



## **1.0 Introduction and Purpose**

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## 1.0 INTRODUCTION AND PURPOSE

### 1.1 PURPOSE OF THE EIR

The City of Lake Forest (City) is the Lead Agency under the California Environmental Quality Act (CEQA), and has determined that an Environmental Impact Report (EIR) is required for the Serrano Summit Area Plan 2009-01 and Tentative Tract Map No. 17331 (the project) (State Clearinghouse No. 2011051009). This EIR has been prepared in conformance with CEQA (California Public Resources Code [PRC] Section 21000 et seq.); *CEQA Guidelines* (California Code of Regulations [CCR], Title 14, Section 15000 et seq.); and the rules, regulations, and procedures for the implementation of CEQA, as adopted by the City of Lake Forest. The principal *CEQA Guidelines* sections governing content of this document include Article 9 (*Contents of Environmental Impact Reports*) (Sections 15120 through 15132), and Section 15161 (*Project EIR*).

The purpose of this EIR is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to reduce potentially significant effects of the proposed project, approximately 98.9 acres generally situated to the east of Bake Parkway, south of Commercentre Drive, and west of Serrano Creek, in the City of Lake Forest, California. For more detailed information regarding the proposal, refer to [Section 3.0, \*Project Description\*](#).

This EIR addresses the environmental effects of the project, in accordance with Section 15161 of the *CEQA Guidelines*. In accordance with Section 15121(a) of the *CEQA Guidelines*, the main purposes of this EIR are to:

- Provide decision-makers and the public generally of the significant environmental effect of a project;
- Identify possible ways to minimize the significant effects of the project; and
- Describe reasonable alternatives to the project.

Mitigation measures are provided that may be adopted as conditions of approval to minimize the significance of impacts resulting from the project. In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the proposed project.

The City of Lake Forest (which has the principal responsibility of processing and approving the project) and other public (i.e., responsible and trustee) agencies, that may use this EIR in the decision-making or permit process, will consider the information in this EIR, along with other information that may be presented during the CEQA process. Environmental impacts are not always mitigatable to a level considered less than significant; in those cases, impacts are considered significant unavoidable impacts. In accordance with Section 15093(b) of the *CEQA Guidelines*, if a public agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the Final EIR and any other information in the public record for the project. This is termed, per Section 15093 of the *CEQA Guidelines*, a “statement of overriding considerations.”



This document analyzes the environmental effects of the project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the *CEQA Guidelines*. The analysis considers the activities associated with the project to determine the short-term and long-term effects associated with their implementation. This EIR discusses both the direct and indirect impacts of this project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

## 1.2 CEQA DOCUMENT TIERING

The project site is part of the larger *Opportunities Study Area* (OSA) and is one of several properties, which were systematically analyzed by the City for land use changes from industrial, business park, and commercial to residential uses. These land use changes (General Plan Amendment 2008-02 and Zone Changes 2008-01 through 2008-05) were approved by the City after the closure of the El Toro Marine Corps Air Station (El Toro MCAS). It is noted that these entitlement numbers refer to the entire OSA, while GPA 2008-02C and Zone Change 2008-03 refer specifically to the project site. Prior to approval of these land uses changes, the City initiated an *Opportunities Study* in order to examine the impacts and benefits of land use changes proposed by the City. The *City of Lake Forest Opportunities Study Final Program Environmental Impact Report* (OSA PEIR), dated May 23, 2008, was prepared to consider the potential environmental impacts that would result from implementation of General Plan Amendment 2008-02 and Zone Changes 2008-01 through 2008-05.

Per Section 15168(d) of the *CEQA Guidelines*, the Program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The Program EIR provides the basis in an Initial Study for determining whether the later activity may have any significant effects; and be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The OSA PEIR, which included analyses for General Plan Amendment 2008-02C and Zone Change 2008-03 for the project site (as Site 3), was certified in June 2008. The OSA PEIR is available in hard copy format at the City of Lake Forest and on the City's web site. General Plan Amendment 2008-02C and Zone Change 2008-03 were approved by the City Council in July and August 2008. A Development Agreement was subsequently signed in August 2008.

### 1.2.1 THE TIERING PROCESS

The Public Resources Code and the *CEQA Guidelines* discuss the use of "tiering" environmental impact reports by lead agencies. Public Resources Code Section 21068.5 defines "tiering" as:

*"The coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which: (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report."*



Tiering is a method to streamline EIR preparation by allowing a Lead Agency to focus on the issues that are ripe for decision and exclude from consideration issues already decided or not yet ready for decisions (*CEQA Guidelines* Sections 15152 and 15385). According to *CEQA Guidelines* Section 15152 (a), “tiering” is defined as:

*“Tiering refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”*

According to *CEQA Guidelines* Section 15385: *“Tiering is appropriate when the sequence of EIRs is (a) from a general plan, policy, or program EIR to a program, plan, or policy EIR of a lesser scope or to a site-specific EIR . . .”*

The concept of tiering anticipates a multi-tiered approach to preparing EIRs. The first-tier EIR covers general issues in a broader program-oriented analysis, including important program resource and mitigation commitments required to be implemented at the project-level. Subsequent tiers incorporate by reference the general discussions from the broader document, concentrating on the issues specific to the proposed action being evaluated (*CEQA Guidelines* Section 15152).

When an EIR has been prepared and certified for a program or plan consistent with CEQA’s tiering requirements, a Lead Agency, should, for a later project pursuant to or consistent with the program or plan, limit the EIR on the later project to effects that were not examined as significant effects on the environment in the prior EIR. In those situations where a programmatic document does not specifically address and analyze the impacts and mitigation measures necessary for a project-level action, the project-level environmental review can be streamlined by tiering from the program-level documents. Agencies are encouraged to tier their CEQA analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. Subsequent CEQA compliance involves either the preparation of an EIR or Negative Declaration.

For purposes of tiering, significant environmental effects have been “adequately addressed” if the Lead Agency determines that the significant environmental effects:

- Have been mitigated or avoided as a result of the prior EIR and adopted findings in connection with that prior EIR; or
- Have been examined at a sufficient detail in the prior EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means with the approval of the later project.

## 1.2.2 TIERING FROM THE OSA PEIR

Where appropriate, this EIR tiers off the OSA PEIR. As discussed above, under *CEQA Guidelines* Section 15152, tiering is appropriate when the sequence of analysis follows from an EIR prepared for a general plan, policy, or program to an EIR of lesser scope, or to a site-specific EIR. Under CEQA, the OSA PEIR is considered a first tier document and this EIR for the proposed project is



considered a second tier document. While a second tier analysis can rely on a first tier analysis, it has the obligation to discuss any changed circumstances or new information that might alter the first tier analysis. Accordingly, this EIR will focus its analysis on changes to the project or the surrounding circumstances that may have occurred since the City of Lake Forest certified the OSA PEIR. Under principals of tiering, if a first tier document found significant impacts, then the second tier EIR must require implementation of the first tier mitigation measures unless the analysis explains that the measures are not applicable or that other mitigation measures can replace the previous measures and similarly reduce the impacts to a level of insignificance. The OSA PEIR determined that the following significant and unavoidable impacts for Site 3 (the project site) would occur with implementation of the General Plan Amendment 2008-02C and Zone Change 2008-03:

- Light and glare;
- Existing zoning for agricultural use;
- Threshold exceedances established by the SCAQMD and cumulative considerations for air quality;
- Water quality of receiving waterbodies for pesticides only;
- Cumulative long-term (2030 General Plan buildout) conditions for noise; and
- Inducing substantial population growth.

All other impacts were found to be less than significant through the existing standards, regulations, and/or mitigation measures imposed under the OSA PEIR. As discussed previously, this DEIR is “tiered” from the OSA PEIR. As defined under *CEQA Guidelines* Section 15385, “tiering” refers to the analysis of general matters in broader, programmatic EIRs (such as the OSA PEIR) with subsequent narrower EIRs for individual projects that concentrate on site-specific issues and incorporate by reference the general discussions in the programmatic EIR. CEQA and the CEQA Guidelines encourage the use of tiered EIRs to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered EIRs by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference. The tiering of the environmental analysis for the proposed project allows this DEIR to rely on the OSA PEIR (incorporated by reference) for: (1) a discussion of general background and setting information for environmental topic areas; (2) overall growth-related issues; (3) issues that were previously evaluated in sufficient detail in the LRDP FEIR and for which there is no significant new information or changed circumstances that would require further analysis; and (4) cumulative impacts. Therefore, impacts that were determined to be significant and unavoidable for Site 3 in the OSA PEIR are not required to have a significant and unavoidable impact for the purposes of this tiered analysis.

## 1.3 COMPLIANCE WITH CEQA

### REVISIONS TO APPENDIX G OF THE CEQA GUIDELINES

As directed by Senate Bill 97, the Natural Resource Agency adopted Amendments to the *CEQA Guidelines* on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Since the Notice of



Preparation (NOP) for the proposed project was distributed on May 18, 2011, the City of Lake Forest addressed these changes within the EIR. Therefore, the EIR reflects all changes as required by the latest version of Appendix G of the *CEQA Guidelines*. Impacts related to agriculture and forestry resources are addressed in Section 8.0, *Effects Found Not To Be Significant*; impacts related to greenhouse gas emissions are addressed in Section 5.2, *Greenhouse Gas Emissions*; and impacts related to transportation/traffic are addressed in Section 8.0, *Effects Found Not To Be Significant*.

## **PUBLIC REVIEW OF DRAFT EIR**

In accordance with Sections 15087 and 15105 of the *CEQA Guidelines*, this Draft EIR will be circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Persons and agencies commenting are encouraged to provide information that they believe is missing from the Draft EIR and to identify where the information can be obtained. All comment letters received will be responded to in writing, and the comment letters, together with the responses to those comments, will be included in the Final EIR.

Comment letters should be sent to:

City of Lake Forest, Development Services Department  
25550 Commercentre Drive, Suite 100  
Lake Forest, California 92630  
Attn: Ms. Carrie Tai, AICP, Senior Planner

## **FINAL EIR**

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR (if any), and responses to all written comments addressing concerns raised in the comments of responsible agencies, the public, and any other reviewing parties. After the Final EIR is completed, and at least ten days prior to the certification hearing, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the commenting agencies.

## **1.4 EIR SCOPING PROCESS**

In compliance with the *CEQA Guidelines*, the City of Lake Forest has provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments on the proposed project. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties, in addition to a public scoping meeting held on May 18, 2011 at 6:00 p.m. at the Lake Forest City Hall.

## **NOTICE OF PREPARATION**

Pursuant to the provision of Section 15082 of the *CEQA Guidelines*, as amended, the City of Lake Forest circulated a NOP directly to public agencies (including the State Clearinghouse Office of



Planning and Research), special districts, and members of the public who had requested such notice for a 30-day period. The NOP was distributed on May 5, 2011, with the 30-day public review period concluding on June 3, 2011.

The purpose of the NOP was to formally announce the preparation of a Draft EIR for the proposed project, and that, as the Lead Agency, the City was soliciting input regarding the scope and content of the environmental information to be included in the EIR. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR. The NOP is provided as Appendix 12.1, *Initial Study and Notice of Preparation*, of this EIR, and NOP comment letters are provided as Appendix 12.2, *Notice of Preparation Responses*.

A total of eight comment letters were received from State, regional, and local public agencies and the public. A summary of environmental concerns expressed by these agencies and the public is provided below. In order to address these concerns, the section of the EIR where these comments are addressed is provided in parentheses.

*California Department of Transportation District 12 Comment Letter*

- The Serrano Summit All-Residential Project Alternative Analysis (Traffic Study 2011) is included in the Appendix of the EIR; refer to Appendix G, *Traffic Study* of Appendix 12.1.
- An analysis of Interstate (I)-5 and I-405 mainlines with recommended mitigation measures (including payment of “fair share”), if necessary, has been included; refer to Section 8.13(a), *Transportation/Traffic*.
- An analysis of the ramp intersections of I-5 and I-405 at Bake Parkway and I-5 at Lake Forest Drive ramps with recommended mitigation measures (including payment of “fair share”), if necessary, has been included to ensure that adequate storage capacity is provided for any additional traffic generated by the project; refer to Section 8.13(a), *Transportation/Traffic*.
- A queuing analysis for I-5/I-405 at Bake parkway and I-5 at Lake Forest Drive ramps has been included with recommended mitigation measures (including payment of “fair share”), if necessary, to ensure that adequate storage capacity is provided for any additional traffic generated by this project; refer to Section 8.13(a), *Transportation/Traffic*.
- A biking and/or pedestrian traffic analysis has been performed for the proposed project; refer to Section 8.13(f), *Transportation/Traffic*.
- The comment requested the revision of the Traffic Impact Study to analyze the buildout year 2035 or 2040, rather than 2030. The Serrano Summit project was previously analyzed in the 2005 Opportunities Study Area Traffic Study and the OSA PEIR. The project land uses as well as other development proposed on the vacant lands in the City of Lake Forest are



also included in previous environmental Project Study Reports (PSR).<sup>1</sup> The PSR's include an analysis of the freeway segments that are requested in the comment. The Serrano Summit Traffic Study also presented findings that significant impact thresholds were not triggered and therefore would not impact state facilities. A full analysis of the project's buildout impacts can be found in Section 8.13a, *Transportation/Traffic*.

- The Traffic Impact Study does not use significance threshold of an increase in a volume to capacity ratio (v/c) of more than one percent or three percent for the mainline. Caltrans has requested early coordination to discuss the level of significance thresholds related to traffic and circulation; refer to Section 8.13(a), *Transportation/Traffic*.

*California Cultural Resource Preservation Alliance Comment Letter*

- The comment recommends Phase I archaeological surveys to be conducted within the entire project area and, if archeological sites are noted, preservation of these sites through avoidance and incorporation into open space areas. Archaeological surveys have been addressed in Section 8.3(b), *Cultural Resources*.

*California Regional Water Quality Control Board Comment Letter*

- In-kind water quality standards compensatory mitigation will be required in order to obtain appropriate RWQCB approvals for impacts to jurisdictional waters; refer to Section 8.6(b), *Hydrology and Water Quality*.
- The proposed “disturbance” to Drainage A and Tributary A-1 would likely require issuance of a Clean Water Act (CWA) Section 401 Water Quality Standards Certification (Certification) from the RWQCB, rather than waste discharge requirements; refer to Section 8.6(b) and (r), *Hydrology and Water Quality* and Section 5.3, *Biological Resources*.
- The comment states that new drainage outlets may constitute an additional “discharge of fill to water of the U.S.” that will be subject to the RWQCB CWA Section 401 Certification; refer to Section 8.6(c), *Hydrology and Water Quality*.
- An analysis identifying specific measures that will be taken to reduce impacts, such as avoidance, and/or providing compensatory mitigation for the project's permanent impacts to water quality standards has been included in Section 8.6(b), *Hydrology and Water Quality*.
- Compensatory mitigation, including the restoration of impaired beneficial uses (e.g., improving riparian and streambed habitat and function), and implementing measures that correct past hydromodification of Serrano Creek has been included in Section 8.6(c), *Hydrology and Water Quality*.

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<sup>1</sup> Austin-Foust Associates, Inc., *City of Lake Forest Vacant Land Opportunities Phase III Traffic Study*, July 2005 and Austin-Foust Associates, Inc, *City of Lake Forest Vacant Land Opportunities Phase III Alternative 7 (Hybrid Alternative) Traffic Study*, November 2007.



- The comment states that the project must contribute compliance with the sediment total maximum daily loads. An analysis of the potential hydraulic conditions of concern arising from the proposed increase in discharge from Outlet B and from discharges of sheet flow runoff has been included in Section 8.6(b) and (c), *Hydrology and Water Quality*.

*City of Irvine Comment Letter*

- The comment requests clarification of the land use assumptions used for the “No Project” scenarios, and states that the identification of the study area impacts should be based upon the analysis of the difference between ground conditions and the proposed project under the interim year 2015 conditions; refer to Section 8.13, *Transportation/Traffic*.

*Native American Heritage Commission Comment Letter*

- The provided American Indian tribes and interested Native American individuals as ‘consulting parties’ have been included; refer to Section 8.3, *Cultural Resources*.
- The Native American Heritage Commission Sacred Lands File (SLF) search resulted in no identified Native American cultural resources within the ‘area of potential effect (APE)’. However, there are Native American cultural resources in close proximity to the APE; refer to Section 8.3(b), *Cultural Resources*.

*Orange County Fire Authority Comment Letter*

- All Opportunity Study mitigations for Public Services have been carried over to the project (i.e., Mitigation Measure PUB-1), including the installation of Optical Preemption devices for all traffic signals and gates impacted or installed for the proposed project; refer to Section 8.11(a)(1), *Public Services*.
- The project site includes adequate secondary fire access to areas designed to hold over 150 residence and that the project includes appropriate fuel modification areas sufficient to meet the OCFA’s requirements; refer to Section 8.11(a)(1), *Public Services*.
- The project would be consistent with all standard conditions with regard to development, including water supply, emergency access, road grades and width, access, and other measures that would be applicable to the proposed project; refer to Section 8.11(a)(1), *Public Services*.

*Orange County Public Works Comment Letter*

- The hydrologic and hydraulic analysis includes an evaluation of the runoff volumes, peak flow rate increases, adequacy of existing storm drains, and off-site channels that would ultimately carry these discharges. The analyses are needed in order to ensure that post-project conditions along Orange County and/or Orange County Flood Control D drainage facilities, including Serrano Creek (Facility No. F19) are not worsened as a result of the project and that they support the “less than significant impact” statement provided in the Initial Study; refer to Section 8.6(b) and (c), *Hydrology and Water Quality*.



- The analysis includes Serrano Creek reaches that are susceptible to erosion. Sediment transport analyses performed by a licensed engineer specialized in the field of sediment transport have been included as appropriate to support the Draft EIR findings. Mitigation measures have been included, in consultation with OC Public Works/Flood Programs, for any impacts to the stream sediment transport results from the project; refer to Section 8.6(c), *Hydrology and Water Quality*.
- Measures to adequately protect the proposed development areas from excessive erosion of the creek, as applicable, have been included in Section 8.6(c), *Hydrology and Water Quality*.
- All hydrologic and hydraulic studies conform to the current guidelines and criteria as specified in the Orange County Hydrology Manual (OCHM), Addendum No. 1 to the OCHM, and the Orange County Flood Control Design Manual; refer to Section 8.6(c), *Hydrology and Water Quality*.
- As a portion of the project site is located within a FEMA Zone X (100 year flood zone), the City of Lake Forest, as the floodplain administrator, should ensure that all FEMA regulations and floodplain requirements applicable to the project are met; refer to Section 8.6(t) and (u), *Hydrology and Water Quality*.
- All work (if any) within the OCFCB right-of-way will require encroachment permits from OCPW/Property Permits Section. Technical reviews and approvals for the proposed work will be accomplished within the permit process; refer to Section 8.6(c), (e), and (t) through (v), *Hydrology and Water Quality*.
- The comment states that run-off from the project (from the current IRWD site) should be designed to undercross the Serrano Creek Trail so as not to impact the trail surface; refer to Section 8.6(c) and (d), *Hydrology and Water Quality*.
- Additional analysis regarding erosion impacts to Serrano Creek as a result of the proposed project has been included in Section 8.6(c) and (e), *Hydrology and Water Quality*.
- Additional analysis regarding the change in the hydrologic condition from the project site to Serrano Creek has been included in Section 8.6(c) and (e), *Hydrology and Water Quality*.
- The Preliminary Water Quality Management Plan includes a discussion of the significant hydromodification taking place along Serrano Creek as a result of the project; refer to Section 8.6, *Hydrology and Water Quality*, and Appendix E, *Hydrology Report and Water Quality Management Plan* of Appendix 12.1.
- Additional analysis regarding the long-term stability of Outlet B and its appurtenances, the potential for hydromodification below the footprint of the outlet, and the low-flow channel of Serrano Creek and within Serrano Creek itself at and below that point (all in the context of a currently unstable creek bed) has been included in Section 8.6(c), *Hydrology and Water Quality*.



- Additional analysis regarding whether or not the new rip rap apron of the outlet, which is of considerable size, is consistent with the aesthetic enjoyment or expectations of recreational users of the Creek area has been included in Section 8.1(c), *Aesthetics*.
- The EIR notes that the project only reduces the peak discharges by 16.5 percent with regard to the San Diego Creek/Newport Bay Watershed regulatory requirements; refer to Section 8.6(c), *Hydrology and Water Quality*.

*South Coast Air Quality Management District Comment Letter*

- The Air Quality analysis presented in the EIR follows the CEQA Air Quality Handbook, adopted by the SCAQMD; refer to Section 5.1, *Air Quality (Impact Statements AQ-1 through AQ-4)*.
- Potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project have been addressed in Section 5.1, *Air Quality (Impact Statements AQ-1 through AQ-3)*.
- Air quality impacts from both construction (including demolition) and operations have been calculated in Section 5.1, *Air Quality (Impact Statements AQ-1 through AQ-3)*.
- Air quality impacts from indirect sources (sources that generate or attract vehicular trips) have been included in Section 5.1, *Air Quality (Impact Statement AQ-2)*.
- Regional and localized significance thresholds, as well as PM<sub>2.5</sub> calculations from construction and operational activities and processes, have been performed per the SCAQMD's methodology; refer to Section 5.1, *Air Quality (Impact Statements AQ-1 through AQ-3)*.
- In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, the comment recommends that the lead agency perform a mobile source health risk assessment; refer to Section 5.1, *Air Quality (Impact Statement AQ-2)*.
- The comment states that in the event that the project generates significant adverse air quality impacts, all feasible mitigation measures that go beyond what is required by law must be used during project construction and operation to minimize or eliminate significant adverse air quality impacts; refer to Section 5.1, *Air Quality (Impact Statements AQ-1 through AQ-3)*.

*United States Department of the Interior Fish and Wildlife Service Comment Letter*

- Results from focused surveys for special status species that may occur on the project site and an analysis of project-related impacts have been included in (Section 5.3, *Biological Resources (Impact Statement BIO-1)*.



- The biological resources section has been revised so Covered Habitats other than coastal sage scrub are not covered under the NCCP/HCP for the project; refer to Section 5.3, Biological Resources (Impact Statements BIO-1 and BIO-2).
- Mitigation measures that will be implemented to address impacts to biological resources on the property have been included in the analysis. Sufficient detail has been included in the EIR to evaluate whether or not proposed mitigation measures will offset the anticipated impacts to special status species and onsite habitat. Mitigation measures for special status species not covered under the NCCP/HCP and for anticipated impacts to native habitat including chaparral, oak woodland, mulefat scrub, willow riparian forest, cottonwood woodland, and Mexican elderberry have also been included. The comment also states that proposed Mitigation Measures in the EIR should minimally include details such as the following: (1) where the proposed conservation or restoration will occur, (2) the acreage of conservation or restoration that will be conducted, and (3) when mitigating impacts to trees and rare plants, how many trees/plants will be planted or translocated; refer to Section 5.3, Biological Resources (Impact Statement BIO-1).
- Recommended Mitigation Measures for impacts to chaparral and oak woodland, which includes restoration or conservation of equivalent habitat at a site that is or will be preserved in perpetuity, have been included in Section 5.3, Biological Resources (Impact Statement BIO-1).
- Recommended Mitigation Measure BIO-1 has been adjusted to include the intermediate mariposa lily on the list of species for which focused surveys will be conducted; refer to Section 5.3, Biological Resources (Impact Statement BIO-1).

## EARLY CONSULTATION (SCOPING)

Notice of a public scoping meeting for the proposed project was included within the NOP distributed by the City on May 5, 2011. The public scoping meeting was held in the Lake Forest City Hall on May 18, 2011. The meeting was held with the specific intent of affording interested individuals, groups, and public agencies a forum in which to orally present input directly to the Lead Agency in an effort to assist in further refining the intended scope and focus of the EIR, as described in the NOP. One member from the public was present at the scoping meeting and had no environmental concerns for the purpose of the scoping of the EIR.

## 1.5 FORMAT OF THE DRAFT EIR

The Draft EIR is organized into 12 sections, as follows:

- Section 1.0, Introduction and Purpose, provides CEQA compliance information.
- Section 2.0, Executive Summary, provides a brief project description and summary of the environmental impacts and mitigation measures.



- Section 3.0, *Project Description*, provides a detailed project description indicating project location, background, and history; project characteristics, phasing, and objectives; as well as associated discretionary actions required.
- Section 4.0, *Basis for the Cumulative Analysis*, describes the approach and methodology for the cumulative analysis.
- Section 5.0, *Environmental Analysis*, contains a detailed environmental analysis of the existing conditions, project impacts, recommended mitigation measures, and unavoidable adverse impacts for a number of environmental topic areas.
- Section 6.0, *Other CEQA Considerations*, discusses significant environmental changes that would be involved in the proposed action, should it be implemented. The project's growth-inducing impacts, including the potential for population growth, are also discussed.
- Section 7.0, *Alternatives to the Proposed Action*, describes a reasonable range of alternatives to the project or to the location of the project that could avoid or substantially lessen the significant impact of the project and still feasibly attain the basic project objectives.
- Section 8.0, *Effects Found Not to be Significant*, provides an explanation of potential impacts that have been determined not to be significant.
- Section 9.0, *Inventory of Mitigation Measures*, lists mitigation measures proposed to minimize the significant impacts.
- Section 10.0, *Organizations and Persons Consulted*, identifies all Federal, State, or local agencies, other organizations, and individuals consulted.
- Section 11.0, *Bibliography*, identifies reference sources for the EIR.
- Section 12.0, *Appendices*, contains technical documentation for the project.

## 1.6 RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to Sections 15381 and 15386 of the *CEQA Guidelines*, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:

*“Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (Section 15381)*



*“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; The California Department of Fish and Game, The State Lands Commission; The State Department of Parks and Recreation and The University of California with regard to sites within the Natural Land and Water Reserves System. (Section 15386)*

Responsible and Trustee Agencies and other entities that may use this EIR in their decision-making process or for informational purposes include, but may not be limited to, the following:

- California Department of Transportation, District 12;
- California Regional Water Quality Control Board;
- County of Orange Public Works;
- County of Orange Environmental Management Agency;
- Irvine Ranch Water District;
- Native American Heritage Commission;
- Orange County Fire Authority;
- Orange County Health Department;
- Orange County Sheriff's Department;
- Orange County Transit Authority;
- South Coast Air Quality Management District;
- Southern California Association of Governments;
- State of California Department of Fish and Game;
- State of California Department of Transportation;
- State Water Resources Control Board;
- U.S. Army Corps of Engineers; and
- U.S. Fish and Wildlife Service.

## 1.7 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with Section 15150 of the *CEQA Guidelines*, which encourages incorporation by reference as a means of reducing redundancy and length of environmental reports. The following documents are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. These documents are available for review at the City of Lake Forest Development Services Department, located at 25550 Commercentre Drive, Suite 100, Lake Forest, California, 92630.

- *City of Lake Forest General Plan (General Plan), June 21, 1994 and Amended on July 1, 2010.* The City of Lake Forest General Plan (General Plan), dated June 21, 1994 and amended on July 1, 2010, serves as a policy guide for determining the appropriate physical development and character of the City of Lake Forest (City). The General Plan is founded upon the community's vision for the City and expresses the community's long-term goals. Implementation of the General Plan would ensure that future development projects are consistent with the community's goals and that adequate urban services are available to meet the needs of new development.



The General Plan contains goals, policies, and plans which are intended to guide land use and development decision. The General Plan consists of a Land Use Policy Map and the following six elements or chapters, which together fulfill the State requirements for a General Plan:

- Land Use;
- Housing;
- Circulation;
- Recreation and Resources;
- Safety and Noise; and
- Public Facilities/Growth Management.

Several supporting documents were produced during the development of the General Plan, including the Lake Forest Master Environmental Assessment (Lake Forest MEA) and the General Plan Master Environmental Impact Report (Master EIR). These documents provide substantial background information for the General Plan. The General Plan and supporting documentation were used throughout this Initial Study as sources of baseline data.

- City of Lake Forest Municipal Code (Municipal Code). The Municipal Code (codified through Ordinance No. 202, passed January 19, 2010 [Supplement No. 13]) consists of all the regulatory, penal, and administrative ordinances of the City of Lake Forest. It is the method the City uses to implement control of land uses, in accordance with General Plan goals and policies. The City of Lake Forest Zoning Code (Title 9 of the Municipal Code) (Zoning Code) identifies land uses permitted and prohibited according to the zoning category of particular parcels. The Zoning Code is referenced throughout this Initial Study for descriptions and requirements of the City's regulatory framework.
- City of Lake Forest CEQA Significance Thresholds Guide, dated November 20, 2001 (revised March 2009). The City of Lake Forest CEQA Significance Thresholds Guide was prepared for the review of projects, and in the preparation of environmental documents pursuant to CEQA. CEQA requires the analysis of discretionary projects to disclose their potential effects on the environment. The City of Lake Forest CEQA Significance Thresholds Guide is a tool that compiles information that is useful in the preparation of environmental documents, and improves the level of consistency, predictability, and objectivity of the City's environmental documents. The Guide provides assistance in evaluating the significance of project impacts for six key topical issues in the City of Lake Forest: traffic, noise, air quality, land use, aesthetics, and water resources. For each topical issue the following information is provided: background information; discussion of relevant standards, planning guidelines, policies etc.; thresholds of significance; and potential mitigation.
- City of Lake Forest Opportunities Study Final Program Environmental Impact Report (OSA PEIR), dated May 23, 2008, certified June 3, 2008. The primary purpose of the City of Lake Forest Opportunities Study (Opportunities Study) was to amend the City's General Plan and Zoning Code (General Plan Amendment 2008-02 and Zone Changes 2008-01 to 2008-05) for five properties previously zoned for industrial and commercial uses to facilitate the



potential development of residential and commercial uses. The proposed project is identified as Site 3 of the OSA. These properties were encumbered by the El Toro MCAS noise contours, as well as lying within the “crash zone” (APZ 2) for El Toro MCAS, which limited potential uses on those sites to only nonresidential uses. These noise contours and crash zone encumbrances are no longer necessary, as the El Toro MCAS is no longer used for air station or airport uses (nor is this facility planned for future air station or airport uses).

The OSA PEIR addresses the following environmental effects of the Opportunities Study (which includes the project site):

- Aesthetics and Visual Resources;
- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology/Soils and Mineral Resources;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology/Water Quality;
- Land Use/Planning;
- Noise;
- Population/Housing;
- Public Services;
- Recreation;
- Transportation/Traffic; and
- Utilities/Service Systems.

The OSA PEIR addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in the CEQA and the CEQA Guidelines. In addition, the OSA PEIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects of the Lake Forest Opportunities Study.



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