



County of Orange

# MEMO

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**DATE:** February 7, 2003

**TO:** Bill Melton, Site Planning Section

**FROM:** Environmental Planning Services Division (EPSD)

**SUBJECT:** PA 020131 – Ladera Ranch Covenant Hills Earthwork Balance Area.

**PROJECT DESCRIPTION:** A Site Development Permit for an earthwork balance site in the southerly portion of Ladera Planned Community. As the grading work is completed for Ladera Planned Community and the last phase – “Covenant hills” is completed, there is the potential that up to 320,000 cubic yards of excess earthen material will need to be disposed of within the Ladera Planned Community. This project proposes to dispose of this material within the southwesterly portion of Planning Area 5 and northwesterly of Planning Area 8.

**PROJECT LOCATION:** Southwesterly portion of Planning Area 5 (Tentative Tract 15990) and the northwesterly portion of Planning Area 8 (Tentative Tract 15793, Horno Basin) in Ladera Ranch Planned Community.

**CEQA DETERMINATION:** The CEQA review of the subject project has been completed by the Environmental & Project Planning Services Division. Based upon its review, EPSD has determined that the proper CEQA documentation for the Project is Addendum IS PA 020131 to FEIR 555. The following information is attached to this memo for your consideration:

- I. Instructions for Filing CEQA Documents with the County Clerk; and
- II. CEQA Statements, Actions and Findings which should be used for Staff Reports and AITs for the Project, including:
  - A. CEQA Compliance Statement(s) for AITs and Staff Reports; and
  - B. Recommended Action for Decision-maker(s) to Approve Project; and
  - C. Fish and Game Code Findings for Approval of Project; and
  - D. NCCP Finding for Approval of Project.
- III. Addendum PA 020131

If clarification is needed regarding this Memo or if there are questions, please contact the following staff person from PDS/Environmental Planning Services Division:

EPSD Staff Contact: Chris Uzo-Diribe Telephone Number: 834-2542

Tim Neely, Manager, Environmental Planning Services Division

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: Chief, Environmental Section

Attachment 1: Filing Instructions for County Clerk

Attachment 2: Recommended CEQA Statements, Actions, Findings

Attachment 3: Addendum PA 020131

Attachment 4: NOD

## ATTACHMENT 1

### FILING CEQA DOCUMENTS WITH THE COUNTY CLERK

Your division will be responsible for filing the CEQA documentation and paying its related \$43.00 filing fee with the County Clerk for your project. The County Clerk needs your CEQA document(s) with your project charge number in the upper right corner in order to post the document and recover this fee. You must, however, obtain a fee receipt from the County Clerk, which must then be turned in immediately to Management Services/Accounting Services. The County Clerk requires the \$43.00 documentary handling fee for the following items:

- \* Notices of Determinations (NOD); and
- \* Notices of Exemption (NOE)

#### **Please note the following:**

1. Within 5 days of Project approval by the Board, Planning Commission, Zoning Administrator, Subdivision Committee or Director of PDS, a Notice of Determination (NOD) must be filed with the County Clerk.
2. If EPSD has determined that the Project is exempt from the Department of Fish and Game (DFG) fees, a De Minimis Finding (Certificate of Fee Exemption) will be provided by EPSD and must accompany your project's NOD.
3. If EPSD has determined that the Project is exempt from the Department of Fish and Game (DFG) fees because the required fees were previously paid, a memo will be provided by EPSD and must accompany your project's NOD.
4. If EPSD cannot find your project exempt from the DFG fees and has no record of the fee payment, the Applicant will be required to pay \$893.00 for the EIR, including the \$43.00 handling fee.

You will need to fill in the information on the NOD form and get an original authorizing signature from your division after the approval action on your project. You will need to take the original set, and at least one set of copies to the EIR Clerk located in the Records/Clerks Office, Building 12, Civic Center Plaza. The Clerk will stamp the NOD and keep the original set. The Clerk will issue a receipt for the environmental document, which must be returned to Management Services/Accounting Services by the end of the day. A copy of a stamped NOD must be sent to EPSD for the file.

**ATTACHMENT 2**  
**RECOMMENDED CEQA STATEMENT ACTION AND FINDINGS FOR STAFF**  
**REPORTS/AITs**

**A. CEQA COMPLIANCE STATEMENT (FOR TEXT OF STAFF REPORT/AIT):**

The CEQA compliance statement, located in the text of the staff report or body of the AIT under "Additional Data", shall include the following statement unless advised otherwise by County Counsel or the Manager, EPSD:

The proposed project is covered by Final EIR No. 555, previously certified on 10/17/95 and Addendum PA 020131. Prior to project approval, the decision-maker must assert that together they are adequate to satisfy the requirements of CEQA for the proposed project.

**B. RECOMMENDED ACTION STATEMENT FOR APPROVING PROJECT:**

State law requires that action on a CEQA document be taken by the decision-maker prior to approval of the project for which it has been prepared. The following action must be taken before action on the project, unless directed otherwise by County Counsel or the Manager, PDS/EPSPD:

The decision-maker has considered Final EIR 555, previously certified on 10/17/95 and Addendum No. PA 020131, prior to project approval. Together they are approved for the proposed project based upon the following findings:

- a. Together, these documents are adequate to satisfy the requirements of CEQA by the decision-maker;
- b. The additions, clarifications and/or changes to the original document caused by the Addendum, do not raise new significant issues which were not addressed by the EIR; and
- c. The approval of the EIR and Addendum for the proposed project reflect the independent judgment of the Lead Agency.

**C. FISH AND GAME CODE FINDING FOR APPROVAL OF PROJECT:**

Find that pursuant to Section 711.4 of the California Fish and Game Code, this project is subject to the required fees as it has been determined that potential adverse impacts to wildlife resources may result from the project. However, the required fees were paid previously (Receipt No. **59897**).

**D. NCCP FINDING FOR APPROVAL OF PROJECT:**

Find that the project has the potential of adversely affecting significant Coastal Sage Scrub habitat and, therefore, may preclude the ability to prepare an effective Subregional Natural Communities Conservation Planning (NCCP) Program.

### ATTACHMENT 3

#### ENVIRONMENTAL ANALYSIS FOR SITE DEVELOPMENT PERMIT APPLICATION PA 020131 LADERA PLANNED COMMUNITY

**PROJECT DESCRIPTION:** A Site Development Permit for an earthwork balance site in the southerly portion of Ladera Planned Community. As the grading work is completed for Ladera Planned Community and the last phase – “Covenant hills” is completed, there is the potential that up to 320,000 cubic yards of excess earthen material will need to be disposed of within the Ladera Planned Community. This project proposes to dispose of this material within the southwesterly portion of Planning Area 5 and northwesterly of Planning Area 8. The proposed project avoids the alternative approach, which would entail trucking the material to unknown off-site locations.

The earthwork would result in the filling of an area of approximately 4.50 acres, which is currently concave at topographic contours of between 250’ and 380’. At the peak in-fill of 320,000 cubic yards, the fill area would plateau of 380’. If less than 320,000 cubic yards is necessary, the result would be more of a gradual extension of manufactured slope from the residential lots in Tentative Tract 15990.

**PROJECT LOCATION:** Southwesterly portion of Planning Area 5 (Tentative Tract 15990) and in northwesterly portion of Planning Area 8 (Tentative Tract 15793, Horno Basin) in Ladera Planned Community.

**EXISTING CONDITIONS:** The subject site is vacant and has been used for cattle grazing. The site is surrounded by existing or planned developments.

**CEQA BACKGROUND/STANDARD OF REVIEW:** State law requires that action on a CEQA document be taken by the decision-maker prior to approval of the project for which it has been prepared. An Addendum to Final Environmental Impact Report 555 has been determined as the appropriate environmental documentation for the proposed project. Proposed Site Development Permit is regarded as a private project subject to administrative approval and is part of a previously approved Grading Plan GA 000004 for which Environmental Impact Report (EIR) 555, certified on 10-17-95, was determined to be adequate.

#### **DECISION TO PREPARE AN ADDENDUM:**

None of the conditions described in Section 15162 calling for preparing a Supplemental or Subsequent EIR have occurred. Changes related to the proposed project are of a minor nature. The County of Orange has determined that only minor technical changes or addition to FEIR 555 are necessary in order to properly address the current Project.

In accordance with Sec. 15063 an Initial Study was completed on the subject project by the Environmental Planning Services Division (EPSD) and it was determined that FEIR 555 adequately analyzed the previously approved project and the grading plan. However, the submitted project, proposes only minor technical changes, through the revision of the grading activities necessary to complete all grading activities in the Planned Community. No substantial changes have occurred with respect to the circumstances surrounding this project and no new information that would substantially affect the validity of the EIR has become available. Based upon its review, EPSD has determined that the proper CEQA documentation for the Project is Addendum IS PA 020131 to FEIR 555.

The following is the analysis of the subject proposal and compilation of pertinent mitigation measures derived from FEIR 555 approved and adopted for the Ladera Planned Community.

#### **ANALYSIS OF IMPACTS/MITIGATION:**

##### **1) LAND USE AND PLANNING Would the proposal:**

- a) Conflict with general plan designation or zoning?*
- b) Conflict with applicable environmental plans or policies of agencies with jurisdiction over the project?*
- c) Disrupt or divide the physical arrangement of an established community (e.g. low income, minority)?*
- d) Conflict with adjacent, existing or planned land uses?*

#### **ANALYSIS:**

The project would not conflict with zoning, general plan designation, or policies for the property. The proposed site is designated Open Space under the General Plan Land Use Element and zoned PC. The grading activities will be consistent with the General Plan and the Zoning Regulations and no significant adverse impact is anticipated.

No mitigation measures are required.

##### **(2) AGRICULTURE. Would project:**

- a) Convert Farmlands listed as "Prime", "Unique" or of "Statewide Importance" as shown on the State Farmland Mapping and Monitoring Program, to non-agricultural use?*
- b) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

**ANALYSIS:**

There is no farmland conversion involved with the implementation of the proposed project. Therefore, no adverse significant impact on the agricultural resources is anticipated.

No mitigation is required.

**(3) POPULATION AND HOUSING would project:**

- a) Cumulatively exceed adopted regional or local population projections?*
- b) Induce substantial growth in an area directly or indirectly through project in an undeveloped areas or extension of major infrastructure?*
- c) Displace existing housing affecting a substantial number of people?*

**ANALYSIS:**

The proposed project would not cumulatively exceed adopted regional or local population projection, neither will it induce substantial growth in an undeveloped area or extension of major infrastructure or displace existing housing. The population at the City of San Juan Capistrano or build out of the Ladera Planned Community, which was addressed in the FEIR 555 based on a total of 8,100 dwelling units will not change. The approval of the grading activities would benefit the Ladera Planned community and its environs aesthetically. Therefore, the proposed project will not result in population exceeding adopted regional or local projections.

No mitigation measures are required.

**(4) GEOPHYSICAL Would project result in or expose people to impacts involving:**

- a) Local fault rupture?*
- b) Seismicity: ground shaking or liquefaction?*
- c) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*
- d) Landslides or mudslides?*
- e) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?*
- f) Subsidence of the land?*
- g) Expansive soils?*

*h) Unique geologic or physical features?*

**ANALYSIS:**

Potential impacts on geology, soils and seismicity were discussed in Section 3.1 of the FEIR 555 as impacts on landform and topography (alteration of onsite landform characteristics, etc) geologic hazards and seismicity. Since part of the grading operation was addressed and mitigated previously through the use of FEIR 555, no additional impact is anticipated from the proposed project. The FEIR determined that impacts associated with seismicity occur at levels considered to be less than significant and by removing and recompacting onsite soils and implementing standard engineering practices during grading, the impacts associated with compressible and expansion soils would be reduced to a level considered less than significant. However, numerous landslides existing on and adjacent to project area would require stabilization during construction of individual project. Therefore, remedial grading techniques would be necessary to mitigate stability hazards associated onsite landslides, cuts performed on west-facing slopes and slopes exposing highly sheared and eroded rock.

However, the proposed project is expected to dispose of 320,000 cubic yards of excess earthen material within the Planned Community. This grading activity would not result in changes to geologic substructures, or expose people or property to geologic hazards due to unstable earth conditions around the project site. No unique geologic or physical features have been identified at the proposed site, neither is the project expected to result in destruction, or modification of any unique geologic or physical feature. The implementation of the above discussed grading measures and the following mitigation measures in the FEIR, would ensure that impacts are reduced to a level considered less than significant:

**MITIGATION MEASURE #1**

Prior to the issuance of a grading permit, the applicant shall submit a geo-technical report to the Manager, Subdivision & Grading, for approval. The report shall include the information and be in a form as required by the Grading Manual. The report shall identify the areas of expansive soil and compressible soil slope stability, settlement, liquefaction or related secondary seismic impacts. The report shall also recommend construction procedures and/or design criteria to minimize effects of potential hazards associated with project development (FEIR 555 M.M. #1).

**MITIGATION MEASURE #2**

Prior to the issuance of any grading permit moving earth along the southerly boundary of Planning Area 5, the Manager, Current Planning, in consultation with the Manager, Environmental Planning, shall review the proposed grading plan for consistency with the visualization study completed for Final EIR No. 555.

**(5). HYDROLOGY & DRAINAGE. Would the proposal result in:**

- a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in manner which would result in:
  - i) Substantial erosion or siltation on- or off-site?*
  - ii) A substantial increase in the rate or amount of surface runoff in manner, which would result in flooding on- or off-site?**
- b) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- c) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?*
- d) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?*

**ANALYSIS:**

Within the Hydrology and water quality section, the potential impacts are discussed in Section 3.2 of the FEIR 555. The issues are surface water patterns and volumes and surface water quality. An increase in impervious surfaces is anticipated due to the development and increase in hydraulic conveyance capacity due to the construction of flood control channels and pipe systems. The proposed project would result in peak run-off resulting in increased erosion potential, pollution and increase in downstream peak flows. The study area lies within the three water shades of Trabuco, Horno and San Juan Creek and Trabuco Creek, which include runoff. Since the onsite drainage is currently in a natural condition the proposed project may cause an impact, which would exceed the capacity of existing or planned storm water drainage system due to amount of dirt involved.

Therefore, the implementation of the following mitigation measures which are included in FEIR 555 and the established outlet controls, impacts associated with storm flow, would be reduced to a level considered less than significant:

**MITIGATION MEASURE #3**

Prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Subdivision & Grading Sections Division:

- A. A drainage study of the subdivision including diversions, off-site areas that drain onto and/or through the subdivision, and justification of any diversions; and
- B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
- C. Detailed drainage studies indicating how site grading in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall run-off which may be expected from all storms up to and including the theoretical 100-year flood.

#### **MITIGATION MEASURE #4**

- A. Prior to issuance of any grading permits, the applicant shall in a manner meeting the approval of the Manager, Subdivision & Grading Sections:
  - 1) Design provisions for surface drainage; and
  - 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm run-off; and
  - 3) Dedicate the associated easements to the County of Orange, if determined necessary.
- B. Prior to the issuance of any certificates of use and occupancy, said improvements shall be constructed in a manner meeting the approval of the Manager, Construction.

**(6). WATER QUALITY. Would the project:**

- a) Violate any water quality standards or waste discharge requirements?*
- b) Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level?*
- c) Otherwise substantially degrade water quality?*

**ANALYSIS:**

The water quality impact as discussed in the FEIR 555 Section 3.2 attributes urban contamination within storm water discharges as a primary concern for the federal storm water discharge regulation. However, the nature of the proposed project is such that it would not violate any water quality or waste discharge requirements.

No mitigation measures are required.

**(7) TRANSPORTATION/CIRCULATION. Would the proposal result in:**

- a) Increased vehicle trips or traffic congestion beyond adopted policies and/or forecasts?*
- b) Exceed, either individually or cumulatively, a level of service standards established by the county congestion management agency for designated roads or highways?*
- c) Safety hazards from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*
- d) Inadequate emergency access of access to nearby uses?*
- e) Insufficient parking capacity on-site or off-site?*
- f) Hazards or barriers for pedestrians or bicyclists?*
- g) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?*
- h) Rail, waterborne or air traffic impacts?*
- i) Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

**ANALYSIS:**

The project would not impact waterborne, rail, or air traffic nor create significant hazards to equestrians, vehicles, bicyclists, or pedestrians due to its nature. However, during importation of 320,000 cubic yards of earth within the areas of Planning Area 5 and Planning Area 8, the subject project is expected to be in compliance with the following mitigation measure to ensure that any significant impact is reduced below a level of significance:

**MITIGATION MEASURE #5**

Prior to the issuance of a grading permit, site design shall be in a manner meeting the approval of the Manager, Traffic Engineering.

**(8). AIR QUALITY. Would the proposal:**

- a) Violate any SCAQMD standard or contribute to air quality deterioration beyond projections of SCAQMD?*
- b) Expose sensitive population groups to pollutants in excess of acceptable levels?*
- c) Alter air movement, moisture, or temperature, or cause any change in climate?*
- d) Create objectionable odors affecting a substantial number of people?*

**ANALYSIS:**

Air pollutants would be emitted from the grading activities, the magnitude of this impact would be minimal due to the dust suppression measures required by the Air Quality Management District and County of Orange Grading and Excavation Code.

The vicinity of the proposed site is being developed, impacts regarding the generation of additional traffic resulting in higher concentrations of carbon monoxide and nitrogen oxides may occur, however, not beyond those already addressed in EIR 555.

No further mitigation measures are required.

**(9). NOISE. Would the proposal:**

- a) Increase existing noise levels?*
- b) Expose people to noise levels exceeding adopted County standards?*
- c) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**ANALYSIS:**

Within the Impact Section of Noise of the EIR 555, acoustical impacts were identified in Section 3.4 of the EIR, which evaluated from short-term project construction noise, aircraft noise (military and commercial) and long-term exterior and interior noise levels from project related traffic. The short-term impacts were identified to be less than significant. There are no long-term impacts anticipated from the proposed project.

The project lies outside of the 65 CNEL as shown on the Airport Environs Land Use Plan and the County of Orange General Plan Noise Element. The project itself will generate no excessive noise, and therefore, FEIR 555, as discussed, remains adequate and complete for this project. The following short-term impact mitigation measures from FEIR 555 would ensure that people are not exposed to noise levels in excess of County Standards.

## MITIGATION MEASURE #6

- A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Subdivision & Grading, that:
- (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.
  - (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control), including the restrictions of construction activities to 7 a.m. to 8 p.m. Monday through Saturday with no construction allowed on Sundays of federal holidays.
  - (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
- B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of grading plans, will be considered as adequate evidence of compliance with this condition.

### **(10). BIOLOGICAL RESOURCES. Would the project impact:**

- a) *Endangered, threatened or rare species or their habitats including, but not limited to, plants, fish, insects, animals and birds?*
- b) *Locally designated species e.g. heritage trees?*
- c) *Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?*
- d) *Wetland habitat e.g. marsh, riparian and vernal pool?*
- e) *Wildlife dispersal or migration corridors?*
- f) *Adopted conservation plans and policies (e.g. Natural Community Conservation Plan or Resource Management Plan)?*

### **ANALYSIS:**

The project is not anticipated to change the diversity of species, flora and fauna habitat, or reduce any unique, aesthetically significant rare or endangered species of plants or animals. The potential impacts to biological resources were addressed in FEIR 555 Section 3.7, which includes loss of or change of vegetation, reduction or change in sensitive animal species, and their preferred habitats. Impacts associated with land development area according to the

EIR, would result in the loss of coastal sage scrub, which includes the coastal sage scrub-buck wheat scrub, southern cactus scrub, and mixed scrub. Given that the proposed project site is already disturbed as part of grading activities associated with the previously approved projects approval of this project does not incur new impacts. Any adverse impacts to Coastal Sage scrub and related sensitive species have been addressed and mitigated. The majority of the impacts on critical areas of sagebrush scrub occur in Planning Area 1. Therefore, no additional impact is anticipated from the proposed project that has not been addressed and mitigated in the FEIR 555.

No additional mitigation is required.

**(11) AESTHETICS. Would the proposal:**

- a) Affect a scenic vista or view open to the public?*
- b) Affect a designated scenic highway?*
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?*
- d) Create light or glare beyond the physical limits of the project site?*

**ANALYSIS:**

FEIR 555 addresses aesthetics impacts in Section 3.11, which includes primarily the transformation of the natural character of the environment to one that is predominantly urban, residential, business and industrial park and recreational in character. The EIR also discusses the views from adjacent communities located in the City of San Juan Capistrano being affected under the proposed land use plan. For example, as the EIR indicates, views from the Stoneridge Residential Community would be affected due to the alteration of the secondary ridgeline and a canyon visible to the north of the viewpoint. However, the FEIR determined that with mitigation measures incorporated into the project, that potentially significant aesthetic impacts related to construction and implementation of the whole Planned Community would be reduced to less than significant level. That there would be no significant unavoidable impacts related aesthetics with development of the planned community.

The landscape concept for Planning Area 5 and the entire Ladera Planned Community is intended to reinforce the heritage of Rancho Mission Viejo and weave those natural and historic themes into all future development of the community. For the purpose of this Addendum document, the scope and level of detail regarding landscaping is limited to representations of grading activities involved for the proposed project to be established.

The grading activities that would be involved may result in aesthetics impacts. Therefore, the following mitigation measures from the approved Area Plan will ensure that aesthetics impacts are reduced below a level of significance:

#### **MITIGATION MEASURE #7**

Prior to issuance of any grading permits for the portion of Planning Area 5 adjacent to the southerly boundary of the Ladera Planned Community, the applicant shall submit an Urban Edge Treatment Plan for review and comment by the City of San Juan Capistrano, and for approval by the Manager, Current Planning Services. The Urban Edge Treatment Plan shall demonstrate that the slope grading and landscaping shall be compatible with the existing terrain and vegetation, like the citrus (lemon) type of plants, as well as consistent with the requirements of the Orange County Fire Authority fuel modification program.

#### **MITIGATION MEASURE #8**

Prior to the issuance of any grading permit moving earth along the southerly boundary of Planning Area 5, the Manager, Current Planning, in consultation with the Manager, Environmental Planning, shall review the revised grading plan for consistency with urban edge treatment plan as well as the visualization study completed for Final EIR No. 555 to ensure that impacts are mitigated below a level of significance.

#### **(12) CULTURAL/SCIENTIFIC RESOURCES. Would the project:**

- a) Disturb archaeo or paleo resources?*
- b) Affect historical resources?*
- c) Have the potential to cause a physical change which would affect unique ethnic cultural values?*

#### **ANALYSIS:**

The potential impacts to cultural resources for development of Ladera Planned Community are discussed in Section 3.10 of the FEIR 555. The EIR evaluates the potential impacts to known archeological sites and paleontological resources within the project site and vicinity. There is also identification of sites requiring testing, as well as sites requiring data recovery. The document concluded that impacts to historical resources would be less than significant while significant impacts to archeological and paleontological resources would be mitigated to less than significant levels. Since there are a total of nine known archeological sites, eighteen known cultural resource sites and a cave within or in close proximity of Planned

Community. However, the following mitigation measure from FEIR 555 will continue to ensure that impacts are mitigated below a level of significant:

#### **MITIGATION MEASURE #9**

Prior to the issuance of any grading permit, the project applicant shall provide written evidence to the Manager, Subdivision and Grading, that a County-certified archaeologist has been retained, shall be present at the pre-grading conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project developer, for exploration and/or salvage. The archaeologist shall submit a follow-up report to the Manager, Harbors, Beaches & Parks, which shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Excavated finds shall be offered to the County of Orange, or designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the Manager, Harbors, Beaches & Parks.

#### **(13) RECREATION. Would proposal:**

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration or the facility would occur or be accelerated?*
- b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*
- c) Conflict with adopted recreational plans or policies?*

#### **ANALYSIS:**

The Ladera project's potential impacts to recreational facilities, resources and/or policies are discussed in Section 3.12 of FEIR 555 which includes impact on O'Neill Regional Park, Thomas Reiley Wilderness Park, Caspers Wilderness Park, the proposed Prima Deshecha Regional Park, regional trails and projects conformance with County's Recreation Element. The document identified no significant impacts of Ladera project to recreational facilities, resources or policies. With no increase in the residential units being proposed, there will be no need for additional parks or open space than what was earlier approved during the initial planning process. There is no evidence that the project, would impact the quality or quantity of existing recreational opportunities.

Based on the Master Plan of Local Parks (MPLP) standard for Local Park acreage (2.5 acres per 1,000 residents), an estimated 71 acres of local parkland would be required for the Ladera Planned Community. The Park provisions for individual project will be in accordance with

the Park Implementation Plan contained in the Ladera Area Plan, which provides a comprehensive treatment for local parks and open space dedication in Ladera Planned Community. The objectives for local parks are also carried out by the approved component that addresses the open space and trails network in the Planned Community in connection with Capital Facilities Agreement, which includes the establishment of local parks phased with development. The provision of recreation and open space facilities has proceeded, and will continue to do so, as specified in the planning and regulatory documents for Ladera Planned Community.

Therefore, the proposed project would not result in any adverse impact due to its nature and use and no mitigation measure is required.

**(14) MINERAL RESOURCES. Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**ANALYSIS:**

The proposed project, is not expected to result in the loss of any mineral resources or any local site of any importance. No adverse impact is anticipated.

No mitigation measures are required.

**(15) HAZARDS. Would the project:**

- a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*
- d) Exposure of people to existing sources of health hazards?*
- e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**ANALYSIS:**

The public health and safety potential impacts are discussed in Section 3.8 of the FEIR 555. The issues are related to hazardous materials associated with the presence of petroleum exploration wells, agricultural fields, underground fuel pipelines. However, the EIR determined that impacts associated with underground pipelines are less than significant while potential significant impacts associated with hazardous materials and extraction wells would be less significant after mitigation. The proposed project would not result in impacts to public health and safety all grading activities will be in compliance with County's Grading and Excavation Codes.

No mitigation measures are required.

**(16) PUBLIC SERVICES. Would project result in needs for new/altered government facilities/services in:**

- a) Fire protection?*
- b) Police protection?*
- c) Schools?*
- d) Maintenance of public facilities, including roads?*
- e) Other government services?*

**ANALYSIS:**

The Ladera Planned Community project potential impacts on public services are discussed in Section 3.9 of the FEIR 555. The FEIR did not identify any significant impact to public services, utilities, and energy consumption that could not be reduced to less than significant levels. That the mitigation measures for public services, utilities and energy as identified in the document and incorporated into the project would eliminate or substantially lessen the significant effects on public services, utilities and energy to less than significant with the establishing of Ladera Planned Community. Therefore, the proposed project is not expected to impact the quality or quantity of any public services, due to its size and nature.

No further mitigation measures are required.

**(17) UTILITIES & SERVICE SYSTEMS. Would project result in needs for new or substantial alterations:**

- a) Power or natural gas?*
- b) Communications systems?*
- c) Local or regional water treatment or distribution facilities?*

- d) *Sewer or septic tanks?*
- e) *Solid waste disposal?*

**ANALYSIS:**

The implementation of the Ladera Planned Community is expected to generate approximately 57.36 tons of solid waste per day of which the proposed project is a part. However, as part of the Area Plan process, measures to reduce the amount of refuse generated, have been developed by the applicant in consultation with the Manager, Integrated Waste Management Department. No further adverse impact from the other segments of utilities and service systems was identified by the FEIR. The nature of the proposed project is such that no significant adverse impact to utilities and service systems is anticipated.

No additional mitigation measures are required.

**FINDINGS:**

- A. The project would not have any impacts on fish but may impact wildlife habitat or communities, rare or endangered species or any periods of California history.
- B. Due to the project's small scale and the mitigation measures described above, no long-term environmental goals would be compromised.
- C. Due to the mitigation measures described above there are no known effects from other projects that would result in significant cumulative impacts.
- D. The project would not have any adverse effects on human beings. The mitigation measures described above would reduce the adverse effects below the level of significance.
- E. The project as proposed along with the required mitigation measure should not result in any significant adverse impacts on humans or otherwise. Final EIR 555, which was certified on October 17, 1995 together with this addendum PA 020131, satisfy the requirements of CEQA for this project.

**Prepared by** \_\_\_\_\_ **Date:** \_\_\_\_\_

Chris Uzo-Diribe  
Environmental Planning Services Division