,000 new residents and their vehicles. There will also be additional traffic due the service personnel such as gardeners, pool maintenance workers, postal service, UPS and Fed Ex. Estimating that each household will have a minimum of 3 cars, as all the houses are planned to have a 3-car garage, the Esperanza Project will be adding approximately 1,500 to 2,000 cars per day to the quiet residential streets of Stonehaven Drive or Apsen Way/San Antonio Road. Stonehaven Drive is a steep grade, one lane road in each direction, and it is not designed to accommodate such heavy traffic. Additionally, Yorba Linda/Weir Canyon Road already has severe traffic congestion during rush hour. This will only be added to and heightened by building these new homes and increasing the number of cars in the area.

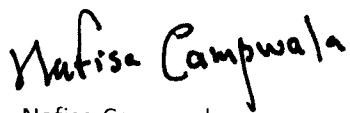
Our safety and security will also be compromised by the addition of these homes, increased traffic, and limited public service resources. For example, many of our children walk to Travis Ranch School and their safety will be jeopardized by the additional cars and drivers on the road. Additionally, as identified by the Initial Study, the fire protection in the area will have potential significant impact. We lost our home not too long ago in the Freeway Fire of November 2008, and while the Orange County Fire Authority may have approved this project, we are concerned that there may not be enough resources to protect an additional 360 homes with the recent budget cutbacks.

We strongly oppose this project and hope that our concerns will be taken into consideration, and that the plans for the Esperanza Hills Project will be rejected.

Sincerely,



Taher K. Campwala



Nafisa Campwala



Rashida Campwala

February 1, 2013



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Post Office Box 9256
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Kevin Canning, OC Public Works/OC Planning
OC Public Works
300 N. Flower Street
Santa Ana, CA 92702-4048
E-Mail: Kevin.Canning@ocpw.ocgov.com

Re: Notice of Preparation of an Environmental Impact Report and Notice of Scoping
Meeting for the Esperanza Hills Project (Project No.PA120037)

Dear Mr. Canning:

Friends of Harbors, Beaches, and Parks (FHBP) is a regional non-profit organization that works to protect the natural lands, waterways, and beaches of Orange County. We appreciate the opportunity to comment on the Esperanza Hills Project. As it relates to the Notice of Preparation of an Environmental Impact Report (EIR), we ask that the EIR include the following analysis:

- **Project Consolidation.** Combine the Cielo Vista project with the Esperanza Hills project. The Cielo Vista project will provide access to the Esperanza Hills project. Therefore, the Esperanza Hills project is dependent upon Cielo Vista to exist and should be combined per the California Environmental Quality Act (CEQA).
- **SB 375 and AB 32.** Air quality impacts reclassified as significant. Due to the significant grading it is likely that a Statement of Overriding Considerations will need to be issued and considered by the lead agency because of this impact. In addition we ask that you review the alignment of this project with the state mandated greenhouse gas emissions and vehicle miles traveled (VMT) reduction targets.
- **Sustainable Communities Strategy (SCS).** Review the alignment of this project with the Orange County Council of Governments and Orange County Transportation Authority's sub-regional SCS as well as the Southern California Association of Government's Regional Transportation Plan/SCS.
- **Trail Impacts.** The recreation component should be considered significant impact as the project is proposing to add additional unplanned trail entrances into Chino Hills State Park. What mitigation measures or other resources will the applicant provide to reduce park impacts such as non-native plant introduction, increased staffing capacity at this new private entrance to the State Park, and what fire suppression efforts will be included to ensure this new access doesn't create new opportunities for wildfires to start?

In addition to providing these comments, we respectfully request that the County of Orange provide FHBP with copies of CEQA notices issued for the above-referenced project. This request is filed pursuant to Public Resources Code §21092.2. The requested notices should be mailed to the following address:

Jean Watt
FHBP
P.O. Box 9256
Newport Beach, CA 92653

Notifications may also be sent electronically to: greenvision@fhbp.org. If you have any questions, please call 949-673-8164.

Sincerely,

Jean Watt
President
Friends of Harbors, Beaches and Parks

January 31, 2013

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

Transmitted via email: Kevin.Canning@ocpw.ocgov.com

RE: Public Input for Draft EIR
Esperanza Hills Specific Plan (PA 120037/VTTM 17522)

Dear Mr. Canning:

This letter is provided in response to the Notice of Preparation for the Esperanza Hills Specific Plan. Our comments/concerns pertaining to this proposed development are as follows:

1. PUBLIC SAFETY

The proposed development is located within a very high fire hazard area. As such, access to and from this development is critical at times of emergency. As recently witnessed during the wildfire of 2008, the existing roadways are inadequate for the evacuation of the existing residences. Adding more homes to the already impacted street system will further degrade the level of safety experienced in this area.

2. STREETS AND TRAFFIC CONCERNS

The proposed development will generate a substantial increase in traffic volume. It is understood that Option 1 is for the development to utilize Stonehaven and Via Del Agua for access to Yorba Linda Boulevard. Increasing traffic volumes on these streets will degrade the peaceful rural suburban atmosphere enjoyed by these neighborhoods and create public safety concerns. Left turns from Via Del Agua onto Yorba Linda Boulevard are difficult and dangerous, particularly during morning and evening commute times, yet the addition of a traffic signal at this location would further impede traffic flow along Yorba Linda Boulevard and would be a negative impact to the community.

Option 2 places the increased traffic burden solely onto San Antonio Road. As residents fronting San Antonio Road, we can attest to the difficulty in backing from our driveways and the concern for pedestrian

safety given the current traffic volume. The addition of approximately 400 homes to this street will degrade the peaceful rural suburban atmosphere enjoyed by this neighborhood and create public safety concerns. Neither option is embraced.

3. AESTHETICS

The proposed development is located within a visually prominent location. The City of Yorba Linda has worked diligently over the years to preserve the natural and rural characteristics of our community with particular attention given to the preservation of ridgelines. The proposed development will eliminate current vistas and extend to the ridgelines of the local area. Being in a rural equestrian area we also have space between neighbors as well as equestrian trails to add the rural feeling to our neighborhood. The current plan for Esperanza Hills does not provide for trails and the closeness of the planned homes are not in keeping with the surrounding neighborhoods. As such, the proposed development plan is not consistent with the adjacent areas.

4. PUBLIC SERVICES

The preliminary plans do not indicate that horse trails, parks, schools or other community service facilities are proposed as part of the development. As such this development is not consistent with the adjacent areas and will further impact community services which are already strained/limited as a result of budget constraints. Further impacts to the area must be mitigated without causing further financial burden on the community. No thought has been given to placing a park within the development or trails that allow residents to continue to enjoy the natural wildlife areas.

5. UTILITIES

As noted above, the proposed development is located within a high fire hazard area. As such, a robust water supply must be provided to serve the needs of the new development. Costs associated with upgrades to the adjacent water, sewer and storm drain systems must be borne by the developer and not be placed as a burden on the residents of Yorba Linda.

6. WILDLIFE

Natural springs and a blue-line stream exist within the area of development. The development is also part of the Chino Hills Wildlife Corridor which provides habitat for a wide variety of animals. Animals within this corridor rely on this water for survival. Diverting or otherwise re-routing this water by way of underground conduits will deprive the

wildlife from this water source. Doing so will cause coyotes, bobcats, snakes and many other animals to canvas the residential neighborhoods, including any new residences, in search of food and water. This will increase the danger to the residents of the area. We have already seen an increase in wildlife activity in our neighborhoods during daylight hours as a result of the seismic fault investigation recently conducted.

7. CONSISTENCY WITH SURROUNDING AREA

The proposed building sites appear to be high in density and configured on efficient manufactured pads which lack character and are not consistent with the surrounding neighborhoods. The existing neighborhoods in this area consist of large lot sizes, many with equestrian facilities. It is not uncommon to stop at a stop sign or traffic light to wait for crossing horseback riders.

In closing, we are not opposed to a property owner wanting to build on his/her land, however in doing so, they cannot be allowed to degrade the quality of life enjoyed by the neighborhoods that already exist as would be realized by constructing several hundred new homes. We choose to live in this community because of the qualities mentioned above. Allowing a high density subdivision to be built in the rural area of Yorba Linda would not be a good fit with our community. Life here is less hectic than the typical master-planned community and we want any future development to take that into consideration and plan to mesh with our existing neighborhoods and way of life.

Sincerely,



Craig and Jennifer Di Bias
4420 San Antonio Road
Yorba Linda, CA 92886
(714) 693-7749
craigdibias@sbcglobal.net

February 4, 2013

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 Specific Plan
(PA120037/VTTM 17522)

I appreciate the opportunity to provide comment on the Initial Study prepared for the referenced project.

The Esperanza Hills development initiated the entitlement process over 15 years ago with the City of Yorba Linda. In 2006 Yorba Linda voters approved Measure B. Measure B amended amend the Yorba Linda General Plan and Zoning Code to require voter approval, by a majority vote of the electorate, for a Major Amendment to a Planning Policy Document. Knowing that the residents of Yorba Linda would never support the densities they desire for their project, the developers have now applied for processing under the County.

The proposed densities, combined with the enormity of the Esperanza Hills project will result in impacts to existing development, existing infrastructure, City services and to the small amount of natural/undeveloped land remaining in North Orange County. Add-on the Cielo Vista project (currently in the EIR process) and two additional adjacent tracts (Yorba Linda LLC and Bridal Hills, LLC) that will someday develop and the “project” grow in enormity and scope. The cumulative effects of these four developments must be considered before any are allowed to move forward.

While I agree with the Environmental Analysis prepared for the Initial Study, I respectfully wish to offer the following additional comments and additions:

Biological Resources

The cumulative project will remove nearly 700 acres of natural, undeveloped land from the small amount of untouched land still remaining in north Orange County. The wildlife within Chino Hills State Park knows no limits. They utilize all the land they need to survive. The subject properties are simply an extension of CHSP to the animals.

The 2008 Freeway Complex Fire burned 95% of the land within Chino Hills State Park, as well as the subject properties. With habitat for cover and food scarce, wildlife has been forced to expand its travel and territories to survive. Until vegetation with CHSP reaches full maturity, the subject properties in their natural state are necessary for wildlife survival.

Mr. Kevin Canning
Orange County PW/Planning

February 4, 2013
Re: Esperanza Hills Specific Plan
(PA120037/VTTM 17522)

The loss of the subject properties to development will eliminate the “buffer” that exists today between neighborhoods and CHSP, chasing what wildlife is left into CHSP to compete for limited food sources with animals already just trying to survive there today. Those forced into the existing neighborhood will surely die. You will note that the northernmost portion of the development is actually located within an area seemingly a cutout from CHSP. That area (at a minimum) should be required to be set aside as mitigation for the land allowed to be developed.

Hazards & Hazardous Materials

As you stated, the significant hazard to the proposed development is from fire. I’m sure that you have heard countless stories about the evacuation that occurred during the Freeway Complex Fire. It wasn’t pretty. No less than three lanes (on two lane streets) of evacuees trying to make their way out on to Yorba Linda Blvd. Yorba Linda Blvd was equally overtaxed- backing traffic up into neighborhoods. Computer modeling of evacuation traffic should be required to be completed. The addition of upwards of 500 homes and thousands of additional vehicles could result in residents being unable to evacuate and instead being trapped in their cars or homes.

The safe and orderly evacuation of what is proposed to be thousands of residents must be assured by proper design of evacuation routes, etc. I fully expect that analyses will prove that the densities proposed by these developments would grossly overtax the capacity of existing neighboring streets during times of emergency evacuation

Hydrology and Water Quality

The proposed development should be required to implement hydro modification technology to reduce peak offsite discharges to before project condition. Moreover, the development should be required to determine the increase in storm runoff volume as a result of the development. Impacts of the increased volume of flow should be determined, such as a likely increase in erosion downstream by the Clearwater flows exiting the detention/water quality basins.

Population and Housing

I disagree with the statement that the construction of the hundreds of homes as proposed can be successfully mitigated. The fact that proposed densities are minimally less than existing neighborhood does not in and of itself make it right. It’s in my opinion irresponsible.

Public Services

The proposed development should be required to fund and perform an analysis of impacts to emergency services within the City. Call loading within OCFA’s Station 32 will likely increase dramatically. Resources would be stretched. Response times for paramedic services would no doubt grow. The City’s wild land interface would essentially be moved north and further away from Station 32. An analysis of response times to the furthest point within the proposed development should be required.

Mr. Kevin Canning
Orange County PW/Planning

February 4, 2013
Re: Esperanza Hills Specific Plan
(PA120037/VTTM 17522)

Recreation

The proposed development will be gated. The recreational elements of the project are billed as amenities to the neighboring community. They are not. The proposed parks will essentially be private- open only to those from outside the development by foot. In an extremely hilly area, what family would hike up a windy road, pulling their kids behind them in wagon to access such facilities?

Today the public enjoys multiple unhindered access points to miles of trails within the footprint of the proposed development. The proposed development will supposedly afford one access point to landscaped pathways within the development. The trails through native vegetation enjoyed by the public today will be lost forever. Thousands of residents use those trails each year.

Transportation-Traffic

Yorba Linda is not Irvine. It wasn't master planned by the corporation that owned all of its land. Individual builders came and went, building just the infrastructure necessary for their developments. No allowances were made for the proposed developments.

Yorba Linda's streets are not wide. They're sized for the minimal amount of development we have and the traffic we've experience for the past 30 years. Doubling, tripling, quadrupling that traffic would create an undue hardship on existing residents and degrade the relatively quiet neighborhood we presently enjoy.

Two additional roadway routes should be analyzed and included in the project circulation analysis:

1. A road extending from the project site westerly to San Antonio Road with a connection at Dorinda Road. A clear path over the MWD pipeline easement is available for the roadway. (See attached map)
2. A connection to San Antonio Road at the location depicted on the attached map. This should in my opinion be primary access point for the Esperanza Hills project. Once analyzed over fifteen years ago when the development first surfaced as the "Murdock Tract", it should be strongly considered now. The existing canyon corridor is wide enough to more than accommodate a road, the existing creek, and a dedicated wildlife corridor. The majority of the property is owned by the City of Yorba Linda. The City would no doubt be willing to swap this property for land on the edge of the development that could be set aside for habitat mitigation.

Bottom line, the developments should be not allowed to move forward at their proposed density levels or without new and unique points of access to Yorba Linda Blvd.

Mr. Kevin Canning
Orange County PW/Planning

February 4, 2013
Re: Esperanza Hills Specific Plan
(PA120037/VTTM 17522)

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,



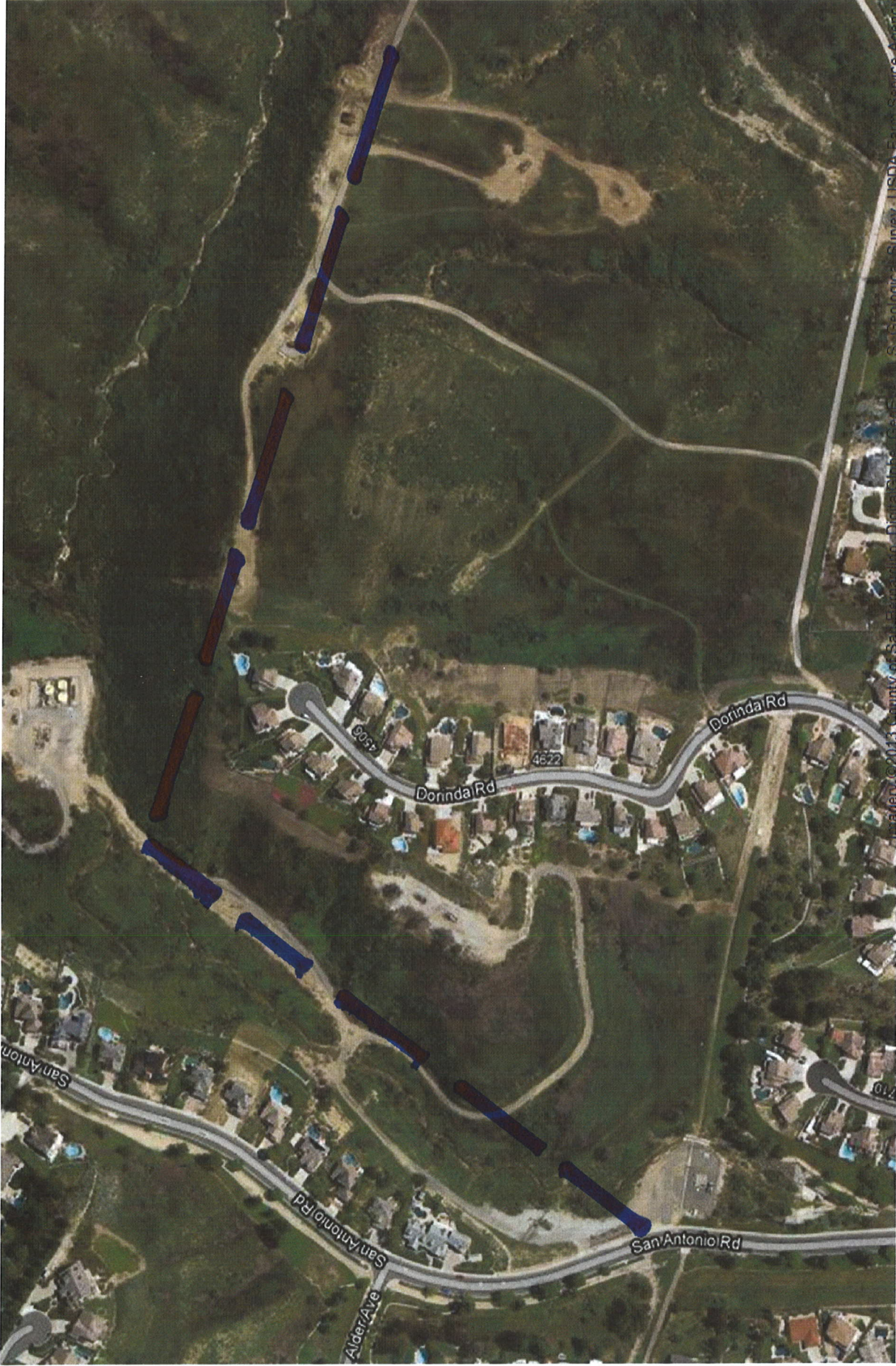
Steve Thomas
4855 Via Del Corral
Yorba Linda, CA 92887
e232engineer@roadrunner.com
909.223.2127 cell

Attachments

C: Yorba Linda City Council Member Mark Schwing
Yorba Linda City Council Member Craig Young



SUGGESTED ROAD #1
ACCESS TO DORINDA AVE &
SAN ANTONIO RD OVER MWD EASEMENT



SUGGESTED ROAD #Z

- CONNECTION OF SAN ANTONIO ROAD
- AVOIDS ROADWAY CONSTRUCTION AND TRAFFIC ON ANY ROADS W/ HOMES FACING ROAD

From: Kevin Canning <entitleplus@gmail.com>
Sent: Friday, February 01, 2013 4:10 PM
To: Shawna Schaffner; Kathy Crum; Doug Wymore; Gary Lamb
Subject: Fwd: Comments on Esperanza Hills Specific Plan NOP

Kevin Canning
(949) 235-3846
Sent from my iPhone

Begin forwarded message:

Resent-From: <Kevin.Canning@ocpw.ocgov.com>
From: Ken Ryan <kryan@ktgy.com>
Date: February 1, 2013, 4:04:40 PM PST
To: "Canning, Kevin" <Kevin.Canning@ocpw.ocgov.com>
Subject: **Comments on Esperanza Hills Specific Plan NOP**

Kevin:

Thank you for the opportunity to comment on the NOP for the Esperanza Hills Specific Plan (PA120037/VTTM 17522).

These comments summarize my verbal concerns expressed at the 1/31/13 Scoping meeting held at the Travis Ranch Activity Center.

- 1) The current Plan does not reflect longstanding Hillside Development Standards, Policies and Practices for sensitive hillside development utilized over the years in unincorporated and incorporated areas within the City of Yorba Linda. These policies require that as development moves to higher elevations, lower densities and gentler grading occurs. The plan should be redesigned to respect the steep topography and drainage areas of the site and thereby reduce aesthetic impacts, reduce the amount of manufactured slopes, reduce the amount of earthwork, reduce the total units, and avoid the harsh over-engineered aggressive grading of the property that the current Project Description reflects.

- 2) The current plan does not include adequate parks, open space or trails for public use. The current private parks included in the proposed project are not accessible, and provide little or no purpose other than trying to satisfy a required acreage number. The plan should be redesigned to provide passive parks that not only serve the proposed project but offer public passive park use for adjacent neighborhoods. Trails, open space and passive parks should be provided as a connection to the San Antonio, Via Del Agua and Stonehaven neighborhoods. Additionally they could serve as a meaningful buffer as well as connector to minimize impacts of development and minimize impacts to important sensitive habitat and open space/drainage areas. Viewparks and connections to the Ridgeline trail should be incorporated into the plan and trails should be

provided that connect to the City of Yorba Linda Trail system consistent with the City Master Plan of Trails.

3) The proposed access is not safe and not appropriate from a public safety and from a community design perspective. Access in and out must be much better designed with multiple Ingress/Egress locations. A Primary entrance should be considered at the lower drainage area along San Antonio road just north of Yorba Linda Boulevard to minimize traffic along San Antonio and Via Del Agua/Stonehaven with Emergency or Secondary access on Aspen and Via Del Agua.

4) The County of Orange should work with multiple landowners and the City of Yorba Linda (A Responsible Agency for the Project) to adequately address all comprehensive design and environmental issues. This has been the longstanding policy as identified in the City of Yorba Linda General Plan for this Planning Area. Namely to plan the area (Area A-5 Murdock Property) in a comprehensive manner that reflects the context of the site as it relates to adjacent neighborhoods, and to coordinate all planning efforts with multiple landowners and multiple agencies.

I look forward to the County of Orange addressing these issues in a meaningful way.

Please feel free to contact me should you have any questions or require additional information.

Best regards,

Ken

Ken Ryan
Principal

[cid:image003.png@01CE0095.D7567E20]

KTGY Group, Inc
17922 Fitch
Irvine, CA 92614
www.ktgy.com<<http://www.ktgy.com>>

949-851-2133 Main
949-221-6244 Direct
949-812-1361 Cell
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P. McBeath, Stonehaven Drive

On the morning of the fire, I was working in San Dimas. At 12:15, as I headed for home, I switched on the radio and heard NPR had been cancelled for full-time coverage for the fire in Yorba Linda. I couldn't believe my ears. As I reached the top of the 57 at Via Verdi, I could see two huge plumes of smoke rising into the sky—one in Yorba Linda and the other in the hills of Brea. In the thirty minutes it took to reach Brea, I watched the sky and thought about what I should do. In Brea, traffic slowed dramatically due the fire burning on the southeast side of the freeway. The wind was blowing the fire into the 57. About twenty minutes later I heard that the 57 freeway was being closed and the fire was jumping the freeway.

I headed for Yorba Linda on Lambert Road which was in gridlock due to people stopping on the road to watch the fire racing through the hills above Lambert. I managed to get over to Imperial Highway and then to Bastanchury. As I drove toward the east end of Yorba Linda-Weir Canyon on Bastanchury, I could see the smoke looming ahead and as I reached the new high school, the smell of smoke was heavy and the sky was yellow. I got to Agua and as I drove up the hill, the smoke was heavy, the wind ferocious, and visibility was impacted. I could see blowing bits of roofing paper on fire and trees burning on the Metropolitan WD land.

As I pulled into my driveway, I saw my neighbors hurriedly throwing things into their cars and moving their vehicles. Within a few minutes the top of the hill was blazing and a neighbor called out to me "Get out now! The fire has topped the hill". I nodded and threw things into my car and ran back for more. It was difficult to think inside my house as all the fire alarms were screaming at me. I couldn't breathe and I wetted a towel and placed it over my face. I closed my up-stairs windows, looked around for a few seconds, grabbed the proverbial "box of irreplaceable photos", locked the house and ran to my car. As I ran to the car, a lone policeman (I heard it was one of our neighbors), came by and broadcast "Evacuate now!" I did just that.

Some neighbors stayed to try to save their houses by spraying the eaves and the surrounding vegetation. As I drove down the hill and called my husband. I looked up Stonehaven and told my husband "I can see houses burning. I think we may lose our house". He told me to go to a safe area and call him back.

The thing that totally amazed me is----there were NO fire trucks, NO service vehicles of any kind, and I was home at least 15 minutes before a policeman came by and told me to leave immediately. Our resources were taxed at that point. I realized I was on-my-own. That is a life lesson that I am sure will come in handy when we have a major earthquake.

I went to the Von's Shopping Center. From there I could see the glow from a burning house on San Antonio Road and a dense yellow smoke from the fields. And later the large water-dropping planes were overhead. This was a staging point for a lot of communities who sent fire departments to help us. There were at least twenty five fire trucks in the parking lot. But they didn't appear to go anywhere. I now know there were neighbors up on Heather Ridge who were spraying their houses with garden hoses. I still don't understand that.

In the following days, we learned about a back-firing car, broken water pumps, weak water pressure, and the cyclical nature of fire in Yorba Linda. And as we walked around our neighborhoods, we saw fire-gutted cars, burned houses, fire-scarred foundations, and weary faces.



Bastanchury Road before Lakeview Ave. 1:15



THE AFTERNOON SUN IS A PINK SPOT
IN THE SKY BEHIND THE WATER TOWER.

Von's Shopping Center, Village Center Drive and Yorba Linda Blvd.



Fairview and Bastanchury, 1:20 p.m.



Bastanchury Road, before Lakeview 1:15 p.m.



Bastanchury Road and Fairview 1:20 p.m.



View from Bastanchury Road and new Yorba Linda High School 1:20 p.m.

