Transportation Corridor Agencies™

DRAFT INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

Project Title	**Saddle Club Preservation Property Site Use Plan Implementation Project**
Lead Agency Name and Address	Foothill/Eastern Transportation Corridor Agency 125 Pacifica, Suite 100 Irvine, CA 92618
Contact Person and Phone Number	Doug Feremenga, AICP CEP Manager, Environmental Planning 949.754.3496
Project Location	The project site is located at 31101 Live Oak Canyon Road, Trabuco Canyon, California, in unincorporated Orange County. The site is bordered by the Live Oak Canyon Road/Trabuco Canyon Road and O'Neill Regional Park to the West and South, and the Orange County Transportation Authority's Wren's View Preserve to the North and East.
Project Sponsor's Name and Address	Foothill/Eastern Transportation Corridor Agency Same Address as Above
General Plan Designation	Foothill/Trabuco Specific Plan
Zoning	TCR – Trabuco Canyon Residential District
Other Public Agencies whose approval will be required (e.g., permits, financing approval, or participation agreement)	N/A

This Page Intentionally Left Blank

TABLE OF CONTENTS

TABLES

FIGURES

ATTACHMENTS

This Page Intentionally Left Blank

1 INTRODUCTION

This Initial Study and Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA), State Guidelines for Implementation of CEQA, and Appendix G to the Agency Administrative Code Procedures for Implementing CEQA. It serves as the environmental document for the proposed Saddle Club Preservation Property (SCPP) Site Use Plan (Attachment A) improvements, including demolition and habitat restoration and/or enhancement (project). The primary intent of this document is to (1) determine whether project implementation would result in potentially significant or significant impacts to the environment; and (2) to incorporate mitigation measures into the project design, as necessary, to eliminate the project's potentially significant or significant project impacts or reduce them to a less than significant level.

In accordance with CEQA, projects that have potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, must undergo analysis to disclose the potential significant effects. The provisions of CEQA apply to California governmental agencies at all levels, including local agencies, regional agencies, State agencies, boards, commissions, and special districts. CEQA requires that an IS be prepared for a discretionary project such as the SCPP Site Use Plan to determine the range of potential environmental impacts of that project and define the scope of the environmental review document. As specified in the CEQA Guidelines Section 15064(f), the lead agency may prepare a MND if, in the course of the IS analysis, it is recognized that the project may have a significant impact on the environment, but that implementing specific mitigation measures (i.e., incorporating revisions into the project) would reduce any potentially significant impacts to a less than significant level. As the lead agency for the proposed project, the Foothill/Eastern Transportation Corridor Agency (F/ETCA or Agency) has the principal responsibility for conducting the CEQA environmental review to analyze the potential environmental effects associated with project implementation.

Project Design Features (PDFs) and Standard Conditions/Existing Plans, Programs, or Policies (PPPs):

Throughout the impact analysis in this Initial Study, reference is made to 1) Project Design Features (PDFs), and 2) existing Standard Conditions applied to the project on the basis of federal, state, or local law, and Existing Plans, Programs, or Policies (PPPs) currently in place and that would apply to the project. Standard Conditions and Existing Plans, Programs, or Policies are collectively identified in this document as PPPs. Where applicable, PDFs and PPPs are listed to show their effect in avoiding potential environmental impacts. The Agency would include these PDFs and PPPs along with mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) for the project to ensure their implementation.

1.1 Project Background

The Agency takes pride in its environmental stewardship and unparalleled 25-year record of meeting its mitigation obligations as prescribed by the resource and wildlife permitting agencies. Currently, the F/ETCA in conjunction with its sister agency, the San Joaquin Hills Transportation Corridor Agency, has completed 51-miles of roadway and to minimize and mitigate these projects, it has conserved approximately 2,200 acres of valuable open space in Orange County. Consistent with the Agency's historical practices, and to meet anticipated mitigation needs for existing and future capital projects, the Agency purchased the approximately 33-acre Saddle Club Preservation Property (hereafter referred to as "SCPP," property, or site) in December 2017.

The F/ETCA completed the SCPP Draft Site Use Plan (hereafter referred to as "Site Use Plan") as a tool to guide the use and long-term management of the property. The Site Use Plan includes the Agency's vision to have a site that balances habitat conservation, wildlife refuge and connectivity, and a pilot public recreational use program. The Agency intends to restore and enhance habitats onsite for mitigation, protect open space areas, while providing opportunity for recreational pursuits that foster physical activity and contemplative experiences for the community. Access to the multiuse trail promotes adventure while also encouraging stewardship for the site and area wildlife.

The Site Use Plan vision (see Attachment A) contains goals for the site's management and identifies specific objectives, including proposed implementation of habitat restoration and conservation, wildlife refuge and connectivity, and a pilot public recreational program.

1.2 Project Location and Setting

The SCPP is located at 31101 Live Oak Canyon Road in Trabuco Canyon, in unincorporated Orange County (Figure 1.3-1). The site is located in Section 11 of Township 6 South, Range 7 West, of the San Bernardino Baseline and Meridian. Topographic map coverage of the site and surrounding vicinity is provided by the United States Geological Survey (USGS) "Santiago Peak" (2012) Quadrangle. The elevation of the site ranges from approximately 950 feet above mean sea level (MSL) to 1080 feet MSL. The topographic gradient at the site is variable along ridgelines and valleys; however, the overall site topography generally slopes to the west towards Live Oak Canyon Road. The topography in the vicinity of the site is variable; however, it generally slopes southward towards Arroyo Trabuco (Trabuco Creek). Trabuco Creek flows southwest towards the Pacific Ocean.

Figure 1.1 – Regional Location

1.2.1 Location

The project site is regionally accessible by State Route 241, El Toro Road, and Santiago Canyon Road. It is bordered by the Live Oak Canyon Road/Trabuco Canyon Road and O'Neill Regional Park to the West and South, and the Orange County Transportation Authority's Wren's View Preserve to the North and East.

The SCPP is located within the Foothill Trabuco Specific Plan (Figure 1.2). The Foothill/Trabuco Specific Plan Area encompasses approximately 6,500 acres located within the foothills of the Santa Ana Mountains.

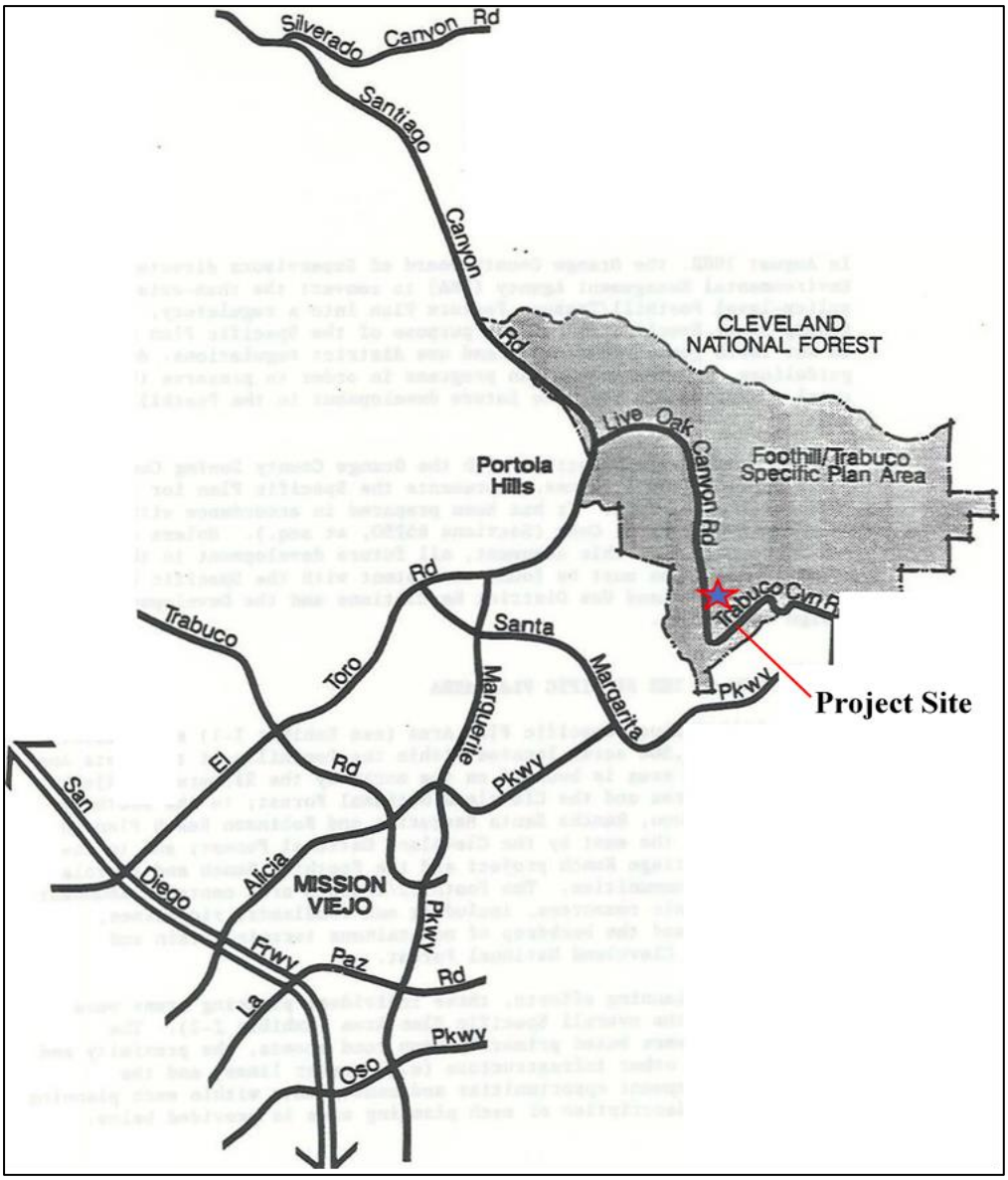

Figure 1.2 Foothill/Trabuco Specific Plan

The SCPP is located on an inside elbow where Trabuco Canyon Road turns north and becomes Live Oak Canyon Road. Access is provided via a private driveway from Trabuco Canyon Road and a smaller gated access further north on Live Oak Canyon Road. The subject site is served by municipal power and water. Southern California Edison provides electricity, to the property while Trabuco Canyon Water District provides water.

1.2.2 Land Use

The 32.73-acre subject property is in a rural, very low-density residential neighborhood. It is located within the Foothill/Trabuco Specific Plan.

Existing Conditions

Approximately 4.5 acres in the southwest portion of the site had equestrian uses until 2017. There are multiple structures and features associated with the prior equestrian uses. One out-of-service water tank is located on a hill in the south-eastern portion of the site. There is an ephemeral natural creek that runs north and south on the property. Improvements have been made to the creek, which placed the flow underground near the parking and equestrian area. The rest of the site is undeveloped and consists of native vegetation, non-native vegetation, ornamental vegetation, and ephemeral drainages and a dry pond.

The surrounding area is dominated by single family homes on large equestrian oriented lots. Land uses in the immediate area are listed in Table 1.3 and shown in Figure 1.3 below.

Access to the subject property is direct via Live Oak Canyon Road/Trabuco Canyon Road. Live Oak Canyon Road is a county road that is accessed from the north at Santiago Canyon Road; a meandering rural road that extends south to become El Toro Road in Lake Forest and north to Orange where in turns into Chapman Avenue. Both Chapman Avenue and El Toro Road extend west to freeway and toll road access. From the south, Trabuco Canyon Road is accessed from Plano Trabuco Road at the east side of the City of Rancho Santa Margarita.

Table 1.1 - Surrounding Land Uses	
DIRECTION	**LAND USE**
North	Single family homes on large rural lots extend north along either side of Trabuco Canyon Road.
West & South	O'Neill Regional Park and Wilderness Areas are located to the west and south of the subject property. O'Neill Regional Park's 4,500 acres are situated in Trabuco and Live Oak Canyons. The park is heavily wooded with coast live oak and sycamore trees. The hillsides surrounding the park are filled with cactus, wild buckwheat, sagebrush and chaparral with scrub oak, buckthorn and mountain mahogany. Trabuco and Hickey Creeks also meander through the park, flowing in winter and early spring, dry in summer and fall. More than 23 miles of scenic trails can be explored by foot, bicycle or horseback.
East	Fronting along Trabuco Canyon Road is the Live Oak Center, a local specialty retail center with a bike shop, feed and tack store, chiropractic office, dental office, wellness center and the US Post Office as tenants. Rugged hillside terrain extends from behind the center to Trabuco Oaks Drive, one mile to the east. Trabuco Oaks Drive is improved with a General Store, a well-known local steakhouse and single-family homes typical of canyon living.

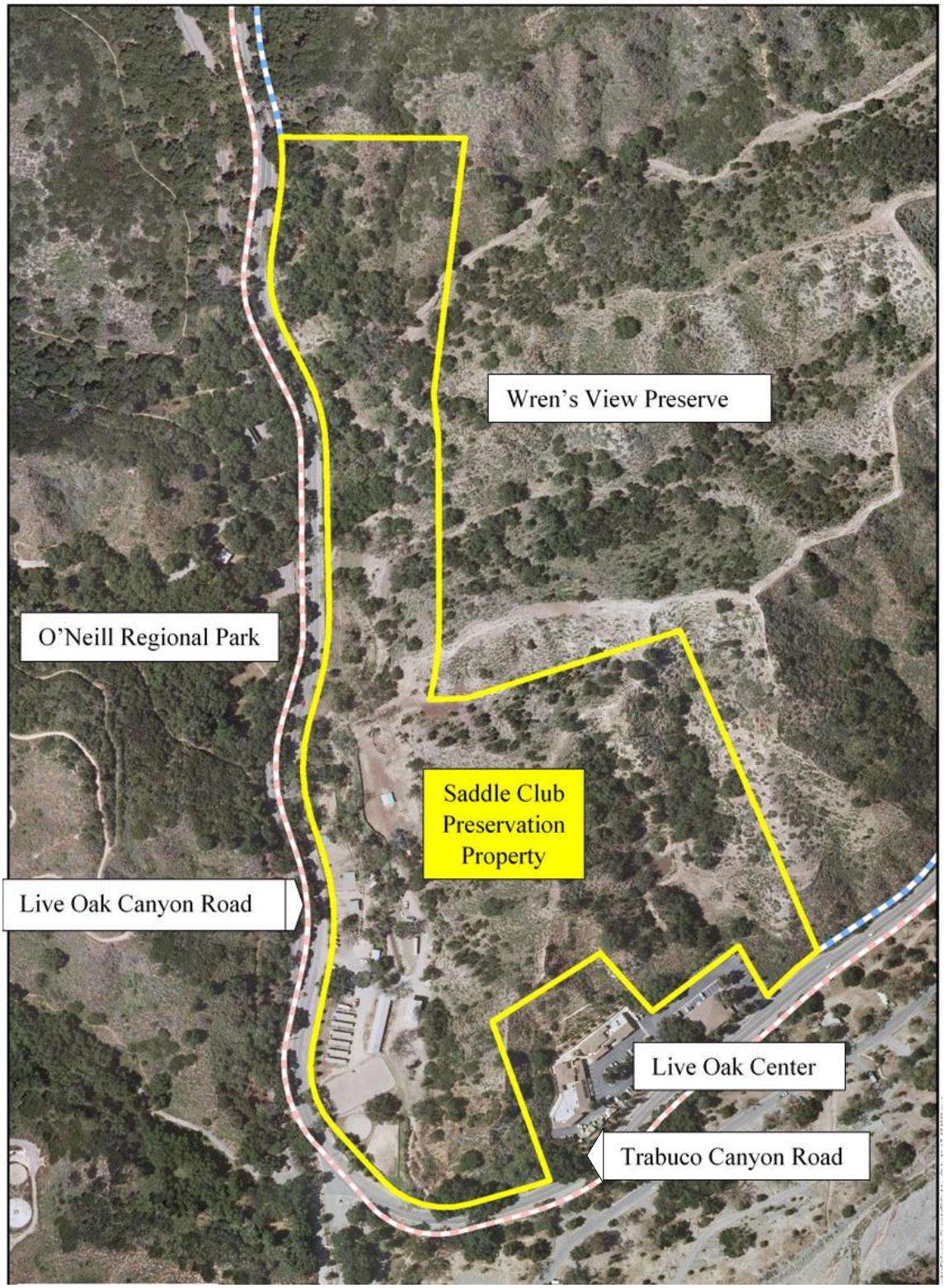

Figure 1.3 Surrounding Land Uses

2. PROJECT DESCRIPTION

The proposed project involves demolition, removal, salvage and/or disposal of materials associated with previous equestrian uses of the site; removal of ornamental vegetation; installation of multi-trail signage and appurtenant structures including rest benches, kiosk; restoration activities including establishment and/or enhancement of native vegetation and streambeds onsite; and ongoing operations and maintenance activities including fuel load modification, maintaining access roads/trails, and conducting annual surveys, as may be necessary. There are three primary components to the proposed project (Figure 1.4):

(1) *Demolition of existing facilities and ornamental vegetation* including but not limited to unused equestrian structures, an office building with toilets, a caretaker residence, associated utilities; and any other items left on the SCPP site. The ornamental Texas Privet hedge along Live Oak/Trabuco Canyon road will be removed to reduce the use of potable water on site and as part of restoring the site to its natural state. Work will be completed through a Performance Specification Contract.

(2) *Restoration and enhancement of appropriate habitats*, including but not limited to, riparian, wetland, scrub, and oak woodland habitats, in heavily disturbed areas to increase the native plant species' diversity and structure as well as provide breeding territories for the regional target species for conservation, including California gnatcatcher. The Agency is committed to maintaining, protecting and managing the natural landscape of the site comprising of canyons, ridgelines; thereby, providing a natural sanctuary for the diverse wildlife including mule deer, mountain lions, bobcats, and coyotes. Work will be completed by the Agency's On-Call Contractors in coordination with staff.

(3) *Pilot public recreational use* focusing on limited low impact recreational activities consistent with the Foothill/Trabuco Specific Plan, i.e. hiking, bicycling, and horseback riding, to minimize conflict between recreation, resource protection and conservation efforts, and wildlife use of the property.

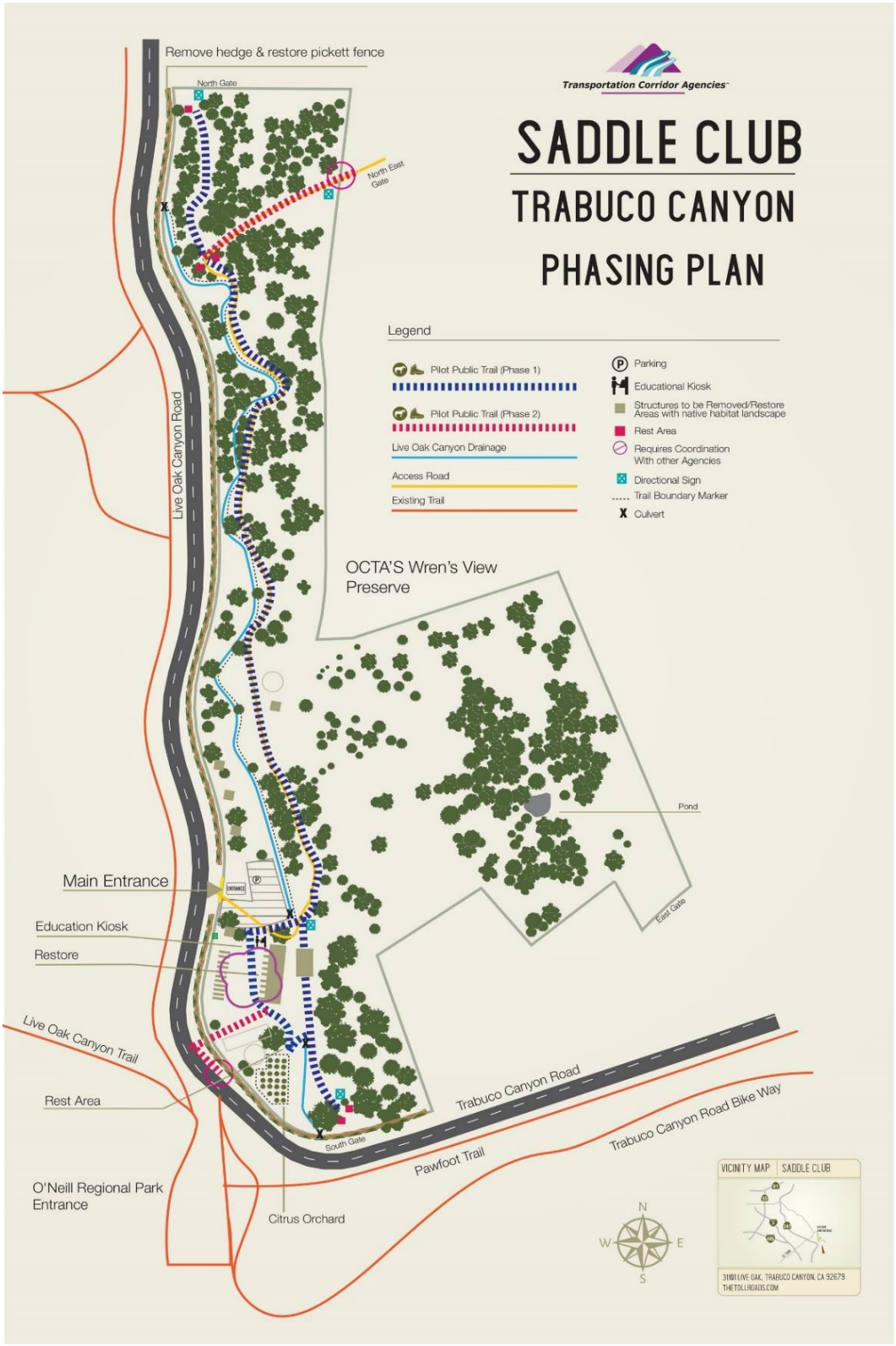

Figure 1.4 Proposed Site Use Plan

2.1 Demolition and Site Preparation Activities

2.1.1 Construction Access Routes and Laydown Areas

Construction vehicles would access the project site from Live Oak Canyon Road. Temporary fencing would be placed around the demolition site. During construction, all activities will be kept within the project site. All materials will be within secured, fenced areas at all times to prevent theft or vandalism. One or more temporary storage containers may be used as a construction office to house tools and other construction equipment. In addition, security guards would regularly monitor the site. Portable toilet facilities will be installed for use by construction workers. The site has potable water that may be used by employees.

2.1.2 Phasing, Staffing and Equipment

Demolition would be up to six weeks, divided into two phases: demolition; and site preparation and grading.

Phase 1 Demolition

During the demolition process, the Contractor would comply with federal, State, and local regulations and may require specialized handling of asbestos and lead-based paints. A worker crew of up to 10 would be onsite during this phase which would last up to six weeks.

Phase 2 Site Preparation and Grading

The Contractor will provide a completed project with the earthen material within the construction area free of debris, with all trenches backfilled. Mass grading is not expected given the relatively flat terrain of the site and the absence of heavy groundcover. All ground disturbing activities are expected to have minimal impact on existing drainage patterns and overall topography of the site. No import or export of soil is anticipated. Also, during the site preparation phase, staging areas and onsite access routes would be prepared. A worker crew of 10 would be onsite during this phase, which would last approximately two weeks.

Construction Equipment. The demolition operations would utilize equipment that would facilitate removal of existing structures and transporting the demolished materials to a storage site and/or dumping facility. Construction equipment for demolition, would include but is not limited to:

- One (1) pavement breaker or concrete saw
- Three (3) backhoes or small excavators
- Two (2) delivery trucks/dumpers (peak single-day delivery, maximum 15 miles transport)
- Two (2) rubber-tired dozers (for demolition activities and site preparation)
- One (1) water truck for dust control

2.2 Operation

Post construction, activities at the site would include a pilot public recreational use program focusing on low impact recreational activities that are compatible with the protection of biological resources, including but not limited to, hiking, non-competitive equestrian and mountain biking, limited picnicking, bird watching, walking, and jogging. Public access will be actively and adaptively managed by changing the frequency, form, numbers, times of day, days of week and month, to minimize conflicts with the principal purpose for which the property was acquired by the Agency – habitat conservation and wildlife use. Since the proposed trail within the site is only approximately one-half mile long, it is anticipated that it will be used by residents and some visitors to the O'Neill Regional Park but would not, by itself, generate regional traffic beyond what's already in the area. In addition, staff and Agency contractors would visit the site to conduct surveys and restoration activities, provide fuel load maintenance, general maintenance services, security and ensure site's proper operation. Maintenance staff would visit the site as needed and security personnel would visit the site every one-to-two days a week.

2.3 Mitigation

Mitigation efforts are implemented to remediate or lessen the impact of actions which may cause an adverse effect on the environment, including issues related to safety, traffic, sensitive wildlife, and land use practices. If required, these are discussed in the resource related Existing Setting sections of the MND. Further, mitigation techniques are provided within the proposed project, and additional resource-level mitigation measures are detailed within this MND.

Additional Mitigation

After consideration of the range of mitigation techniques contained within the Project Description, the project has the potential to significantly impact resource areas within the project site and vicinity. As such, the project requires additional mitigation measures in order to decrease these effects to a less than significant level. As defined in CEQA guideline 15370, mitigation includes:

a) Avoiding the impact altogether by not taking a certain action or parts of an action.
b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

The specific mitigation measures are included within resource areas that have potential to be significantly affected.

3 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not

apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact. " The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
    a. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    b. Earlier Analysis Used. Identify and state where they are available for review.
    c. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
5. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significant.

4 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist and discussed on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology / Soils	☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use/ Planning	☐	Mineral Resources
☐	Noise	☐	Population / Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities / Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance
☒	None With Mitigation Incorporated				

5 DETERMINATION: On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.

☒ Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Valarie McFall — Date
Chief Environmental Planning Officer

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.1	**AESTHETICS** - Except as provided in Public Resources Code Section 21099, would the project:				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Existing Setting

Live Oak Canyon Road is designated as a Viewscape Corridor in the County General Plan Scenic Highway Plan and a Scenic Local route in the Foothill/Trabuco Specific Plan Circulation Element. According to the County General Plan Transportation Element,

> "*a viewscape corridor is a route which traverses a corridor within which unique or unusual scenic resources and aesthetic values are found. This designation is intended to minimize the impact of the highway and land development upon the significant scenic resources along the route."*

One of the primary goals of the Foothill/Trabuco Specific Plan has been to preserve the oak tree canopy area of Live Oak Canyon Road, specifically the area between Hamilton Truck Trail and the O'Neill Regional Park Entrance, which encompasses the project site.

Discussion

a) **Less than Significant Impact.** The proposed project will not have a substantial adverse effect on a scenic vista as there are no state designated scenic highways in the vicinity of the project area. Project implementation, as detailed below, would replace existing views of the site (Texas privet hedge, and existing site structures) with views of natural habitat and trail signage. Project implementation would not have a substantial adverse effect on a scenic vista identified by the County General Plan or the Foothill/Trabuco Specific Plan.

Demolition Activities
Consistent with the goals, objectives and policies of the County's Scenic Highway plan to preserve and enhance unique or special aesthetic and visual resources, the proposed Site Use Plan proposes to conserve the project site as open space and restore it to its natural state – thus improving the visual character of the site. Part of the demolition proposed would involve removing the Texas privet hedge along Live Oak Canyon Road and restoring the existing picket fence. While this will change the existing view of the property, the restoration of the picket fence now covered by the hedge will result in a view that is consistent with the neighboring properties and general character of the community. This will also result in savings on the site's water use; thus, impacts from demolition activities would be less than significant.

Habitat Restoration and Wildlife Uses
The Agency is committed to maintaining, protecting and managing the natural landscape of the site comprising of canyons and ridgelines; thereby, providing a natural sanctuary for the diverse wildlife, including mule deer, mountain lions, bobcats, and coyotes. The site will be allowed to self-restore to its natural condition and where necessary habitat restoration will be implemented. A native garden is proposed, post demolition activities in order to bring the site back to its natural state. Prior to any restoration activities onsite, a site Restoration Management Plan will be developed by a qualified biologist and all activities will be implemented in accordance with that plan. These activities will improve the viewshed and, thus, will have no adverse impacts

Pilot Public Recreational Use
The project would include signage for the multi-use trail, including but not limited to, trailhead and interpretive signs (informational and educational signs along the trail and native garden); benches; and trail boundary markers. All these will maintain a low profile and will be designed to blend in with the natural landscape; thus, no adverse impacts are anticipated.

Overall, none of the proposed activities, demolition, habitat restoration, and installation of signage and/or public amenities for the multi-use trail will obstruct any viewsheds in the area. Therefore, the proposed project will not have a substantial adverse effect on a scenic vista or adversely change the visual character of the area; impacts will be less than significant.

b) **No Impact.** The project will not substantially damage scenic resources or historic buildings within a state-designated scenic highway, as none exist onsite and there are no state designated scenic highways in the vicinity of the project area. A scenic highway is officially designated as a state scenic highway when the local jurisdiction adopts a scenic corridor protection program, applies for the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as an official scenic highway. Furthermore, the major ridgelines and major rock outcroppings identified in the Foothill/Trabuco Specific Plan Resources Overlay Component (Exhibit II-6) are neither in proximity to the project site nor would they be impacted by the proposed construction or post construction activities.

c) **Less than Significant Impact.** The subject property is in a rural, very low-density residential neighborhood. The surrounding area is dominated by single family homes on large equestrian oriented lots extending north along either side of Live Oak Canyon Road. O'Neill Regional Park and Wilderness areas are located to the west and south of the subject property and the Orange County Transportation Authority's Wren's View Preserve is to the east. Also, to the east, and fronting along Trabuco Canyon Road is the Live Oak Center, a local specialty retail center with a bike shop, feed and tack store, chiropractic office, dental office, wellness center and the US Post Office as tenants. Rugged hillside terrain extends from behind the center to Trabuco Oaks Drive, one mile to the east. There are no direct viewsheds from the Live Oak Center to the subject property due to the intervening topography. Only the western half of the site can be viewed from users in the O'Neill Regional Park and those traveling along Live Oak/Trabuco Canyon Road.

   The proposed project will result in the demolition of the existing structures onsite as well as the removal of the ornamental Texas privet hedge fronting Live Oak Canyon Road. These features will alter the existing visual character but will be compatible with typical features expected in rural living, like fences and sheds.

   During construction activities, views across the site from O'Neill Regional Park and those traveling along Live Oak Canyon Road will be intermittently disrupted. Construction debris, construction equipment, and limited truck traffic will be visible. Additionally, demolished material will be stockpiled and equipment for demolition activities would be staged on site for the duration of the demolition activities—up to six weeks.

   Long-term, the proposed improvements would permanently alter the appearance of the site by removing the existing site facilities and restoring the site to its natural condition. Based on the context of its surroundings, the proposed development would be visually compatible with existing uses; therefore, it would not substantially degrade the existing visual character or quality of the site and its surrounding.

d) **No Impact.** The proposed project will not create a new source of substantial light or glare which will adversely affect day or nighttime views in the area. The project

involves restoring the site to conserved open space. In addition, the proposed passive recreational uses would strictly be limited to daylight hours.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.2	**AGRICULTURE AND FORESTRY RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Existing Setting

The California Department of Conservation describes the Williamson Act Contract as follows:

> *"The California Land Conservation Act of 1965—commonly referred to as the Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. "*

As long as a Williamson Act Contract is in effect, the land can only be used for agricultural uses (including appurtenant structures) or related open space uses.

Discussion

a) **No Impact**. The proposed project will not convert prime farmland, unique farmland, or farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, since the proposed project site is not designated as such (ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/ora16.pdf). Furthermore, the site's terrain and location makes the site not suitable for agricultural production. As such, no significant adverse impacts are identified or anticipated from implementation of the proposed Site Use Plan improvements.

b) **No Impact**. The proposed project will not conflict with existing zoning for agricultural use, or a Williamson Act contract. The current Specific Plan land use designation for the proposed project area is TCR (Trabuco Canyon Residential District). The purpose of this district is to provide for the development and maintenance of low density, single family residential development in a manner that is rural in character and compatible with areas of steep to gently sloping terrain and significant biological resources. Agricultural uses are not allowed in this zone. The proposed project area is not under a Williamson Act contract.

c) **No Impact**. The proposed project will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). The proposed project area is currently mostly vacant land, with limited horse-boarding facilities on approximately 4.5 acres in the southwestern portion of the site. The site has never been designated as forest land or timberland. The project does not propose a zone change that would convert existing forest or timberland zoning.

d) **No Impact**. The site has never been designated as forest land or timberland; therefore, the proposed project will not result in the loss of forest land or conversion of forest land

to non-forest use.

e) **No Impact.** The proposed project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use; therefore, no impact is anticipated

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.3	**AIR QUALITY -** Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Existing Setting:

The South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the South Coast Air Basin (SCAB or Basin). To that end, the SCAQMD, a regional agency, works directly with the Southern California Association of Governments (SCAG), county transportation commissions, and local governments and cooperates actively with all federal and state government agencies. Regulatory oversight authority regarding air quality of the SCAB rests at the local, State, and federal levels with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (USEPA), respectively.

Ambient air quality is determined by comparing pollutant levels in ambient air samples from a local area to the national and State standards. These standards are established by the USEPA and CARB at levels determined to be protective of public health and welfare, with an adequate margin of safety. California Ambient Air Quality Standards (CAAQS) were established in 1967, whereas National Ambient Air Quality Standards (NAAQS) were first established by the

federal Clean Air Act (CAA) of 1970. California standards are generally more stringent than national standards.

Air quality standards specify the upper limits of pollutant concentrations, over defined durations, in ambient air consistent with the management goal of preventing specific harmful effects. There are national and State standards for the six "criteria air pollutants" ozone (O3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), lead (Pb), and particulate matter. Particulate matter is measured in two size range: $PM_{2.5}$ for fine particulate matter with an aerodynamic diameter of less than 2.5, and PM10 for airborne respirable particulate matter with an aerodynamic diameter of less than 10 microns. Ozone is a secondary pollutant, Nitrogen oxides (NO_X) and volatile organic compounds (VOCs) are of particular interest as they are precursors to ozone formation.

The USEPA and CARB determine the air quality attainment status relative to the level of pollutants in designated areas by comparing local ambient air quality measurements from State or local ambient air monitoring stations with the NAAQS and CAAQS. Non-attainment status indicates that ambient measurements for a given pollutant in that area exceed the NAAQS and/or CAAQS. Consistent with federal requirements, an unclassifiable designation is treated as an attainment designation. Table 5.3-1 presents the federal and State attainment status for the project area which is in Orange county within the SCAB.

Table 5.3-1 Attainment Status of Orange County within South Coast Air Basin

Pollutant	Federal Designation	State Designation
Ozone (O3)	Non-Attainment (Extreme)	Non-Attainment
Particulate Matter (PM10)	Attainment/Maintenance	Non-Attainment
Particulate Matter (PM2.5)	Non-Attainment (Moderate)	Non-Attainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead (Pb)	Attainment	Attainment
Hydrogen Sulfide (H_2S)	*	Unclassified
Sulfates	*	Attainment
Visibility Reducing Particles	*	Attainment

Source: SCAQMD, 2017a
Notes: (*) = Not Applicable/ No Federal Standards.

As shown in Table 5.3-1, the project is in an area designated non-attainment for both the federal and State standards for O3 and PM2.5, and for the State standard for PM10. Because Orange County currently exceeds these State and federal ambient air quality standards, the SCAQMD is required to implement strategies to reduce pollutant levels to recognized acceptable standards.

The SCAQMD in conjunction with SCAG, CARB, and USEPA prepared the 2016 Air Quality Management Plan (AQMP) (SCAQMD, 2017b). The purpose of the 2016 AQMP is to provide a comprehensive and integrated program to lead the SCAB into compliance with the federal ozone and particulate matter standards.

The 2016 AQMP accounts for projected population growth, predicted future emissions in

energy and transportation demand, and determined control strategies for the eventual achievement of NAAQS attainment designation. These control strategies are either organized into the SCAQMD rules and regulations, or otherwise set forth as formal SCAQMD recommendations to other agencies.

The project would be subject to the following general SCAQMD rules and regulations, also as required by the Orange County Grading and Excavation Codes:

Regulation IV - Prohibitions

Rule 401 – Visible Emissions: prohibits discharges of visible air contaminants that occlude the air beyond certain thresholds;

Rule 402 – Nuisance: prohibits discharges of air contaminants that cause "injury, detriment, nuisance, or annoyance" to the public; and

Rule 403 – Fugitive Dust: prohibits discharges of fugitive dust that exceed certain thresholds.

The SCAQMD has divided the region into 38 source receptor areas (SRAs) in which 32 monitoring stations operate. The Saddle Club Preservation Property is located within SRA 19 that covers the Saddleback Valley of Orange County. SRA 19 monitors measurements for O3 (1-hr and 8-hr), CO, PM10, PM2.5 and NO2 (AQMD 2019). Section 5.3.2 identifies the SCAQMD ambient air quality standards for relevant air pollutants.

Emissions Thresholds

Air quality impacts are assessed by comparing impacts to baseline air quality levels and applicable ambient air quality standards. Federal and state air quality standards have been established for various pollutants. Standards are levels of air quality considered safe from a regulatory perspective, including an adequate margin of safety, to protect public health and welfare.

Construction

The SCAQMD's thresholds recommend that projects with construction-related emissions that exceed any of the following regional (mass daily) emissions should be considered potentially significant.

Table 5.3-2
South Coast AQMD Air Quality Significance Thresholds Mass Daily Thresholds (Construction)

Pollutant	Construction
Nitrogen oxides (**NOx)**	100 lbs/day
Reactive organic gases (**VOC)**	75 lbs/day
Respirable Particulate Matter **(PM10)**	150 lbs/day
Fine Particulate Matter **(PM2. 5)**	55 lbs/day
Sulfur oxides (**SOx)**	150 lbs/day
Carbon monoxide **(CO)**	550 lbs/day

Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993)

Operational

Localized significance thresholds (LSTs) were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative (I-4). LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each SRA, project size, and distance to the sensitive receptor, etc. LSTs are only applicable for emissions of CO, NOx, PM10, and PM2.5. LSTs do not apply to emissions from mobile sources such as automobile traffic or public transport (SCAQMD 2014).

The SCAQMD currently recommends that projects with operational emissions that exceed any of the following emissions thresholds should be considered potentially significant.

Table 5.3-3
South Coast AQMD Air Quality Significance Thresholds Mass Daily Thresholds (Operations)

Pollutant	Operation
NOx	55 lbs/day
VOC	55 lbs/day
PM10	150 lbs/day
PM2. 5	55 lbs/day
Sox	150 lbs/day
CO	550 lbs/day

Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993

Discussion

The proposed project would involve limited short-term construction activities; however, as discussed below, construction activities would extend for up to six weeks, would involve limited vehicular traffic and onsite construction vehicles. Project operations are not projected to increase visitation to the area beyond the existing traffic to O'Neill Regional Park across the street from the Property.

a) **Less than Significant Impact.**

The proposed project will not conflict with or obstruct implementation of the applicable air quality plan. The project site is located within the South Coast Air Basin (SCAB) and is within the jurisdiction of the SCAQMD. The AQMP provides a program for obtaining attainment status for key monitored air pollution standards, based on existing and future air pollution emissions resulting from employment and residential growth projections. The AQMP is developed using input from various agencies' General Plans and other projections for population and employment growth. While the proposed project is not identified specifically in the County's General Plan, it will not generate new homes or employment opportunities that will change the County's projections.

During the implementation of the Site Use Plan, some activities including demolition activities, would generate limited fugitive dust; however, compliance with standard conditions and rules stipulated by the SCAQMD would result in the project impacts being less than significant. Given that the proposed project will not alter the population

or employment projections considered during the development of the AQMP and considering the minor emissions attributable to the proposed project during operation, impacts associated with AQMP consistency will be less than significant.

Construction-related increases in emissions of fugitive dust, exhaust from construction equipment, and employee commute vehicles will be temporary and localized during the six-week construction duration. The proposed project will also include standard dust abatement measures, listed below, that will limit the generation of pollutants, including ozone, carbon monoxide and particulate matter 10 microns or less in diameter (PM10), consistent with Rule 403 Fugitive Dust Control for the SCAQMD. As a precautionary measure, and to further limit dust generation, mitigation measure AQ-2 will be incorporated into the project.

Based on the potential age of the structures (see also discussion in Section V- *Cultural Resources*) and painted fences at the site, there is the potential for asbestos containing building materials (ACBMs) and/or lead-based paint to be present (Overland, Pacific & Cutler [OPC] Inc., 2017). However, with implementation of the SCAQMD standard condition CM 06-4, discussed below, impacts are anticipated to be less than significant. As a precautionary measure, mitigation measure AQ-1 will be incorporated into the project.

The project's operational emissions would be less than significant. Post construction vendor vehicles (periodic surveys, repairs, and patrols) and off-road vehicles (general repairs, moving, and other maintenance activities), as well as trips by visitors to the site for recreational purposes are included in the emissions calculations (Attachment B). During operation, one to two maintenance and patrol vehicles will routinely travel to the site, producing an insignificant amount of emissions. There would also be insignificant emissions from a limited number of people coming to use the multi-use trail. It is anticipated that the proposed trail will primarily be used by residents and patrons of the O'Neill Regional Park across the street; therefore, already in the area. As such post construction exhaust emissions would not be anything beyond the existing conditions in the area. Furthermore, the site will be conserved as open space in perpetuity and will not violate the regulations set forth by the SCAQMD *Rule Book* or *CEQA and Federal Conformity Guidelines*. With implementation of these PPPs the project impacts will be less than significant

Standard Conditions/Existing Plans, Programs, or Policies (PPPs)

In order to limit the production of fugitive dust during implementation of the proposed project, demolition activities will be conducted in accordance with the guidance contained in SCAQMD Rule 403 - *Fugitive Dust,* Table 1 *Best Available Control Measures*. This includes applying water in sufficient quantities to prevent the generation of visible dust plumes. The listed control measures (CM) include, but are not limited to:

CM 06-1 Stabilize wind erodible surfaces to reduce dust

CM 06-2 Stabilize surface soil where support equipment and vehicles will operate

CM 06-3 Stabilize loose soil and demolition debris

CM 06-4 Comply with AQMD Rule 1403 *Asbestos Emissions from Demolition /Renovation Activities.*

Furthermore, a number of state and local regulations would substantially limit the generation of construction emissions related to the proposed project. As required by the USEPA, CARB, and specified on the California Code of Regulations (CCR) Title 13, Division 3, Chapter 9, Article 4, Sec. 2423(b)(1), all off-road diesel engines are required to meet at a minimum the Tier 3 Emission Standards for off-road compression-ignition Engines (with proper diesel particulate control). By having all heavy-haul vehicles meet this requirement, any potential generation of NOx and PM10 emissions would be reduced and be in compliance with CCR. Additionally, if the construction activity is in compliance with SCAQMD Rule 403, by properly managing all fugitive dust (PM10) through action such as covering up haul trucks carrying dirt and properly cleaning streets in the vicinity, fugitive dust and NOx emission would be minimized and would not exceed thresholds. Construction emissions would; therefore, be less than significant

Mitigation Measures:

AQ-1: Prior to any demolition activities, the contractor shall conduct an asbestos and lead-based paint survey

AQ-2: All construction equipment shall comply with SCAQMD Rules 402 and 403.

b) **Less than Significant Impact**. The proposed project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The project will contribute criteria pollutants in the area during the short-term project construction period (up to six weeks).

The use of heavy-duty construction equipment and vehicle trips would generate emissions such as NOx and PM10. The amount of air pollution generated from construction would vary substantially from day to day, depending on the level of construction activity. However, a number of state and local regulations would substantially limit the generation of construction emissions related to the proposed project. As required by the USEPA, CARB, and specified on the CCR Tile Division 3, Chapter 9, Article 4, Sec. 2423(b)(1), all off-road diesel engines are required to meet at a minimum the Tier 3 Emission Standards for off-road compression-ignition Engines (with proper diesel particulate control). By having all heavy-haul vehicles meet this requirement, the potential generation of NOx and PM10 emissions would be reduced and be in compliance with CCR. Additionally, if the construction activity is in compliance with SCAQMD Rule 403, by properly managing all fugitive dust (PM10)

through action such as covering up haul trucks carrying dirt and properly cleaning streets in the vicinity, fugitive dust and NOx emission would be minimized and would not exceed thresholds. Construction emissions would not approach or exceed emission thresholds and impacts would be less than significant (refer to Table 5.3-3).

Table 5.3-4 Estimated Construction Emissions (pounds/day)

Air Pollutant	SCAQMD Thresholds	Estimated Construction Emissions		Exceeds Threshold?
		Winter 2019	Summer 2019	
CO	550	23. 32	23. 37	**No**
NOx	55	45. 63	45. 62	**No**
SOx	150	0. 04	0. 05	**No**
VOC	75	4. 42	4. 41	**No**
PM_{10}	150	20. 66	20. 65	**No**
$PM_{2.5}$	55	12. 18	12. 18	**No**

Source: TCA, 2019 CALEEMOD Modeling Output (see Attachment B)

[1]Overall emissions based on rounded totals.

The project would generate short term construction related air pollutants in the form of vehicle emissions and construction activities. Construction activity would occur upon previously disturbed and paved right-of-way areas. All construction would occur within a period of six weeks; accordingly, all construction emissions would be temporary and nominal. None of the activities associated with the proposed project will create a substantial permanent increase in the emissions of criteria pollutants that will be cumulatively considerable. Passive recreational activities, occasional patrolling and routine maintenance and repairs of any facilities on the site will have no impact on the emissions of criteria pollutants that will be cumulatively considerable. As noted above, project operations would not alter existing overall traffic volumes associated with visitation of the project site or area. Such traffic would continue to generate emissions primarily from the daily vehicle trips that already occur in the project vicinity. There are no sources of potential long-term air quality impacts associated with the implementation of the proposed project. Therefore, emissions associated with the project construction and operation would be nominal and not exceed thresholds. As a result, the project would have less than significant impacts on air quality and would remain in compliance with the AQMP.

c) **Less than Significant Impact.** The proposed project would not expose sensitive receptors to substantial pollutant concentrations. The SCAQMD defines a sensitive receptor as any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, and health facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long-term-care

hospitals, hospices, prisons, and dormitories or similar live-in housing. The closest residences to the site are approximately 0.4-mile to the south, to the south of O'Neill Regional Park and Trabuco Creek; and the nearest school is approximately 0.6-mile to the east of the project site. With implementation of the PPPs identified in III a. above, sensitive receptors in the project area will not be exposed to short-term construction or post construction air quality impacts associated with demolition activities, exhaust emissions generated from construction equipment, construction workers' commute, construction material hauling during the two-month construction period, or the post construction patrol and routine maintenance vehicles.

d) **Less than Significant Impact.** The proposed project would not result in other emissions (such as those leading to odors) that would affect a substantial number of people. Potential odor generation associated with the proposed project will be limited to construction sources such as diesel exhaust and dust, but these will not be substantial compared to the typical farming equipment (horse trailers, mowers, manure spreaders, trucks, etc.) that will otherwise be used in the area. There may be situations where construction activity odors will be noticeable by persons working nearby, but these odors would not be unfamiliar or necessarily objectionable. The odors would be temporary and would dissipate rapidly from the source with an increase in distance. Therefore, the Proposed project impacts would be short-term; would not be objectionable to a substantial number of people; and would be less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.4	**BIOLOGICAL RESOURCES –** Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling,	☐	☐	☐	☒

	hydrological interruption, or other means?				
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

Existing Setting:

Special Status Species

According to the Existing Conditions Analysis Study conducted by Michael Baker International [MBI] in 2017, a total of 78 plant species were identified on the project site. A total of 23 special-status plant species are recorded within the vicinity of the project by the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Services (USFWS). Many of these species have a low potential or are not expected to occur on-site due to a lack of habitat suitable to support them, or the survey area is outside of their known elevation range. One special-status plant species, peninsular beargrass (California Rare Plant Rank [CRPR] 1B.2), was observed in abundance throughout the coastal sage scrub/chaparral vegetation on-site, particularly within the southeast portion of the survey area. There is a moderate to high potential for other special-status plant species to occur within the survey area, including, but not limited to, Catalina mariposa lily (*Calochortus catalinae*), intermediate mariposa-lily (*Calochortus weedii var. intermedius*), summer holly (*Comarostaphylis diversifolia ssp. diversifolia*), Robinson's pepper-grass (*Lepidium virginicum var. robinsonii*), white leaf monardella (*Monardella hypoleuca ssp. intermedia*), Allen's daisy (*Pentachaeta aurea ssp. allenii*), Cooper's rein orchid (*Piperia cooperi*), and Fish's milkwort (*Polygala cornuta var. fishiae*). Focused rare plant surveys conducted during the appropriate blooming periods for special-status plant species occur within the survey area would be necessary to determine the presence and location(s) of these species.

A total of 19 wildlife species were detected during the site visit, including those common to woodland and scrub habitats such as California scrub jay (*Aphelocoma californica*), red-tailed hawk (*Buteo jamaicensis*), American crow (*Corvus brachyrhynchos*), acorn woodpecker (*Melanerpes formicivorus*), California towhee (*Melozone crissalis*), and California ground squirrel (*Otospermophilus beecheyi*). No special-status wildlife species were observed on-site.

Based on the records search, a total of 23 special-status wildlife species have been recorded within the vicinity of the project by the CNDDB and USFWS. Several of these species have a low potential or are not expected to occur on-site due to a lack of habitat suitable to support them. There is a moderate to high potential for various special-status wildlife species to occur within the survey area, including, but not limited to, Crotch bumble bee (*Bombus crotchi*i), Riverside fairy shrimp (*Streptocephalus woottoni*), coastal whiptail (*Aspidoscelis tigris stejneger*i), coast horned lizard (*Phrynosoma blainvillii*), orange-throated whiptail *(Aspidoscelis hyperythra*), red-diamond rattlesnake (*Crotalus ruber*), coastal California gnatcatcher (*Polioptila californica californica*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), white-tailed kite (*Elanus leucurus*), pallid bat (*Antrozous pallidus*), and western mastiff bat (*Eumops perotis californicus*).

Of the 46 special-status species known to occur within the vicinity of the survey area, five wildlife species and one plant species are listed under the Federal Endangered Species Act and/or the California Endangered Species Act warranting protection from take. There is a moderate potential for coastal California gnatcatcher, a Federally listed as threatened (FT) avian species and California Species of Special Concern (SSC), to occur within the survey area, with few areas consisting of low-growing coastal sage scrub vegetation suitable to support this species. There is a moderate potential for Riverside fairy shrimp, a Federally listed as endangered (FE) aquatic invertebrate species, to occur within the seasonally inundated stock pond located in the southeastern portion of the survey area. Further, there is a moderate potential for arroyo toad (*Anaxyrus californicus*), a FE amphibian species and SSC, to migrate upstream of the Live Oak Canyon Drainage from Arroyo Trabuco. Due to a lack of suitable habitat within the survey area, nesting least Bell's vireo (*Vireo belli pusillus*; FE and State-listed as endangered [SE]) and southwestern willow flycatcher (*Empidonax traillii extimus*; FE/SE) are not expected to occur onsite, and Santa Monica dudleya (*Dudleya cymosa ssp. ovatifolia*; FT and CRPR 1B. 1) was determined to have a low potential to occur on-site.

Designated Critical Habitat

The entire survey area is mapped as USFWS-designated Critical Habitat for coastal California gnatcatcher, with only portions mapped as coastal sage scrub suitable to support the species. The southern portions of the survey area located adjacent to Arroyo Trabuco are mapped as USFWS-designated Critical Habitat for arroyo toad.

Riparian Habitat

Live Oak Canyon Drainage flows from north to south along the western boundary of the site. It comprises a relatively broad riparian corridor primarily consisting of coast live oak riparian woodland vegetation. The riparian canopy is primarily dominated by mature coast live oak, and inclusive of mature western sycamore and scattered blue elderberry. The understory within this community is dominated by native species such as mule fat, wild parsley, California mugwort, wild tarragon, desert indigobush, and nonnative grasses

Jurisdictional Resources

The proposed project is located within the San Juan Creek Watershed. The average annual precipitation within the watershed ranges from 13 inches near the coast to 18 inches in the mountains. The FEMA maps indicate that the project site area along the western boundary

(associated with the Live Oak Canyon Drainage floodplain) is within the 1% Annual Chance Flood Hazard Zone (Zone A), with a small portion at the southern end within the 0. 2% Annual Chance Flood Hazard Zone (Zone X), and the remainder of the survey area in an Area of Minimal Flood Hazard (Zone X).

All jurisdictional features onsite are ephemeral and convey storm flows generally north to south through the property. Only non-wetland waters of the U. S. were observed onsite during the preliminary biological survey in 2017. Tributary to Arroyo Trabuco, flows from the Live Oak Canyon Drainage eventually discharge into San Juan Creek near San Juan Capistrano approximately eight miles to the southwest, and ultimately to the Pacific Ocean. There are four ephemeral, unvegetated features within the survey area that are tributary to the Live Oak Canyon Drainage. The Unnamed Drainage in the southeastern portion of the property does not convey flows to downstream waters.

Live Oak Canyon Drainage

The primary drainage feature that conveys most surface flows from the site to downstream waters is the Live Oak Canyon Drainage. It conveys flows into the survey area through two large partially buried corrugated metal pipe (CMP) culverts under Live Oak Canyon Road. The drainage meanders through the survey area for approximately 1,600 feet in a generally south direction until it is then channelized for approximately 200 feet and converted underground via two large concrete culverts. The drainage remains underground through the Saddle Club for approximately 350 feet where it resurfaces for another 200 feet before entering two large, partially buried CMP culverts and under Trabuco Canyon Road.

The ordinary high-water mark (OHWM) throughout the Live Oak Canyon Drainage, which is used to identify the limits of non-wetland waters of the U.S. on-site subject to the Corps and Regional Board jurisdiction pursuant to the Federal Clean Water Act (CWA) Sections 404 and 401, respectively, averages approximately 10 feet wide. Streambed and active banks subject to CDFW jurisdiction pursuant to California Fish and Game Code Sections 1600 et seq. average approximately 15 feet wide. Where coast live oak riparian woodland and mule fat scrub was observed, particularly in areas along the feature that are not culverted or channelized, the outer drip line of the canopy extends CDFW jurisdictional limits.

Wildlife Corridors

In consideration of the area's critical location relative to regionally important habitat, the Foothill/Trabuco Specific Plan designated wildlife corridors to ensure linkages among the following large habitat areas: Cleveland National Forest, Arroyo Trabuco, O'Neill Regional Park, Aliso Creek Greenbelt, Whiting Ranch Wilderness Regional Park and Santiago Creek. The Plan identifies large mammals including mule deer, mountain lions, bobcats, coyotes, gray foxes, badgers, raccoons, skunks and possibly ringtail. Corridor linkages are important to species, which travel between large open spaces in the vicinity of the project site and affect dispersal routes and healthy genetic wildlife diversity. One of these corridors traverses the western portion of the site in a generally north-south direction, providing an important wildlife movement linkage to O'Neill Regional Park.

The long-term goal for the Agency is to allow the site to self-restore to its natural condition. However, there are also good opportunities for stream restoration within the Live Oak Canyon

Drainage, which traverses the western portion of the site in a north-south direction. The greatest potential for restoration activities is associated with the recontouring of the drainage so that the active immediate floodplain can be reestablished. Furthermore, the general drainage topography and habitat can be restored through planting of native species and other measures typical of riparian corridor systems. The site would also benefit from the removal of nonnative species, particularly those rated by the California Invasive Plant Council (Cal-IPC), including but not limited to, Russian thistle (salsola tragus), bird-of-paradise (strelitzia reginae), smilo grass (stipa miliacea), pigweed (amaranthus albus), red brome (bromus rubens), tree tobacco (nicotiana glauca); castor bean (ricinus communis), and black mustard (brassica nigra).

Discussion

a) Less than Significant Impact with Mitigation Incorporated. The project would not have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

As discussed above, the project area contains potential natural habitats for species identified as a candidate, sensitive, and special status species in local, regional, and federal plans, policies, or regulations, or by the CDFW or USFWS. The proposed project activities could affect such species through limited short-term increases in noise and human activity in the vicinity of sensitive and special status species. While the construction would not remove vegetation or trees and would remain within the previously disturbed areas, incremental or brief peak increases in noise from construction and human presence can add stress to local animals and sensitive wildlife.

Indirect impacts could occur due to ongoing visitation and associated human activity, noise, vegetation trampling, and other impacts associated with human disturbance. The proposed project includes trail boundary markers to keep trail users out of sensitive habitat/ conserved areas. Furthermore, the Agency's patrol services would be deployed to the project site to monitor and control access into unauthorized [native habitat] areas. The proposed project will be conducted outside the nesting season, between September 1 and February 14. In addition, all project activities will be conducted in coordination with the Agency's on-call biological consultant and Construction Engineering Manager to ensure that the mitigation measures identified below are implemented by the project contractor. With incorporation of the mitigation measures below, impacts are anticipated to be less than significant.

Mitigation Measures

Nesting Birds/Sensitive Habitat

BIO-1 To avoid disturbance of nesting and special-status birds, project activities, including but not limited to ground disturbance, vegetation removal, construction, and demolition, shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, a pre-construction nesting bird survey shall be conducted by a qualified

USFWS-approved biologist no more than seven (7) days prior to initiation of all ground disturbance and vegetation removal activities within all suitable nesting habitat located within the project site. If no nesting birds are found, project activities may be initiated without impacts to nesting birds. If active nests are found, the biologist shall determine a suitable buffer where no project activities would occur. The distance will be determined by the biologist based on the species of bird to ensure that no direct or indirect impacts would occur. An avoidance buffer shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during all project activities. The biologist shall monitor the nesting activity during project activities to verify that the buffer was adequately placed, and that breeding is not compromised. The buffer shall remain in place while the nest is active. No project activities shall occur inside this buffer until the biologist has determined activities can be resumed.

Additionally, the contractor will ensure that the following conditions are implemented during project construction:

a. The Agency's biologist shall provide Worker Environmental Awareness training to project workers and contractors, including a pre-construction review of protected plant and animal species.
b. All staging areas for equipment and vehicles shall be located within previously disturbed areas to avoid damage to surrounding sensitive habitats.
c. Employees will strictly limit their activities, vehicles, equipment, and construction/demolition materials to the fenced project footprint. Fencing will consist of yellow rope with T-bar or other biologist-approved buffer;
d. To avoid attracting predators of the gnatcatcher, the project site will be kept as clean of debris as possible. All food related trash items will be enclosed in sealed containers and regularly removed from the site;
e. Pets of project personnel will not be allowed on the project site;
f. Disposal or temporary placement of excess fill, brush or other debris will not be allowed in waters of the United States or their banks; All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities will occur in designated areas outside of Waters of the United States, outside the dripline of any mature trees, and outside any fenced off areas. Fueling and staging of equipment will take place within Agency-approved designated areas. Contractor equipment will be checked for leaks prior to operation and repaired as necessary;
g. Project activities shall be limited to daylight hours to the greatest possible extent to prevent potential impacts to special status species.

Special Status Species

BIO-2 Special status raptor species and special status bat species may occasionally forage within or near the project site. Structures within the project area provide

potentially suitable roosting habitat for bats and nesting habitat for birds that use structures to nest (e.g., cliff swallows [*Petrochelidon pyrrhonota*]). Activities having the potential to disturb active bird nests are prohibited by the MBTA, and activities having the potential to disturb active raptor nests are prohibited by CDFW regulations. This protection generally ceases once nesting activity is completed. The following biological minimization measures have been included in the project and will be required as part of project implementation:

a. A pre-construction survey for roosting bats or crevice dwelling animals will be conducted by a qualified biologist in all existing project structures for the purposes of determining the presence/absence of active nest sites within the project impact area and a 200 foot buffer, if feasible. The survey will take place no more than 14 days prior to construction activities.

   If a colony of bats is actively occupying the structures to be affected by construction, and impacts cannot be avoided, construction initiation shall be postponed until after the bat maternity season (April 1 through August 31). If the roost remains occupied outside the maternity season, then humanely designed bat exclusionary devices shall be installed. The exclusion devices are to be designed so that bats can exit the roost, but not re-enter. All designs shall be approved by a qualified Bat Specialist and installation shall be monitored by a qualified Bat Specialist.

b. A survey to identify active raptor and other migratory nongame bird nests shall be conducted by a qualified biologist at least two weeks before the start of construction from February 1st through August 31st.

   i. Any active non-raptor nests identified within the project area or within 300 feet of the project area shall be marked with a 300-foot buffer, and the buffer area shall be avoided by construction activities until a qualified biologist determines that the chicks have fledged. Active raptor nests within the project area or within 500 feet of the project area shall be marked with a 500-foot buffer and the buffer avoided until a qualified biologist determines that the chicks have fledged. If the 300-foot buffer for non-raptor nests or 500-foot buffer for raptor nests cannot be avoided during construction of the Project, the Agency shall retain a qualified biologist to monitor the nests on a daily basis during construction to ensure that the nests do not fail as the result of noise generated by the construction.

   ii. If it is determined by the biological monitor that construction will not impact an active nest or disrupt breeding behavior, construction will proceed without any restriction or mitigation measure. If it is determined that construction will impact an active raptor nest or disrupt reproductive behavior the biological monitor shall be authorized to halt construction or

require a delay of construction activities within 300 feet of such a nest (within 500 feet for raptor nests), until August 31 or as determined by CDFW, until the adults and/or young are no longer reliant on the nest site for survival and when there is no evidence of a second attempt at nesting as determined by a qualified biologist.

iii. Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel may be instructed on the sensitivity of the area.

Rare Plant Species

BIO-3 Prior to initiating project-related activities in undisturbed portions of the site, a qualified biologist shall conduct focused surveys to determine the presence/absence of special status plant species with potential to occur in and adjacent to the project impact area. Rare plant surveys shall be conducted following the "*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*" (CDFW, 2018). These guidelines are available on the web at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline.

If any state- or federally listed, CNPS List 1, or CNPS List 2 plant species are found in or adjacent to (within 25 feet) the proposed impact area during the surveys, these plant species shall be avoided to the extent feasible and the following mitigation measures shall be implemented:

a. Fencing, as directed by the project biologist, shall be installed to prevent accidental disturbance of rare plants during construction.

b. On-site monitoring by a qualified biologist shall be required during construction to assure that rare plants are not disturbed.

b) **Less than Significant Impact With Mitigation Incorporated**. The project demolition activities will not have any impacts to sensitive or regulated habitat. Further, although some of the washout areas are close to the Live Oak Drainage, no construction would occur in these areas; the direct impacts to such habitats would be insignificant. Sensitive resources could be adversely impacted if project construction activities result in fuel spills, trash generation, and increased erosion and subsequent runoff of pollutants into downstream riparian areas resulting in impacts to water quality. However, project construction would include only minor excavation and earth disturbance needed to demolish structures, install signs, and would include use of construction site best management practices (BMPs) required for compliance with the Orange County Municipal Separate Stormwater Sewer Systems (MS4) Permit (R8-2009-0030, as amended by Order No. R8-2010-0062) for erosion control (see also Section 5.10 –

Hydrology and Water Quality) including but not limited to:

- NS-6 (Illicit Connection/Illegal Discharge Detection and Reporting)
- NS-8 (Vehicle and Equipment Cleaning)
- NS-9 (Vehicle and Equipment Fueling)
- NS-10 (Vehicle and Equipment Maintenance)
- WM-1 (Material Delivery and Storage)
- WM-2 (Material Use)
- WM-4 (Spill Prevention and Control)
- WM-5 (Solid Waste Management)
- WM-6 (Hazardous Waste Management)
- WM-8 (Concrete Waste Management)
- WM-9 (Sanitary/Septic Waste Management)
- WM-10 (Liquid Waste Management)

With incorporation of these BMPs, impacts are anticipated to be less than significant.

c) **No Impact.** The proposed project activities would not have any substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because there are none identified.

d) **Less than Significant Impact**. The project will have a less than significant impact on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. No naturally occurring native fish populations are present within the project site because the project site has no standing water or significant hydrological drainages where water will be present for an extended period of time. Project activities will be primarily within already disturbed areas. Neither barriers to dispersal, nor any modification of existing water or drainage routes would be implemented. While some native wildlife species, especially those particularly tolerant of human disturbances, may occasionally breed in the areas where the project activities would take place, no native wildlife have been observed as established nursery or breeding colonies in these areas; therefore, impacts would be less than significant.

e) **Less than Significant Impact.** Given that the proposed project activities will be confined to disturbed areas and no trees or habitat removal is proposed, the proposed project would not conflict with any local policies or ordinances protecting biological resources. The proposed project would incorporate and be consistent with existing policies regarding the protection of biological resources. The proposed project will not conflict with local policies or ordinances protecting such resources; therefore, impacts

would be less than significant.

f) **No Impact.** While the proposed project is located within the Orange County Southern Subregion Habitat Conservation Plan and within an area designated as critical habitat for the California gnatcatcher and arroyo toad, the Site Use Plan activities proposed support and benefit the conservation of the increasingly rare and critical habitats identified in the area. There will be no take of critical habitat and, therefore, no land use conflict with existing management plans will occur.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.5	**CULTURAL RESOURCES** – Would the project				
a)	Cause a substantial adverse change in the significance of a historical resource as defined pursuant to §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Existing Setting:
According to the Phase 1 Environmental site Assessment conducted by OPC Inc. in 2017, the site appears to have been occupied primarily by native, vacant land with trails along the western side of the property and may have been used for cattle purposes since the 1930s. Some of the current structures appear to have been constructed in 1985 (perhaps earlier) and the site has been used for equestrian purposes since that time, as well as having a small herd of cattle for at least a portion of that time. The site appears to have had the present configuration of buildings and features since at least the 1990s.

The Phase 1 ESA Report for the site includes a review of historical aerial photographs provided by Environmental Data Resources, Inc. (EDR) for information regarding past site uses. In 1938, the site appears to have multiple trails on the western side of the property and two small structures in the southern end of the site. The site may have been used for ranch purposes. A road borders the western and southern adjacent areas of the site. A stream wash is located to the south of the site. The surrounding property appears to be occupied by rugged undeveloped shrub lands.

Between 1938 and 1946 the site and surrounding property appear to be primarily unchanged. The two structures from the 1938 aerial photograph are not visible; however, it is uncertain if they were removed or obscured by vegetation.

In 1953, the site and surrounding vicinity appear to be primarily unchanged from previous years; however, one small shed/feature is visible in the southern portion of the site. There

appears to be a north-south trending fence through the western portion of the site. There are trails through the surrounding terrain and a large water tank located to the west of the site.

By 1967 there appears to be at least two structures on the southwestern portion of the site; however, details are difficult to discern. There do not appear to be other significant changes since the 1953 aerial photograph. In the 1985, 1989, 1994, 2005, 2009, 2010, and 2012 aerial photographs, the site appears to be used for equestrian purposes. The current covered barn and the covered breezeway were constructed at least by 1985. While details are difficult to discern on aerial photographs; the current site layout appears to have been obtained at least by 2005. A commercial building was constructed by 1985 to the southeast of the site. O'Neill Regional Park appears to have been developed by 1985 and a large residential development appears to have been constructed to the south of Trabuco Creek by 1989.

Discussion

a-c) **Less than Significant Impact with Mitigation Incorporated**. The proposed project is anticipated to have a less than significant impact to cultural resources. The proposed project does not involve any grading or earth moving activities. In addition, demolition activities would be confined to previously disturbed and built area in the southwest portion of the property. Past grading and earth disturbance would have removed any damaged or destroyed prehistoric, older historic remains within areas proposed for minor excavation (e.g., 1 x 1-foot foundations for signage) as part of the project. The potential remains that previously undiscovered resources could be exposed during restoration and demolition activities, inclusion of precautionary mitigation measures below relating to protocols for discovery of important historic and pre-historic resources, would ensure that potential impacts to such resources be mitigated to a less than significant level.

Mitigation Measures:

CUL-1 *Pre-Construction Training*. Prior to demolition and restoration activities, construction personnel shall be informed of the types of cultural resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains.

CUL-2 *Inadvertent Archaeological Discoveries*. In the event of the discovery of archaeological materials, the construction foreman shall immediately halt all work activities in the vicinity (within approximately 100 feet) of the discovery until it can be evaluated by a qualified archaeologist. Work shall not resume until authorized by Agency staff and/or the qualified archaeologist.

If the qualified archaeologist determines that the discovery constitutes a significant resource under CEQA, preservation in place is the preferred manner of mitigation. In the event preservation in place is demonstrated to be infeasible, and data recovery is determined to be the only feasible mitigation option, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist in consultation with Agency. Agency shall consult with appropriate Native American representatives in determining appropriate treatment for

unearthed cultural resources if the resources are prehistoric or Native American in origin. Archaeological materials recovered during any investigation shall be put into curation at an accredited facility.

CUL-3 *Discovery of Human Remains*. If human remains are encountered, contractor shall halt work in the vicinity (within 100 feet) of the find and contact the County of Orange Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the County Coroner determines that the remains are Native American in origin, the Native American Heritage Commission shall be notified, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code Section 5097.98 (as amended by AB 2641). The Native American Heritage Commission shall designate a Most Likely Descendant for the remains per PRC Section 5097.98. Contractor shall ensure that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further project activity, according to generally accepted cultural or archaeological standards or practices, until the Agency has discussed and conferred with the Most Likely Descendant regarding their recommendations, as prescribed in Public Resources Codes Section 5097.98, taking into account the possibility of multiple human remains.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.6	**ENERGY** – Would the project				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Existing Setting:

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

(1) decreasing overall per capita energy consumption,
(2) decreasing reliance on natural gas and oil, and
(3) increasing reliance on renewable energy resources.

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the state's electricity supply. In 2008, Executive Order S-14-08 was signed into law requiring retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In October 2015, SB 350 was enacted to codify California's climate and clean energy goals. SB 350 requires retail sellers of electricity

and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2020.

In 2017, total system electric generation for California was 292,039 gigawatt-hours (GWH), up 0.5 percent from 2016's total generation of 290,567 GWh. California's non carbon dioxide-emitting electric generation (from nuclear, large hydroelectric, solar, wind, and other renewable sources) accounted for more than 56 percent of total in-state generation in 2017, compared to 50 percent in 2016. California's in-state electric generation was up by 4 percent to 206,336 GWh compared to 198,227 GWh in 2016 while net imports were down by 7 percent. The overall modest increase observed in California's total system electric generation for 2017 is consistent with the recently published California Energy Demand (CED) 2018 -3020 Revised Forecast.

Factors contributing to the increase in total system electric generation include growth in the number of light duty electric vehicles registered in the state, increased manufacturing electricity consumption, and reductions in savings from energy efficiency programs, this point suggesting that population growth is the primary driver of increased electricity consumption.

The Southern California Edison (SCE) is the electricity provider for the project site. SCE procures its electricity primarily from renewal resources.

Discussion:

a,b) **No Impact.** The proposed project would restore and conserve the project site as open space in perpetuity, no habitable buildings are being proposed. As such the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. In addition, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency

Issues		*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.7	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒

	ii. Strong seismic ground shaking?	☐	☐	☐	☒
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
	iv. Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Existing Setting:

The site is located in the Santiago Foothills of the Santa Ana Mountains north of Trabuco Creek. The property lies along the western margin of the Peninsular Range Province, one of the major geomorphic provinces in Southern California. This province is best described as a large structural block within the earth's crust that has been uplifted and tilted toward the west.

The area is underlain by Tertiary-age, Sespe Formation bedrock. This bedrock unit is composed of fluvial derived massive sandstone, conglomerate, and minor siltstone. The sedimentary deposits were lithified, uplifted, broadly folded, and faulted along a series of north-trending faults. Stream down cutting during the Late Quaternary period incised moderately to steep sided canyons with over steepened headwalls contributing to the formation of the current alluvial deposits.

Discussion:

a(i-iii) **No Impact**. The project area is in Southern California that is a seismically active region at the junction of the North American and Pacific tectonic plates; therefore, particularly susceptible to strong ground shaking and other geologic hazards. The proposed project activities include habitat restoration and demolition of uninhabited structures. No habitable structures are proposed and limited improvements such as signage and passive recreation facilities like benches would have limited potential for

damage from seismic activity or landslides. Further, damage to such improvements would not create impacts to public health or safety. None of the proposed improvements would increase public exposure to seismic hazards. None of the proposed improvements would be impacted by liquefaction which is generally confined to unconsolidated fill overlying wetlands or historic wetland or peat soils.

a(iv), (b,c) **Less than Significant Impact.** Potential landslide ground failures, soil erosion, and unstable soils occur on steep slopes and represent a risk sporadically throughout the project area. While the project area mountainsides are generally covered with trees and chaparral which maintain the integrity of the slopes, seismically induced slope failure, mudslides and slope failure during heavy rainfall events (especially post fire) may cause slope failures in this area. Nevertheless, the proposed project activities would be confined to the southwestern portion of the site that is relatively flat and disturbed areas and landslides have not historically been an issue. Although the proposed project would introduce limited improvements related to the multi-use trail system, these would not affect the potential for landslides and would create only minor potential for increased erosion. No substantial grading or vegetation removal will occur as part of the proposed project; therefore, the proposed project would result in a less than significant impact to seismic-related ground failure.

d) **No Impact**. No buildings would be constructed as a part of the proposed project, and minimal physical improvements would be implemented. No impact to life or property due to expansive soils would occur as a result of implementing the proposed project.

e) **No Impact.** The project does not propose to use septic tanks or alternative wastewater disposal systems; therefore, no impacts are anticipated.

f) **Less than Significant Impact with Mitigation Incorporated.** The site is not known to contain any unique geological feature. In addition, no earthmoving activities are proposed as part of this project. However, in addition Mitigation Measures CUL-1 through CUL-3 in Section V, a precautionary mitigation measure is included herein in the event fossil materials are exposed during the proposed project activities.

Mitigation Measures:

GS-1 *Inadvertent Paleontological Discoveries*. In the event fossil materials are exposed during proposed project activities, work (within 100 feet of the discovery) shall be halted until a qualified paleontologist meeting the criteria established by the Society for Vertebrate Paleontology is retained to assess the find. If the find is identified as significant, appropriate treatment as determined by the paleontologist shall be implemented prior to the re-commencement of ground disturbance in the area. A report documenting the methods and results of the treatment shall be prepared and submitted to the Agency and filed with the local repository.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.8	**GREENHOUSE GAS EMISSIONS** - Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Existing Setting:

Global climate change can be measured by changes in wind patterns, storms, precipitation, and temperature. Scientific consensus has identified human-related emissions of greenhouse gases (GHGs) above natural levels is a significant contributor to global climate change. GHG are substances that trap heat in the atmosphere and regulate the Earth's temperature, and include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ground level ozone, and fluorinated gases, such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons. The potential impacts of climate change include severe weather patterns, flooding, reduced quality and availability of water, sea level rise, and beach erosion. Primary activities associated with GHG emissions include transportation, utilities (e.g., power generation and transport), industry, manufacturing, agriculture, and residential. End-use sector sources of GHG emissions in California are as follows: transportation (37 percent), industry (23 percent), electricity generation (20 percent), agriculture and forestry (8 percent), residential (7 percent), and other (5 percent) (ARB 2015).

According to the IPCC, the concentration of CO_2, the primary GHG, has increased from approximately 280 parts per million (ppm) in pre-industrial times to well over 380 ppm. The current rate of increase in CO_2 concentrations is about 1.9 ppm/year; present CO2 concentrations are higher than any time in at least the last 650,000 years. To meet the statewide GHG reduction targets for 2020 and 2030, requiring California to reduce its total statewide GHG emissions to the level they were in 1990 and 40 percent below 1990 levels, respectively (Health & Safety Code, §§ 38550, 38566, projects should contribute to attaining, and not conflict with, the State's goals and policies for GHG emissions reductions. In December 2017, the California Air Resources Board adopted the 2017 Climate Change Scoping Plan Update, which implements the statewide 2020 and 2030 GHG emissions reductions targets. The 2017 Scoping Plan identifies the creation and management of parks and other greenspaces in urban areas as a carbon sequestration tool. The 2017 Scoping Plan also provides for the implementation of energy efficient construction practices at the individual project level.

GHG emissions are generally classified as direct and indirect. Direct emissions are associated with the production of GHG emissions from the immediate project area. These include the

combustion of natural gas as well as the combustion of fuel in engines and construction vehicles used on the site. Indirect emissions include the emissions from vehicles (both gasoline and diesel) delivering materials and equipment to the site (e.g., haul trucks).

In its 2008 "*Report on Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from projects Subject to the California Environmental Quality Act*," the California Air Pollution Control Officers Association (CAPCOA 2008) stated:

> *While it may be true that many GHG sources are individually too small to make any noticeable difference to climate change, it is also true that the countless small sources around the globe combine to produce a very substantial portion of total GHG emissions.*

GHG emissions cumulatively have a substantial environmental impact. The State CEQA Guidelines (§15064, sub (h)(3) and § 15064.4) provide the basis for assessing the impacts of GHG emissions. Section 15064 indicates that a

> *…lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.*

Section 15064.4, subdivision (c), provides that "the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change" and, further, that the analysis "should consider a timeframe that is appropriate for the project" and "reasonably reflect evolving scientific knowledge and state regulatory schemes." The Guideline further provides that in determining the significance of impacts from greenhouse gas emissions on the environment, the lead agency should consider the extent to which the project may increase GHG emissions as compared to the existing environmental setting, whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project, and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. (CEQA Guidelines, § 15064.4, subd. (c)(1)-(3).) "In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable." (CEQA Guidelines, § 15064.4, subd. (c)(3).)

SCAQMD has proposed a "bright-line" screening level threshold of 3,000 metric tons/year CO2e for all non-industrial land use types and a 10,000 MT/year for industrial facilities. This non-industrial use threshold is based on a review of the Governor's Office of Planning and

Research database of CEQA projects. Based on their review of 711 CEQA projects, 90 percent of CEQA projects would exceed the bright-line thresholds identified above. Therefore, projects that do not exceed the bright-line threshold would have a nominal, and therefore, less than significant impact on GHG emissions. SCAQMD's guidelines for analyzing a project's GHG impacts is to amortize project emissions over a 30-year period (or the life time of the project), add them to annual operation phase emissions and compare the emissions to the 3,000 metric tons/year CO2e threshold of significance level to determine significance (SCAQMD, 2010).

Discussion

a) **Less than Significant Impact.** The project would not generate GHG gas emissions, either directly or indirectly, that may have a significant impact on the environment.

As discussed in Section 5.3 of this document, the proposed project's primary contribution to air emissions is attributable to demolition activities. Project demolition activities will result in GHG emissions from construction equipment and construction workers personal vehicles traveling to and from the site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

The primary emissions that will result from the proposed project occur as CO_2 from gasoline and diesel combustion, with more limited vehicle tailpipe emissions of NO_2, and CH_4, as well as other GHG emissions related to vehicle cooling systems. The proposed project would primarily generate increased GHG emissions over the short term related to operation of construction equipment. Emissions from construction would consist of mobile sources such as haul trucks and other construction equipment.

GHG emissions for the project were estimated using the CalEEMod version 2016.3.1 (CalEEMod, 2016). Detailed GHG emissions estimates for the project are included in Attachment B (project Emissions Estimates). Table 5.8-1, below, presents a summary of the estimated total GHG emissions that would result from project implementation.

Table 5.8-1 Total Estimated Project GHG Emissions

Project Phase	**Total Metric Tons/Yr**			
	CO_2	**CH_4**	**N_2O**	**CO_2e**
Construction Emissions (total)	47.73	0.01	0.00	48.04
Construction Emissions (amortized over 5 years)	9.55	0.00	0.00	9.61
Operation Emissions (annual)	20.46	<0.00	0.00	20.63
Total project Emissions	**30.01**	**0.00**	**0.00**	**30.24**
Interim SCAQMD Threshold				3,000
Project Emissions Exceed SCAQMD Threshold?				**NO**
Notes: Emissions estimated using CalEEMod for "user defined recreational." Results of model runs are provided in Attachment B.				

The Project has a short-term implementation horizon. Project construction is expected to be completed in less than a year, and the Implementation Plan is intended to function

as a living document and focuses on activities anticipated to occur over the course of five years. The Implementation Plan is expected to be updated in 2025 to reflect changing implementation priorities. As such, construction emissions were amortized over the project's five-year operational life. As shown above in Table 5.8-1, annual operational emissions resulting from the operations and maintenance activities described in the Implementation Plan are estimated at approximately 30 metric tons (MT) of CO_2e per year when construction emissions are amortized over five years in accordance with SCAQMD guidance. The 30 MT of CO_2e emissions is significantly below the 3,000 MT of CO_2e significance threshold for non-industrial land use. Therefore, the project would not generate GHG emissions, either directly or indirectly, that would have a substantial adverse effect on the environment and potential impacts would be less than significant.

b) **Less than Significant Impact.** The project's use of fuels during construction would be consistent with existing regulations related to low carbon fuel standards achieved through regulations placed on the fuel manufacturing and supply industry. The project also proposes to enhance and restore native habitat. Considering the above, the project is consistent with the California Air Resources Board's 2017 Scoping Plan and would not conflict with any other applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Potential impacts would be less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.9	**HAZARDS AND HAZARDOUS MATERIALS** - Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant 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)	Be located on a site which is included on a	☐	☐	☐	☒

	list of hazardous materials sites compiled pursuant to Government Code Section 65962. 5 and, as a result, would it create a significant hazard to the public or the environment?				
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Existing Setting:
The project site is currently vacant and no hazardous materials, including pesticides are used onsite. During the Phase 1 site assessment no hazardous substances, drums, or other chemical containers were observed on the site, except for cleaning and general household products in retail packaging. Ten smelting pots were observed at the site; however, the previous property owner indicated that the items were purchased for antique display purposes and were never used onsite. The previous owner removed the smelting pots in 2017.

Oil and Gas Fields
OPC Inc. reviewed the California Department of Conservation Division of Oil, Gas, and Geothermal Resources Well Finder online mapping system on October 19, 2017. Oil and gas wells were not depicted onsite or within one mile of the site.

Radon
Radon is not regulated within the State of California. Nonetheless, the California Department of Public Health (CDPH) and the USEPA both recommend a threshold of four picocuries per liter (pCi/L) above which certain precautions be taken to mitigate radon buildup in structures. The CDPH maintains a database of indoor radon levels that are sorted by zip code. According to the update prepared in February 2016, 117 tests were completed in the site zip code of 92679 and two of these tests exceeded 4 pCi/L. OPC Inc. concluded that there was a low potential for radon to adversely affect the site. Additionally, the intended use of the site is to remain

primarily open space; therefore, radon would not be expected to be a concern.

Polychlorinated Biphenyls (PCBs)
PCBs were once used as industrial chemicals whose high stability contributed to both their commercial usefulness and their long-term deleterious environmental and health effects. PCBs can be present in coolants or lubricating oils used in older electrical transformers, hydraulic systems, and other similar equipment. In 1979, the USEPA generally prohibited the domestic manufacture of PCBs in electrical capacitors, electrical transformers, vacuum pumps, hydraulic pumps, and gas turbines. According to the project's Phase 1 ESA, PCB-containing equipment was not observed at the site (OPC Inc., 2017).

Airport Influence Area
Most facilities for which an Airport Influence Area has been designated are included on the "California Airports List" maintained by the California Department of Transportation's Division of Aeronautics. The inclusion of military and private airports varies by County, and heliports and seaplane bases are not included. Proximity to an airport does not necessarily mean that the property is exposed to significant aviation noise levels. Alternatively, there may be properties exposed to aviation noise that are greater than two miles from an airport. Factors that affect the level of aviation noise include weather, aircraft type and size, frequency of aircraft operations, airport layout, flight patterns or nighttime operations.

Discussion:

a) **Less than Significant Impact. Project** construction would extend up to six weeks. Implementation of the proposed project would not entail the routine transport, use or disposal of hazardous materials, with the potential exception of short-term construction-related substances such as fuels, lubricants, adhesives, solvents and asphalt wastes. The potential risk associated with the accidental discharge during use and storage of such construction-related hazardous materials during project construction is considered low because the handling of any such materials would be addressed through the implementation of BMPs pursuant to the intent of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit.

b) **Less than Significant Impact.** The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. With the exception of construction-related hazards such as fuels, lubricants, adhesives, solvents and asphalt wastes, the proposed project would not generate or require the use or storage of significant quantities of hazardous substances. Standard operating procedures would prevent the use of these materials from causing a significant hazard to the public or environment.

c) **No Impact.** There are no existing or proposed schools within one-quarter mile of the proposed project site. The nearest school is approximately 0.6-mile to the east of the project site. Additionally, operation and maintenance of the project would not produce hazardous emissions. No significant adverse impacts are anticipated and therefore, no

mitigation measures are required.

d) **No Impact.** The project site is not located on a known site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed project would not create a significant hazard to the public or the environment. No impacts would occur as a result of implementing the proposed project.

e) **No Impact.** The proposed project area is not located within an airport land use plan and it is not within two miles of a public airport or public use airport. The nearest public airport is the John Wayne (Santa Ana) airport located approximately 15 miles to the northwest of the project area.

f) **No Impact.** Activities associated with the proposed project would not impede existing emergency response plans for the project site and/or other land uses in the project vicinity. The project would not result in any closures of Live Oak Canyon Road that might have an effect on emergency response or evacuation plans in the vicinity of the project site. In addition, all vehicles and stationary equipment would be staged onsite and would not block emergency access routes. Accordingly, implementation of the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

g) **Less than Significant Impact.** The site is located in a State-responsibility wildland area that may contain substantial fire risk and hazards. Any development, along with the associated human activity, in previously undeveloped areas increases the potential of the occurrence of wildfires in the region. Except for the users of the multi-use trail on the property, the project is not introducing any habitable structures on the site. For the trail users, comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented for the proposed project and would minimize the occurrences of fire due to project activities during construction and for the life of the project. Therefore, less than significant impacts are anticipated.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.10	**HYDROLOGY AND WATER QUALITY -** Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede	☐	☐	☒	☐

	sustainable groundwater management of the basin?				
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
	i) result in a substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
	iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Existing Setting:

The federal Clean Water Act establishes the framework for regulating discharges to waters of the U.S in order to protect their beneficial uses. The Porter-Cologne Water Quality Act (Division 7 of the California Water Code) regulates water quality within California and establishes the authority of the State Water Resources Control Board and the nine regional water boards. For storm water, development projects are required by the State Board to provide careful management and close monitoring of runoff during construction, including onsite erosion protection, sediment management and prevention of non-storm discharges. The Regional and State Boards issue NPDES permits to regulate specific discharges. That permit requires that development projects also provide for ongoing treatment of storm water from the site, using low-impact design (LID), infiltration, or onsite reuse, to address project runoff using specific design criteria.

Surface Water

The primary drainage feature that conveys most surface flows from the site to downstream waters is the Live Oak Canyon Drainage. It conveys flows into the project area through two large partially buried corrugated metal pipe (CMP) culverts under Live Oak Canyon Road. The drainage flows through the project area for approximately 1,600 feet in a generally south direction until it is then channelized for approximately 200 feet and converted underground via two large concrete culverts. The drainage remains underground through the project area for approximately 350 feet where it resurfaces for another 200 feet before entering two large, partially buried CMP culverts and under Trabuco Canyon Road. Rancho Santa Margarita Lake is located approximately 4,500 feet east of the site.

Tsunami

A tsunami is a series of ocean waves or surges most commonly caused by an earthquake beneath the sea floor. The California Emergency Management Agency (CalEMA), the University of Southern California Tsunami Research Center (USC), and the California Geological Survey (CGS) have prepared maps that depict areas of maximum tsunami inundation for all populated areas at risk to tsunamis in California (20 coastal counties). The maps were publicly released in December 2009 with the stated purpose that the maps are to assist cities and counties in identifying their tsunami hazard and developing their coastal evacuation routes and emergency response plans only. These maps show the maximum tsunami inundation line for each area expected from tsunamis generated by undersea earthquakes and landslides in the Pacific Ocean. Because tsunamis are rare events in the historical record, the maps provide no information about the probability of any tsunami affecting any area within a specific period of time. Due to the distance from the ocean, the project site and general area would not be subject to inundation.

Groundwater

The southern portion of the site is located within the San Juan Valley Groundwater Basin. Groundwater occurrence within the San Juan Hydrologic Unit is primarily in alluvium with a thickness that averages 65 feet and may reach more than 125 feet (OPC Inc., 2017).

There is a closed leaking underground storage tank (LUST) case listed on GeoTracker for O'Neill Regional Maintenance Yard, 30892 Trabuco Canyon, approximately 3,250 feet northeast of the site. The Case Closure Summary indicates that groundwater was encountered between 11.6 to 24. 06 feet below ground surface (bgs) between 2002 and 2004. The park maintenance area is located approximately 150 feet from the Trabuco Creek streambed.

The depth to groundwater at the site is unknown; however, based on the variable topography it would be expected to be shallower in the valleys, particularly near the creek that runs along the western property boundary. Based on topography and the geologic setting of the site, regional groundwater flow in the site vicinity is anticipated to be toward the South and southwest, in the direction of Trabuco Creek and the Pacific Ocean.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), the project area is located within Zones A, X, and X500. Property in a Special Flood Hazard Area (any type of Zone "A" or "V" as designated by the Federal Emergency

Management Agency ("FEMA") is subject to flooding in a "100-year rainstorm." A 100-year flood occurs on average once every 100 years but may not occur in 1,000 years or may occur in successive years. Other types of flooding, such as dam failure, are not considered in developing these zones. Zones X areas are outside the "500" year flood-risk level and have minimal flood risk. Zone X500 areas are between the "100" and "500" year flood-risk levels and have moderate flood risk.

Discussion

a) **Less than Significant Impact with Mitigation Incorporated.** Evidence of underground or aboveground storage tanks (USTs/ASTs) was not observed at the site, with the exception of a water tank located on top of a hill in the southern portion of the site. GeoTracker, an online database maintained by the State Water Resources Control Board (SWRCB) which tracks regulatory data about underground fuel tanks, land disposal sites, and releases of hazardous materials that may threaten the public drinking water supply, was reviewed on October 19, 2017. Releases of hazardous materials regulated by the Water Board and USTs were not identified on or immediately adjacent to the site.

No wastewater discharge or modifications to discharge systems would occur with implementation of the proposed project. Some of the project construction activities, such as the removal of the horse washout areas would be close to the Live Oak Creek. However, construction site best management practices (BMPs) shall be required for compliance with the Orange County Municipal Separate Stormwater Sewer Systems (MS4) Permit (R8-2009-0030, as amended by Order No. R8-2010-0062), including but not limited to:

- NS-1 (Water Conservation Practices)
- NS-3 (Paving and Grinding Operations)
- NS-6 (Illicit Connection/Illegal Discharge Detection and Reporting)
- NS-7 (Potable Water/Irrigation)
- NS-8 (Vehicle and Equipment Cleaning)
- NS-9 (Vehicle and Equipment Fueling)
- NS-10 (Vehicle and Equipment Maintenance)
- WM-1 (Material Delivery and Storage)
- WM-2 (Material Use)
- WM-4 (Spill Prevention and Control)
- WM-5 (Solid Waste Management)
- WM-6 (Hazardous Waste Management)

- WM-8 (Concrete Waste Management)
- WM-9 (Sanitary/Septic Waste Management)
- WM-10 (Liquid Waste Management)

With incorporation of these BMPs impacts to water quality are anticipated to be less than significant.

b) **Less than Significant Impact**. The proposed project would not entail the use of groundwater and; thus, would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The proposed project does not include any addition of impermeable material, so water percolation and groundwater recharge would not be significantly impacted by the implementation of the project.

c i-iii) **Less than Significant Impact.** The proposed project would not involve mass grading, creation of impervious surfaces that would increase the amount of surface runoff or alteration of the existing drainage patterns onsite. The nature of the proposed project would have no appreciable effects to the current runoff rates, drainage patterns, or quantity of runoff.

d) **No Impact.** The project site would not be subject to inundation by seiche, tsunami, or mudflow A tsunami is a series of ocean waves generated in the ocean by an impulsive disturbance. Due to the inland location of the proposed project, tsunamis are not considered a threat. A seiche is an oscillating surface wave in a restricted or enclosed body of water generated by ground motion, usually during an earthquake. Inundation from a seiche can occur if the wave overflows a containment wall or the banks of a water body. No impacts are expected to occur because the project is not adjacent to any marine or inland water bodies. The soils in the project area are moderately well-drained, the terrain is relatively flat, and mudflows have not historically been an issue in the proposed project area.

e) **No Impact.** The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.11	**LAND USE AND PLANNING** - Would the project:				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan,	☐	☐	☐	☒

	policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				

Existing Setting:

The site and surrounding vicinity appearance and topography varies greatly with canyon bottom land, oak woodlands, grassy meadows and shrub covered hillsides and slopes. The property use at, and in the vicinity of the site is generally for recreation or conservation. The site contains equestrian facilities while the adjoining properties are occupied primarily by vacant native land that is owned by the OCTA and the County of Orange O'Neill Regional Park. There is a small commercial building adjacent to the south of the site that is occupied by a post office and several retail stores

Discussion:

a) **No Impact.** The Agency proposes to conserve the site as open space with a passive recreational component. The project would not physically divide an established community, because there are no established residential communities present in the project area. The project is consistent with the surrounding open spaces, O'Neill Regional Park to the west and south, OCTA's Wren's View Preserve immediately to the north and east.

b) **No Impact**. The proposed project does not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect conflict.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.12	**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?	☐	☐	☐	☒

Existing Setting:

Historically mining operations have been located in remote areas. However, increasing urbanization has resulted in some residential projects being developed near existing mining operations. California Public Resources Code §2207 requires owners and operators of mining

operations to provide annually specific information to the California Department of Conservation ("DoC"), including but not limited to, (i) ownership and contact information, and (ii) the latitude, longitude, and approximate boundaries of the mining operation marked on a specific United States Geological Survey map. According to the Natural Hazard Disclosure Report (2017), the project site is reported as "NOT IN" a one-mile radius of a mining operation specified on the Office of Mining Reclamation (OMR) Maps.

Discussion:

a) **No Impact.** The USGS Mineral Resources Spatial Data Mapper was used to determine that no metallic or nonmetallic mineral resources have been mapped on the proposed project area. In addition, there are no active mines or mining claims located on or in the immediate vicinity of the project site. Further, the proposed project area currently does not have active aggregate or petroleum mining operations, and given the nature of the project area, no such operations would be explored. Implementation of the proposed project would not result in the loss of any known mineral resources on the project site.

b) **No Impact.** The project site is not in a locally important mineral resource recovery zone; therefore, the project would not 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.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.13	**NOISE** - Would the project result in:				
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a 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?	☐	☐	☐	☒

Existing Setting:

Noise is typically defined as unwanted sound that interferes with normal activities or otherwise diminishes the quality of the environment. Prolonged exposure to high levels of noise is known to have several adverse effects on people, including hearing loss, interference with communications and sleep, physiological responses, and annoyance. The noise environment includes background noise generated from both near and distant noise sources, as well as the sound from individual local sources. These sources of noise can vary from an occasional aircraft or train passing by to continuous noise from sources such as traffic on a major road.

The standard unit of measurement of the loudness of sound is the Decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more useable range of numbers in a manner similar to the way that the Richter scale is used to measure earthquakes. In terms of human response to noise, studies have indicated that a noise level increase of 3 dBA is barely perceptible to most people, a 5 dBA increase is readily noticeable, and a difference of 10 dBA would be perceived as a doubling of loudness. Everyday sounds normally range from 30 to 100 dBA.

The project site is located in Trabuco Canyon and acts as a transition area between O'Neill Regional Park to the West and South and the adjacent open spaces and Cleveland National park further east and north of the project site. Noise at the project site currently consists of the roadway traffic along Live Oak/Trabuco Canyon Road, which borders the site on its western and southern boundary. The site itself is not currently open to public vehicles, only some maintenance, site surveys, private patrols, emergency personnel, and Agency staff occasionally access the site.

The County of Orange Noise Ordinance and General Plan Noise Element contain the County's policies on noise. The County Noise Ordinance establishes maximum noise levels that may be experienced on a neighboring property as a result of noise generated on/from another property. The County's Noise Ordinance is found in the Civil Code, Title 4 "Health, Sanitation, and Animal Regulation", Division 6 "Noise Control", Article 1. "General Provisions" and is enforceable throughout all incorporated and unincorporated territory of the County. Section 4-6-5 establishes the exterior noise standards, Section 4-6-6 establishes the interior noise standards, and Section 4-6-7 delineates special provisions (including limitations for construction activities and their associated noise).

The County Noise Ordinance prescribes exterior and interior noise standards for the protection of residential zoned areas. The Noise Ordinance is designed to control unnecessary, excessive, and annoying sounds from sources on private property by setting limits that cannot be exceeded at adjacent properties. The Noise Ordinance requirements are not applicable to mobile noise sources such as cars, motorcycles, and heavy trucks which are traveling on public roadways, as

these mobile noise sources are preempted by Federal and State laws.

The County Noise Ordinance states that the daytime [7:00 AM to 10:00 PM] noise level for a noise source measured at an outdoor area of a residential property cannot ever exceed 75 dBA; 70 dBA for more than one minute of any hour; 65 dBA for more than five minutes of any hour; 60 dBA for more than 15 minutes of any hour; or 55 dBA for more than 30 minutes of any hour. All these noise level limits are reduced by five dB during the nighttime hours to reflect the increased sensitivity to noise occurring during this time period.

The County Noise Ordinance also states that the noise level for a source measured at an indoor area of a residential property cannot ever exceed 65 dBA; 60 dBA for more than one minute of any hour; and 55 dBA for more than five minutes of any hour. The nighttime [10:00 PM] interior noise level limits are reduced by 10 dB, relative to the daytime interior limits. The County noise regulations are summarized in *Table 4.10-2*, County of Orange Noise Ordinance Limits (Exterior Noise Standards) and *Table 4.10-3*, County of Orange Noise Ordinance Limits (Interior Noise Standards) and shown in Tables 5.13-1 and 5.13-2 below.

Table 5.13-1: County of Orange Noise Ordinance Limits (Exterior Noise Standards)

Timeframe	Equivalent statistical sound level*	Daytime Limit (7:00 AM to 10:00 PM)	Nighttime Limit (10:00 PM to the following 7:00 AM)
For a cumulative period of more than thirty (30) minutes in any hour	L_{50}	55dBA	50 bBA
For a cumulative period of more than fifteen (15) minutes in any hour	L_{25}	60 dBA	55 dBA
For a cumulative period of more than five (5) minutes in any hour	$L_{8.3}$	65 dBA	60 dBA
For a cumulative period of more than one (1) minute in any hour	$L_{1.6}$	70 dBA	65 dBA
For any period of time	L_0	75 dBA	70 dBA

Notes:
Provision 1: In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise level limits shall be reduced by five (5) dB.
Provision 2: In the event the ambient noise level exceeds the above limits, the applicable levels shall be increased to reflect said ambient noise level.
* L_x is the sound pressure level that is the statistical indicator of the time-varying noise signal that is equaled or exceeded x % of the stated sampling time. As examples, the L_{10} symbol represents the sound level which is exceeded 10 percent of the sampled time period and the L_0 is the sound pressure level that is never equaled or exceeded during the stated sampling time, thus making this value equivalent to the maximum noise level or L_{max}. In the case of the Orange County Regulation, the $L_{1.6}$, $L_{8.3}$, L_{25}, and L_{50} noise metrics are the sound pressure levels that are the statistical indicators of the time-varying noise signal that is equaled or exceeded 1minute, 5 minutes, 15 minutes, and 30 minutes, respectively, out of any given hour. Note that these are typical criterion levels in many community noise ordinances.
Source: County of Orange

Table 5.13-2: County of Orange Noise Ordinance Limits (Interior Noise Standards)			
Timeframe	**Equivalent statistical sound level***	**Daytime Limit (7:00 AM to 10:00 PM)**	**Nighttime Limit (10:00 PM to the following 7:00 AM)**
For a cumulative period of more than five (5) minutes in any hour	$L_{8.3}$	55 dBA	45 dBA
For a cumulative period of more than one (1) minute in any hour	$L_{1.6}$	60 dBA	50 dBA
Notes: Provision 1: In the event the alleged offensive noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise level limits shall be reduced by five (5) dB. Provision 2: In the event the ambient noise level exceeds the above limits, the applicable levels shall be increased to reflect said ambient noise level. * L_x is the sound pressure level that is the statistical indicator of the time-varying noise signal that is equaled or exceeded x % of the stated sampling time. As examples, the L_{10} symbol represents the sound level which is exceeded 10 percent of the sampled time period and the L_0 is the sound pressure level that is never equaled or exceeded during the stated sampling time, thus making this value equivalent to the maximum noise level or L_{max}. In the case of the Orange County Regulation, the $L_{1.6}$, $L_{8.3}$, L_{25}, and L_{50} noise metrics are the sound pressure levels that are the statistical indicators of the time-varying noise signal that is equaled or exceeded 1minute, 5 minutes, 15 minutes, and 30 minutes, respectively, out of any given hour. Note that these are typical criterion levels in many community noise ordinances. *Source*: County of Orange			

The County Noise Ordinance exempts noise generated from construction activities, based on the day and time of such work. Specifically, as long as construction, repairs, remodeling, or grading of any real property does not take place between 8:00 PM and 7:00 AM on weekdays (including Saturdays), or at any time on Sunday or Federal holidays, noise from construction activities is exempt from the ordinance limits.

Table 5.13-3 Allowable Construction Hours	
Days	**Allowed Construction Hours**
Monday-Saturday	7:00 a.m. – 8:00 p.m.
Sunday and Federal Holidays	Not Permitted

Construction-related noise and groundborne vibration would be generated by various types of equipment as a result of the proposed demolition activities anticipated to occur in the project site. Additional sources of noise may occur from general truck movement and unknown construction sources. The analysis of construction-related noise impacts is qualitative in nature, discussing the potential range of construction-related impacts that could potentially occur from the project site. Construction noise levels for the project are evaluated using data published by the U.S. Department of Transportation, as indicated in Table 5.13-4.

Table 5.13-4 Noise Ranges of Typical Construction Equipment	
Construction Equipment	**Noise Levels[1] (dBA Leq at 50 Feet)**
Dump Truck	88
Trucks	85
Jackhammers	88
Dozer	87
Front loader	79
Tractor	80
Pneumatic Tools	86
Backhoe	85
Concrete Saw	90

Note: [1]Machinery equipped with noise control devices or other noise-reducing design features does not generate the same level of noise emissions as that shown in this table.
Source**:** USEPA, 1971; FHWA, 2006

These noise levels would diminish rapidly with distance from the construction areas, at a rate of approximately 6 dBA per doubling of distance as equipment is generally stationary or confined to specific areas during construction. For example, a noise level of 86 dBA measured at 50 feet from the noise source to the receptor would reduce to 80 dBA at 100 feet from the source to the receptor and reduce by another 6 dBA to 74 dBA at 200 feet from the source to the receptor. The noise levels from construction at the off-site sensitive uses can be determined with the following equation from the Harris Miller Miller & Hanson Inc. Transit Noise and Vibration Impact Assessment, Final Report:

$$Leq = Leq \text{ at } 50 \text{ feet} - 20 \log(D/50)$$

Where Leq = noise level of noise source, D = distance from the noise source to the receptor, Leq at 50 feet = noise level of source at 50 feet.

Typically, groundborne vibration is of concern in urban areas when heavy construction (e.g., pile driving, major excavation) immediately abuts sensitive uses such as residences. Groundborne vibration typically does not travel far and intensity of vibration is affected by soil type, ground profile, distance to the receptor and the construction characteristics of the receptor building. Groundborne vibration is of much less concern in open space areas.

Airport Noise
Under the Federal Aviation Administration's *Airport Noise Compatibility Planning Program Part 150*, certain 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour maps have been produced for some airports. A property may be near or at some distance from an airport and not be within a delineated noise exposure area, but still experience aviation noise.

The *Airport Noise Compatibility Planning Program* is voluntary and not all airports have

elected to participate. Furthermore, not all property in the vicinity of an airport is exposed to 65dB CNEL or greater average aviation noise levels. Conversely a property may be at some distance from an airport and still experience aviation noise. Aviation noise levels can vary seasonally or change if airport usage changes.

Discussion:

a) **Less than Significant Impact**. Construction of the proposed project may potentially create some elevated short-term construction noise impacts from construction equipment; however, these activities would comply with Orange County Codified Ordinance Division 6 (Noise Control) and would be consistent with Section 4-6-7 of the County of Orange Land Use/Noise Compatibility Manual Code, whereby construction activities would be restricted to the hours of 7:00 a.m. to 8:00 p.m. on weekdays, including Saturdays, and no construction activities would be allowed on Sundays or any federal holidays. Further, with the exception of a few scattered residencies, the proposed project is adjacent to mostly undeveloped and/or vacant lands. For the residents nearest to the project site, approximately 2,000 feet to the south, construction noise from the site would be imperceptible due to the intervening distance. For park users in the O'Neill Regional Park noise generated from the proposed project could potentially temporarily generate noise levels in excess of standards established in the County General Plan or Noise Ordinance, or applicable standards of other agencies; however, the noise that is anticipated to occur from both construction and operations would be nominal, localized, temporary, and transitory in nature; and would not cause a substantial increase in noise for any extended period of time.

b) **No Impact**. Construction-related noise and groundborne vibration would be generated by various types of equipment as a result of construction activities anticipated to occur in the project site. Construction noise would primarily occur during demolition activities. However, additional sources of noise may occur from general truck movement and unknown construction sources. Due to the intervening distance from sensitive receptors, impacts are anticipated to be negligible. During operation, the proposed project equipment would not result in any groundborne vibration.

c) **No Impact.** The proposed project area is not located within an airport land use plan and it is not within two miles of a public airport or public use airport. The nearest public airport is the Santa Ana Airport, which is located approximately 15 miles to the northwest of the project area. Therefore, it would not expose people residing or working in the project area to excessive noise levels

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.14	**POPULATION AND HOUSING** - Would the project:				
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Existing Setting:
The project site is in unincorporated Trabuco Canyon area of Orange County. According to the American Community Survey, Trabuco Canyon has a population of 21,091, and a total number of 6,982 households with an average of three people per household. The project site was previously used as an equestrian facility and is currently vacant. It is adjacent to O'Neill Regional Park to the West and South, Wren's [Open Space] Preserve to the North and East and a small commercial center to the southeast.

Discussion:

a,b) **No Impact.** The proposed project would not induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). No houses are being proposed as part of the proposed project for construction workers or those that would be employed during operation of the facility. Construction is anticipated to take approximately six weeks, with a maximum of 10 construction workers per day. During operation, the project site would be unmanned. Accordingly, the proposed project would not result in any impacts to housing or related infrastructure, nor would it require construction of any housing units. Further, the proposed project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere because the project site is currently undeveloped. No significant adverse impacts are anticipated and, therefore, no mitigation measures are required.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.15	**PUBLIC SERVICES** - Would the project:				
a)	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?	☐	☐	☒	☐
	Police Protection?	☐	☐	☒	☐
	Schools?	☐	☐	☐	☒
	Parks?	☐	☐	☐	☒
	Other Public Facilities?	☐	☐	☐	☒

Existing Setting:

Fire and Police Protection

The project site lies within the service area of the Orange County Sheriff- Coroner's Department and is serviced by the Sheriff's South Patrol Bureau, which is a part of the Southeast Operations Division at the Saddleback Station in Lake Forest. The South Patrol Bureau is part of the Southeast Operations Division and provides law enforcement services to the 80,000 residents of the South County unincorporated areas of Trabuco Canyon, Coto De Caza, Ladera Ranch, Wagon Wheel, Las Flores, Rancho Mission Viejo and the rural neighborhoods located along the Ortega Highway and in the Santiago, Trabuco and Rose Canyon Districts. The South Patrol Bureau is staffed with four Sergeants, twenty Deputy Sheriff's, one School Resource Officer (SRO) and two Criminal Investigators. The South Patrol Bureau also oversees the Juvenile Services Bureau (JSB) and the School Mobile Assessment and Resource Team (SMART).

Fire protection for the Foothill/Trabuco Specific Plan Area is provided by the Orange County Fire Authority. The closest fire station to the project site is the Orange County Fire Station No. 18, located at 30942 Trabuco Canyon Road, approximately 0. 5-mile to the east. In addition, fire service can be provided by Station No. 45 at 30131 Aventura in Rancho Santa Margarita, approximately 1.4 miles away; Station No. 42 at 19150 Ridgeline Road in Lake Forest, approximately 2.4 miles away; Station No. 31 at 22426 Olympiad Road in Mission Viejo, approximately 2.6 miles away; and Station No. 40 at 25082 Vista del Verde, in Coto de Caza.

Schools

The project site is within the Saddleback Valley Unified School District. There is currently only one school within the Foothill/Trabuco Specific Plan Area: Trabuco Elementary School.

Parks

O' Neill Regional Park

The project site is bordered by the Live Oak Canyon Road and O'Neill Regional Park to the East and South. The park, known for its native oak and sycamore trees and accompanying woodland community, has provided area residents with camping and day-use facilities since its establishment in 1948. O'Neill Regional Park is designated as a "Natural Regional Park" which, according to the County General Plan Recreation Element, is a more natural setting with aesthetic and passive activities such as camping, hiking, picnicking and limited recreation. Two large portions of the park (a 232-acre parcel at the park's northern terminus and an area along the Arroyo Trabuco) are designated as "wilderness" areas, which are areas with the same characteristics as a "Wilderness Regional Park" and managed and protected to preserve natural resources.

Local Parks

Local parks are implemented in conjunction with the Recreation Element's Master Plan of Local Parks Component and the County Local Park Code. The County Local Park Code requires the provision of land or fee payments, or a combination of both, as a means of meeting local park and recreation needs of present and future County residents. The Local Park Code requires residential developers to provide a minimum of 2.5 net acres of usable local park land for each prospective 1,000 residents. For the Foothill/Trabuco Specific Plan Area, the required park acreage dedication cannot be calculated until the actual number of dwelling units to be built is determined (on a project-by-project basis) through the area plan/site development permit/use permit approval process.

Discussion:

a) Fire - Less than Significant Impact. The proposed project area is serviced by the Orange County Fire Authority (OCFA) located approximately 0. 9 mile to the east of the project site. The proposed project would not substantially impact service ratios, response times, or other performance objectives related to fire protection[1]. However, during construction, some public services including fire protection may be required but these would be short-term requirements and would not require increases in the level of public service offered or affect these agencies' response times. During operation, the Agency would work closely with OCFA to identify fire management guidelines, including specific fire and brush maintenance zone specification and access route locations that minimize impacts on sensitive biological resources.

Police Protection – Less than Significant Impact. The proposed project would not impact service ratios, response times, or other performance objectives related to police protection. During the limited period of construction and passive recreational operation, impacts to the current level of public service, including police protection, would not require increases in the level of public services offered or affect OCSD's response times beyond current conditions[2]. In order to protect against theft and vandalism, the

[1] Dustin Grinstead, Administrative Captain/Special Operations, Orange County Fire Authority, email communication, July 11, 2019
[2] Ray Grangoff, Chief of Staff to the Sheriff, Orange County Sheriff's Department, email correspondence, July 16. 2019

proposed project would employ its own security patrol crews to protect the project site during construction and operation of the project.

Schools – No Impact. Long-term operation of the proposed facilities would place no demand on school services because it would not involve the construction of facilities that require such services (e.g., residences) and would not involve the introduction of a temporary or permanent human population into this area.

Parks – No Impact. Long-term operation of the proposed facilities would place no demand on parks because it would not involve the construction of facilities that require such services (e.g., residences) and would not involve the introduction of a temporary or permanent human population into this area. Additionally, the project will offer new recreational opportunities to enhance existing park and open space lands.

Other Public Facilities – No Impact. The proposed project would not result in the introduction and/or an increase in new residential homes and the proposed project would not involve the introduction of a temporary or permanent human population into this area. Based on these factors, the proposed project would not result in any long-term impacts to other public facilities.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.16	**RECREATION** - Would the project:				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Existing Setting:

Regional Riding and Biking Trails

The County Master Plan of Regional Riding and Hiking Trails identifies regional trails adjacent or partially within the project site (Figure 5.16-1)

Local Riding and Biking Trails

A local riding and hiking trail network was established by the Interim Policy Guidelines for Foothill/Trabuco Area projects (adopted November 15, 1988) prior to adoption of the Specific

Plan. Many of the local riding and hiking trails identified on the Recreation Plan currently exist as unimproved trails on private property, although most have not been offered for dedication and do not meet County standards. Property owners with parcels adjacent to local riding and hiking trails depicted on the Specific Plan's Recreation Plan are required to dedicate a 16-foot-wide recreation easement for local riding and hiking trail purposes. Developers are required to design, improve and maintain the local trails in conformance with the approved plan.

Specific to the project site is the proposed Coyote Connection Trail, which runs east/west in a crescent shape to connect Live Oak Canyon Road to the Trabuco Canyon Trail. Its eastern terminus is one-quarter of a mile north of Trabuco Canyon Fire Station No. 18. This trail enters the project site in the northeast and traverses the western portion of the site in a generally north to south direction, eventually connecting to the trails within O'Neill Regional Park.

As outlined in the goals, policies and objectives of the Master Plan, owners of parcels located adjacent to Master Plan trails are required to dedicate easements for trail purposes. One of the Specific Plan goals is to:

> *Provide for a local riding and hiking trail system which includes connections to Regional Riding and Hiking Trails as designated on the Master Plan of Regional Riding and Hiking Trails of the Recreation Element of the General Plan.*

It is in the spirit of the Specific Plan that the proposed recreational trail on the project site is designed to close a gap in the Coyote Connection Trail to help promote equestrian/recreational opportunities in the area.

Trabuco Canyon Road Regional Bikeway

To the south of the project site is the Class I off-road Trabuco Canyon Road Regional bikeway, which commences at the O'Neill Regional Park entrance and proceeds east adjacent to the south side of Trabuco Canyon Road.

Discussion:

a) **No Impact.** The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No new residences or recreational facilities would be constructed as part of the proposed project and the proposed project would not induce population growth in adjacent areas. No significant adverse impacts are anticipated.

b) **Less than Significant Impact.** The proposed project would include passive recreation; however, no new recreational facilities would be constructed. The proposed pilot recreational trails would utilize the existing access roads onsite. The proposed project would enhance the existing fire access road by installing trail boundary markers to keep trail users out of sensitive habitat and conserved areas. Limited parking would be

provided onsite, and proper gate access and signage will be installed as appropriate to control public access. An informational kiosk providing an overview of the history of the property will be installed. In addition, interpretive displays along trails will provide information to people of all ages on such topics as hydrology, history, ecology and wildlife in the area. These educational elements of trails will serve to increase awareness and appreciation of important local resources. None of these facilities would have an adverse physical effect on the environment. No new residences or recreational facilities would be constructed as part of the proposed project. The proposed project would not induce population growth in adjacent areas and would not increase the use of recreational facilities in surrounding neighborhoods. Impacts are anticipated to be less than significant and, therefore, no mitigation measures are required.

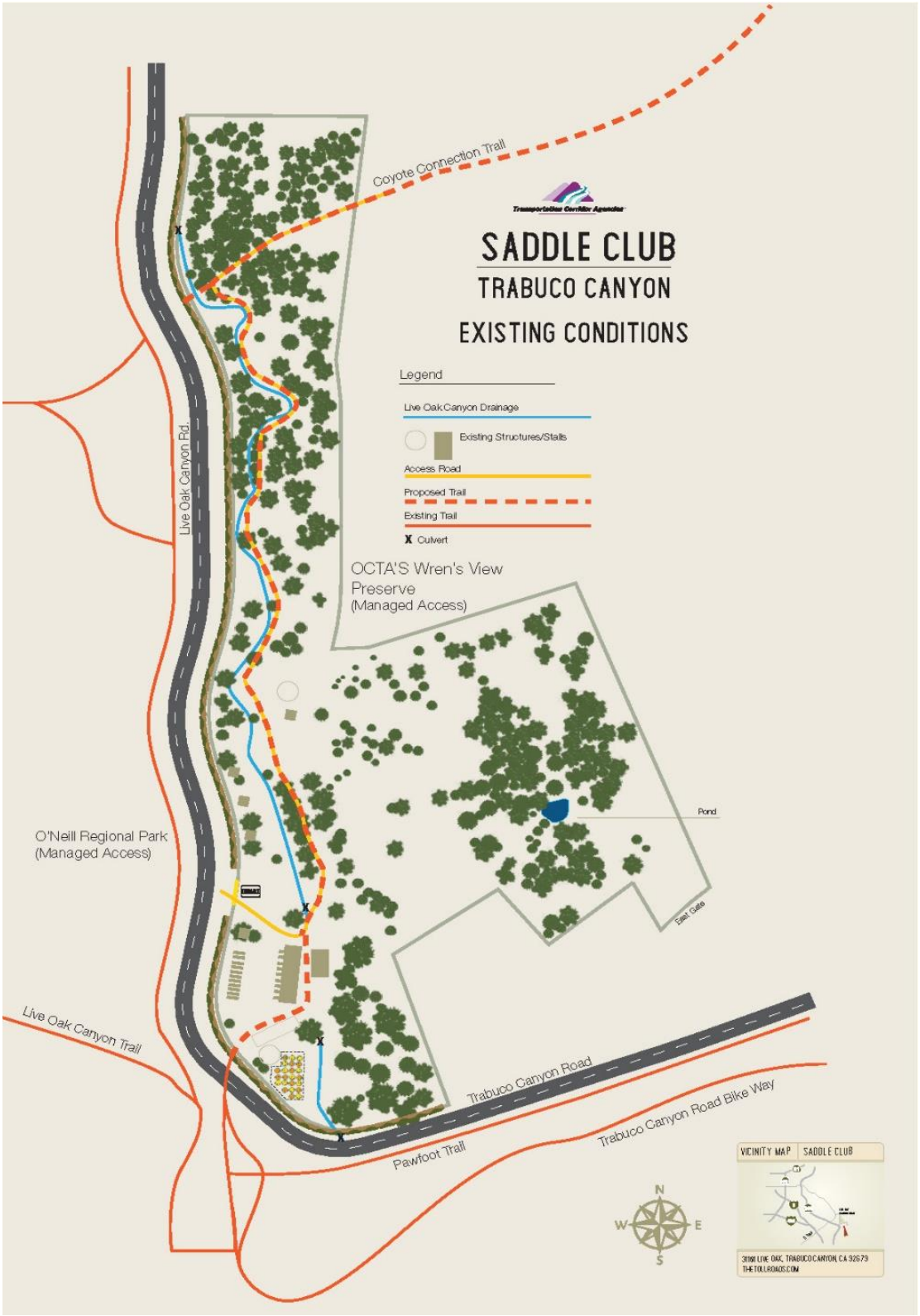

Figure 5.16-1 Planned and Existing Trails

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.17	**TRANSPORTATION** - Would the project:				
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐

Existing Setting:
The Foothill/Trabuco Specific Plan identifies existing public and private roads in the Specific Plan Area, as well as road improvements which are necessary to support the level of development permitted by the Land Use Plan and Land Use District Regulations. One of the primary goals of the Specific Plan has been to preserve the oak tree canopy area of Live Oak Canyon Road -- the area between Hamilton Truck Trail and the O'Neill Regional Park entrance -- while providing a Land Use and Circulation Plan which do not require construction of the proposed Rose Canyon Road. Rose Canyon Road was deleted from the County's Master Plan of Arterial Highways in conjunction with the adoption of this Specific Plan. Live Oak/Trabuco Canyon Road is the only access to the project site. Entrances to the site and O'Neill Regional Park are from Live Oak Canyon Road.

Live Oak/Trabuco Canyon Road

Live Oak/Trabuco Canyon Road (Scenic Route S19) is a five-mile long narrow, two-lane, collector road with dirt shoulders, located between the juncture of El Toro Road and Santiago Canyon Road (east of Lake Forest) and Plano Trabuco Road in Rancho Santa Margarita. The Live Oak Canyon Road portion of the Road extends from El Toro Road to the entrance of O'Neill Regional Park, where it becomes Trabuco Canyon Road. Trabuco Canyon Road continues eastward to become Plano Trabuco Road. The Road winds through hills and canyons, with varying vertical alignment, sharp curves, a crossing of Trabuco Creek, and a curving climb up a steep bluff. Portions of the Road are lined with mature oak trees, which provide a shady canopy over the roadway. Various concrete barriers, metal beam guardrails, power poles, and embankments also exist near the road's edge along portions of the roadway.

The project site is within the Live Oak Canyon Road segment between Hamilton Trail and O'Neill Regional Park entrance. The capacity of this segment of the road is 3,600 ADT (OC Public Works, 2018).

Project Trip Generation
The proposed project's traffic memorandum (WSP, 2019) concluded that two components of the project would generate vehicle trips: (1) construction related trips, and (2) trips to access SCPP recreational uses.

1. *Construction/Demolition Phase*: Construction related trips would be generated during the proposed demolition activities but would not continue once the project is complete.

2. *Recreational (Operational) Phase*: The trips that would be generated once the construction phase is complete were estimated based on the trips using the O'Neill Regional Park, which is situated across the street from the SCPP site. O'Neill Regional Park is approximately 4,500 acres and has multi use trails as well as facilities for camping and conferences. Per the 2018 visitor data for O'Neill Regional Park provided by the County Parks Department (OC Parks), during the month of April 2018, ORP was visited by approximately 35,000 visitors. Excluding camping and conference visitors, which the proposed project will not have, April was the most visited month, with visitors arriving in approximately 16,000 vehicles. Per OC Parks data, O'Neill Regional Park trip generation on weekend days is about three times that of weekdays, resulting in about 1,030 vehicles per weekend day. If the proposed project draws the same number of visitors per acre as O'Neill Regional Park, which is a conservative assumption in light of the limited recreational opportunities offered at the Project site relative to the O-Neill Regional Park, it would see fewer than 10 vehicles per peak weekend day (WSP, 2019).

Discussion:

a) **No Impact.** The Orange County General Plan designates the project site as rural residential. The SCPP will be a less intense use than the General Plan zoning allows and would generate less traffic than the previous use of the site (an equestrian center) (WSP, 2019).

The Orange County General Plan specifies a Level of Service (LOS) policy of maintaining LOS D or better. The General Plan does not specify LOS thresholds for rural facilities such as Live Oak/Trabuco Canyon Road. However, the Orange County Transportation Authority (OCTA) traffic impact guidelines give a threshold for study for possible traffic impacts as being significant if the project adds trips equaling three percent or more of the capacity of a road. Orange County Public Works lists the capacity for Live Oak/Trabuco Canyon Road, as 3,600 ADT. Since the project is expected to add less than 10 trips per day, or 3/10s of one percent of the capacity of the road, the project traffic concluded that the project would not have a significant traffic impact.

A review of the policies and plans in Orange County's General Plan shows that the only

plan applicable to the project is the Foothill/Trabuco Specific Plan. The proposed multi-use recreational trail onsite is consistent with the planned trail shown in the Foothill/Trabuco Specific Plan. Therefore, the proposed project would not conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and greenways, pedestrian and bicycle paths, and mass transit. The project would be conserved as open space and will not introduce new residential units or induce growth that would require a change in the circulation system.

b) **Less than Significant Impact.** The proposed project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b) – *Criteria for Analyzing Transportation Impacts*, which does not become mandatory requirement under the State CEQA Guidelines until July 1, 2020. Operational activities at the site would include passive, low impact recreational activities, including but not limited to, hiking, non-competitive equestrian and mountain biking, limited picnicking, bird watching, walking, and jogging, that are compatible with the protection of biological resources. Due to the proximity of the project site to O'Neill Regional Park (across the street) as well as the length of the proposed trail (approximately one-half mile long), it is anticipated that the project site would be used by residents and some visitors to the O'Neill Regional Park but would not, by itself, generate regional traffic beyond what's already in the area. In addition, consistent with existing practices at the site today, staff and Agency consultants would continue to visit the site to conduct periodic surveys and restoration activities, provide fuel load maintenance, general maintenance services, and security to ensure the site's proper operation. Maintenance staff would also continue to visit the site as needed and security personnel would visit the site every one-to-two days a week. As such, this project is not anticipated to generate vehicle miles traveled that exceed an applicable threshold of significance.

c) **Less than Significant Impact.** Vehicular access to the project site would be provided via a private driveway off of Live Oak Canyon Road. Vehicular traffic to and from the project site would utilize the existing network of regional and local roadways that currently serve the project site area. The proposed project would not introduce any new roadways or introduce a land use that would conflict with existing urban land uses in the surrounding area. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment), and no mitigation would be required.

d) **Less than Significant Impact**. The proposed project would not result in inadequate emergency access to the project area. During project construction, all vehicles would be parked off public roads and would not block emergency access routes. The proposed project would not result in any closures of Live Oak Canyon Road that would have an effect on emergency access in the vicinity of the project site.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.18	**TRIBAL CULTURAL RESOURCES**				
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
	ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Existing Setting:
As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "*A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment*" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020. 1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c)

of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

Native American Tribal Coordination Policy
In June 2019, the F/ETCA Board adopted a Native American Tribal Coordination Policy (NATCP or Policy), which strives to create an open and inclusive participation process for Native American Tribes, as defined in Public Resources Code Section 21073, and other parties interested in the protection and proper treatment of local and tribal cultural resources. The Policy emphasizes respectful, proactive, and collaborative engagement that ensures Tribes' input and involvement in the project pre-development process. The Policy cultivates partnerships with Tribes in the management of natural and cultural resources that have a unique and significant meaning to area Native American Tribes. Specifically, the Policy:

- ensures that area Native American Tribes have an opportunity to participate early in the project process, and that all decisions regarding affected traditional lands consider Tribes' concerns; and,
- fosters working relationships between the Agency and area Native American Tribes.

The main purposes of the coordination process outlined in the NATCP are to gather information to assist the Agency in identifying area cultural resources, potentially significant impacts to those resources and appropriate mitigation, and ensuring that the environmental assessments pursuant to CEQA include relevant Native American Tribes information. This policy provides guidance for successful coordination with area Native American Tribes and applies to Agency-sponsored projects that have the potential to impact tribal resources.

Discussion:

a i) **No Impact.** The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The proposed project site falls outside the prehistoric archeology general areas of sensitivity identified in Figure VI-10, County General Plan Resources Element and is not on the National Register of Historic Places as identified on the Orange County Historic Areas on Figure VI-II of the County

General Plan Resources Element.

ii) **No Impact.** The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. The proposed project site falls outside the prehistoric archeology general areas of sensitivity identified in Figure VI-10, County General Plan Resources Element and is not on the National Register of Historic Places as identified on the Orange County Historic Areas on Figure VI-II of the County General Plan Resources Element.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.19	**UTILITIES AND SERVICE SYSTEMS -** Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Existing Setting:

Water and Wastewater

The project area is served by the Trabuco Canyon Water District (TCWD) which provides both water delivery and wastewater disposal services in the area. TCWD water sources include two District wells located near Trabuco Creek that are productive from about February through the end of June each year. The District also imports water supply from the Metropolitan Water District of Southern California. Water is allocated through a network of pipelines ranging from 6 to 16 inches in diameter. There are two major water storage reservoirs in the Specific Plan Area - Harris Grade and Rose Canyon Reservoirs - and one much smaller reservoir near the Cook's Corner intersection. These three reservoirs have a cumulative capacity of 2. 9 million gallons.

There is currently one wastewater treatment plant in the TCWD; the Trabuco Wastewater Reclamation Plant in Robinson Ranch designed to serve residents of Robinson Ranch. The remainder of the wastewater treatment for the District is provided by the Chiquita Plant located south of the Specific Plan Area and owned and operated by the Santa Margarita Water District (SMWD). The project site and all other residences and uses in the District not served by the treatment plants are served by individual septic tank systems.

Electricity

The project area is served by Southern California Edison (SCE).

Discussion:

a) **No Impact**. The proposed project would not have any impact on utilities and service systems. No utilities would be constructed as a part of the proposed project, and minimal physical improvements would be implemented. No alterations would be made to the existing water drainage systems that would affect wastewater or storm water facilities.

b) **No Impact.** The proposed project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environment effects. In fact, the removal and replacement of ornamental vegetation (Texas privet) would result in less water being used on the project site. While some water resources would be used during construction activities through dust control activities, the effects would be temporary and non-intensive. Therefore, the project would have a less than significant impact on water resources, capacity, or demand.

c) **No Impact**. The proposed project would not require or result in the construction of new wastewater treatment facilities or the expansion of existing wastewater treatment facilities. Accordingly, no impacts are anticipated from implementation of the proposed project.

d) **No Impact**. The proposed project largely consists of short-term construction activities (with short-term waste generation limited to minor quantities of construction debris) and would not result in long-term solid waste generation. Solid wastes associated with the

proposed project would be disposed as appropriate in local landfill or at a recycling facility.

e) **Less than Significant Impact**. All waste generated by construction and operation of the proposed project would comply with applicable federal, state, and local statutes and regulations related to solid waste. By County code, recycling and solid waste facilities are required to have solid waste management and diversion strategies consistent with state law, including requirements for construction and non-residential recycling services. As such, the proposed project would require that waste is handled, disposed, and recycled following all applicable policies and guidelines, and then disposed of at an appropriate facility.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.20	**WILDLFIRE -** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d)	Expose people or structures to significant risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Existing Setting:

The State Board of Forestry classifies all lands within the State of California based on various factors such as ground cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks. Fire prevention and suppression in all areas which are not within a Wildland - State Responsibility Area ("WSRA") is primarily the responsibility of the local or federal agencies, as applicable.

For property located within a WSRA, (1) there may be substantial forest fire risks and hazards; (2) except for property located within a county which has assumed responsibility for prevention and suppression of all fires, it is NOT the state's responsibility to provide fire protection services to any building or structure located within a WSRA unless the Department has entered into a cooperative agreement with a local agency; and (3) the property owner may be subject to (i) additional construction requirements such as a "Class A" roof for new construction or replacement of existing roofs; and (ii) additional maintenance responsibilities such as adequate vegetation clearance near the structure, spark screens on chimneys and stovepipes, leaf removal from roofs, and other basic fire-safety practices.

Discussion:

a) **No Impact**. The proposed project site falls under an area covered by the Trabuco Canyon Emergency Evacuation Plan (Version 6.0, 2015). As discussed in Section 5.9 (f) Activities associated with the proposed project would not impair this plan or any other existing emergency response plan or emergency evacuation plan for the project site and/or other land uses in the project vicinity. The project would not result in any closures of Live Oak Canyon Road that might have an effect on emergency response or evacuation plans in the vicinity of the project site. In addition, during construction all vehicles and stationary equipment would be staged onsite and would not block emergency access routes.

b) **No Impact.** The proposed project would neither result in the introduction and/or an increase in new residential homes nor involve the introduction of a temporary or permanent human population into this area; therefore, no project occupants would be exposed to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. As a precautionary measure, project design features WF-1 and WF-2 will be incorporated into the project.

Project Design Features

WF-1 No asphalt grinding, welding, or spark inducing activities shall take place during Red Flag warning days or during winds that exceed 25 miles per hour.

WF-2 All construction areas shall be equipped with emergency fire suppression equipment including at least one fire extinguisher.

c) **No Impact.** The project site would be restored and conserved as open space in perpetuity and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d) **Less Than Significant Impact.** The elevation of the site ranges from approximately 950 feet above mean sea level (MSL) to 1080 feet MSL. The topographic gradient at the site is variable along ridgelines and valleys. As established in Section 5.10, Hydrology and Water Quality, the project area is located within Zones A, X, and X500;

therefore, subject to some risk of flooding. The nature of the proposed project would have no appreciable effects to the current runoff rates, drainage patterns, or quantity of runoff during construction. In addition, implementation of BMPs required for compliance with the Orange County Municipal Separate Stormwater Sewer Systems (MS4) Permit (R8-2009-0030, as amended by Order No. R8-2010-0062) for erosion control would control and direct surface runoff to prevent flooding. The project does not propose habitable structures; however, potential trail users and workers on the project site could be at risk from potential flooding or landslides, as a result of runoff or post-fire slope instability. For the trail users and workers, comprehensive safety measures that comply with federal, state, and local worker safety would be implemented for the proposed project and would minimize the occurrences of risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, less than significant impacts are anticipated.

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
5.21	**MANDATORY FINDINGS OF SIGNIFICANCE:**				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c)	Does the project have environmental effects, which shall cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Existing Setting:
Not applicable

Discussion:

a) **Less than Significant Impact with Mitigation Incorporated.**

Based on the evaluation completed for this Initial Study/Mitigated Negative Declaration, implementation of the project has the potential to result in significant impacts to air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, transportation, and wildfire. Given the Project Design Features (PDFs) PDF-HWQ-1, PDF-T-1, PDF-T-2, PDF-WF-1 and PDF-WF-2; implementation of the recommended Standard Conditions/Existing Plans, Programs or Policies (PPP) Control Measures CM 06-1, CM 06-2, CM 06-3, and CM 06-4, and Mitigation Measures AQ-1, AQ-2, BIO-1, BIO-2, BIO-3, CUL-1, CUL-2, CUL-3, and GS-1 (see Section 6.0 Mitigation Monitoring and Reporting Plan), potential impacts to biological resources, cultural resources, geology and soils, and hydrology and water quality would be mitigated to a less than significant level. The project does not include a component with the potential to otherwise degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory. The project would result in beneficial impacts to aesthetics, biological resources, recreation, and water quality as a result of the proposed improvements.

b,c) **Less than Significant Impact.** Based on the analysis provided in this document, the proposed project would not result in any significant impacts on an individual or cumulative level and would not result in any significant adverse effects on human beings. Therefore, impacts from the proposed project would result in less than significant.

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires public agencies to adopt a reporting or monitoring program for the changes to the proposed project that have been adopted to mitigate or avoid significant effects on the environment (California Public Resources Code, Section 21081.6). The purpose of this program is to ensure that when an IS/MND identifies measures to reduce potential environmental impacts to less-than-significant levels, those measures are implemented as detailed in the environmental document. As the lead agency, F/ETCA has incorporated as a part of the SCPP Site Use Plan Implementation Project the following environmental commitments (EC) to reduce or avoid potential environmental impacts associated with construction and operation of the proposed project.

AIR QUALITY

Project Control Measures

CM 06-1 Stabilize wind erodible surfaces to reduce dust
CM 06-2 Stabilize surface soil where support equipment and vehicles will operate
CM 06-3 Stabilize loose soil and demolition debris
CM 06-4 Comply with AQMD Rule 1403 Asbestos Emissions from Demolition/Renovation Activities.

Mitigation Measures

AQ-1 Prior to any demolition activities, the contractor shall conduct an asbestos and lead-based paint survey

AQ-2 Construction equipment shall comply with SCAQMD Rules 402 and 403.

BIOLOGICAL RESOURCES

Nesting Birds/Sensitive Habitat

BIO-1 To avoid disturbance of nesting and special-status birds, project activities, including but not limited to ground disturbance, vegetation removal, construction, and demolition, shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, a pre-construction nesting bird survey shall be conducted by a qualified USFWS-approved biologist no more than seven (7) days prior to initiation of all ground disturbance and vegetation removal activities within all suitable nesting habitat located within the project site. If no nesting birds are found, project activities may be initiated without impacts to nesting birds. If active nests are found, the biologist shall determine a suitable buffer where no project activities would occur. The distance will be determined by the biologist based on the species of bird to ensure that no direct or indirect impacts would occur. An avoidance buffer shall be determined and demarcated by the biologist with bright

orange construction fencing, flagging, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during all project activities. The biologist shall monitor the nesting activity during project activities to verify that the buffer was adequately placed, and that breeding is not compromised. The buffer shall remain in place while the nest is active. No project activities shall occur inside this buffer until the biologist has determined activities can be resumed.

Additionally, the contractor will ensure that the following conditions are implemented during project construction:

a. The Agency's biologist shall provide Worker Environmental Awareness training to project workers and contractors, including a pre-construction review of protected plant and animal species.
b. All staging areas for equipment and vehicles shall be located within previously disturbed areas to avoid damage to surrounding sensitive habitats.
c. Employees will strictly limit their activities, vehicles, equipment, and construction/demolition materials to the fenced project footprint. Fencing will consist of yellow rope with T-bar or other biologist-approved buffer;
d. To avoid attracting predators of the gnatcatcher, the project site will be kept as clean of debris as possible. All food related trash items will be enclosed in sealed containers and regularly removed from the site;
e. Pets of project personnel will not be allowed on the project site;
f. Disposal or temporary placement of excess fill, brush or other debris will not be allowed in waters of the United States or their banks. Any material that does fall into a stream during construction shall be immediately removed in a manner that has minimal impact to the streambed and water quality; All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities will occur in designated areas outside of Waters of the United States, outside the dripline of any mature trees, and outside any fenced off areas. Fueling and staging of equipment will take place within Agency-approved designated areas. Contractor equipment will be checked for leaks prior to operation and repaired as necessary;
g. Project activities shall be limited to daylight hours to the greatest possible extent to prevent potential impacts to special status species.

Special Status Species

BIO-2 Special status raptor species and special status bat species may occasionally forage within or near the project site. Structures within the project area provide potentially suitable roosting habitat for bats and nesting habitat for birds that use structures to nest (e.g., cliff swallows [*Petrochelidon pyrrhonota*]). Activities having the potential to disturb active bird nests are prohibited by the MBTA, and activities having the potential to disturb active raptor nests are prohibited by CDFW regulations. This protection generally ceases once nesting activity is completed. The following biological minimization measures have been included in the project and will be

required as part of project implementation:

a. A pre-construction survey for roosting bats or crevice dwelling animals will be conducted by a qualified biologist in all existing project structures for the purposes of determining the presence/absence of active nest sites within the project impact area and a 200-foot buffer, if feasible. The survey will take place no more than 14 days prior to construction activities.

   If a colony of bats is actively occupying the structures to be affected by construction, and impacts cannot be avoided, construction initiation shall be postponed until after the bat maternity season (April 1 through August 31). If the roost remains occupied outside the maternity season, then humanely designed bat exclusionary devices shall be installed. The exclusion devices are to be designed so that bats can exit the roost, but not re-enter. All designs shall be approved by a qualified Bat Specialist and installation shall be monitored by a qualified Bat Specialist.

b. A survey to identify active raptor and other migratory nongame bird nests shall be conducted by a qualified biologist at least two weeks before the start of construction from February 1st through August 31st.

   i. Any active non-raptor nests identified within the project area or within 300 feet of the project area shall be marked with a 300-foot buffer, and the buffer area shall be avoided by construction activities until a qualified biologist determines that the chicks have fledged. Active raptor nests within the project area or within 500 feet of the project area shall be marked with a 500-foot buffer and the buffer avoided until a qualified biologist determines that the chicks have fledged. If the 300-foot buffer for non-raptor nests or 500-foot buffer for raptor nests cannot be avoided during construction of the Project, the Agency shall retain a qualified biologist to monitor the nests on a daily basis during construction to ensure that the nests do not fail as the result of noise generated by the construction.

   ii. If it is determined by the biological monitor that construction will not impact an active nest or disrupt breeding behavior, construction will proceed without any restriction or mitigation measure. If it is determined that construction will impact an active raptor nest or disrupt reproductive behavior the biological monitor shall be authorized to halt construction or require a delay of construction activities within 300 feet of such a nest (within 500 feet for raptor nests), until August 31 or as determined by CDFW, until the adults and/or young are no longer reliant on the nest site for survival and when there is no evidence of a second attempt at nesting as determined by a qualified biologist.

   iii. Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet

(or 500 feet) from the nest. Construction personnel may be instructed on the sensitivity of the area.

Rare Plant Species

BIO-3 Prior to initiating project-related activities in undisturbed portions of the site, a qualified biologist shall conduct focused surveys to determine the presence/absence of special status plant species with potential to occur in and adjacent to the project impact area. Rare plant surveys shall be conducted following the "*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*" (CDFW, 2018). These guidelines are available on the web at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline.

If any state- or federally listed, CNPS List 1, or CNPS List 2 plant species are found in or adjacent to (within 25 feet) the proposed impact area during the surveys, these plant species shall be avoided to the extent feasible and the following mitigation measures shall be implemented:

i. Fencing, as directed by the project biologist, shall be installed to prevent accidental disturbance of rare plants during construction.

ii. On-site monitoring by a qualified biologist shall be required during construction to assure that rare plants are not disturbed.

CULTURAL RESOURCES

CUL-1 *Pre-Construction Training*. Prior to demolition and restoration activities, construction personnel shall be informed of the types of cultural resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains.

CUL-2 *Inadvertent Archaeological Discoveries*. In the event of the discovery of archaeological materials, the construction foreman shall immediately halt all work activities in the vicinity (within approximately 100 feet) of the discovery until it can be evaluated by a qualified archaeologist. Work shall not resume until authorized by Agency staff and/or the qualified archaeologist.

If the qualified archaeologist determines that the discovery constitutes a significant resource under CEQA, preservation in place is the preferred manner of mitigation. In the event preservation in place is demonstrated to be infeasible, and data recovery is determined to be the only feasible mitigation option, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist in consultation with Agency. Agency shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in origin. Archaeological materials recovered during any investigation shall be put into curation at an accredited facility.

CUL-3 *Discovery of Human Remains*. If human remains are encountered, contractor shall halt work in the vicinity (within 100 feet) of the find and contact the County of Orange Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the County Coroner determines that the remains are Native American in origin, the Native American Heritage Commission shall be notified, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code Section 5097.98 (as amended by AB 2641). The Native American Heritage Commission shall designate a Most Likely Descendant for the remains per PRC Section 5097.98. DRP shall ensure that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity, according to generally accepted cultural or archaeological standards or practices, until the landowner has discussed and conferred with the Most Likely Descendant regarding their recommendations, as prescribed in Public Resources Codes Section 5097.98, taking into account the possibility of multiple human remains.

GEOLOGY AND SOILS

GS-1 *Inadvertent Paleontological Discoveries*. In the event fossil materials are exposed during proposed project activities, work (within 100 feet of the discovery) shall be halted until a qualified paleontologist meeting the criteria established by the Society for Vertebrate Paleontology is retained to assess the find. If the find is identified as significant, appropriate treatment as determined by the paleontologist shall be implemented prior to the re-commencement of ground disturbance in the area. A report documenting the methods and results of the treatment shall be prepared and submitted to the Agency and filed with the local repository.

HYDROLOGY AND WATER QUALITY

PDFs/PPPs

PDF-HWQ-1: The following construction site best management practices (BMPs) shall be required for compliance with the Orange County Municipal Separate Stormwater Sewer Systems (MS4) Permit (R8-2009-0030, as amended by Order No. R8-2010-0062), including but not limited to:

- NS-1 (Water Conservation Practices)
- NS-3 (Paving and Grinding Operations)
- NS-6 (Illicit Connection/Illegal Discharge Detection and Reporting)
- NS-7 (Potable Water/Irrigation)
- NS-8 (Vehicle and Equipment Cleaning)
- NS-9 (Vehicle and Equipment Fueling)

- NS-10 (Vehicle and Equipment Maintenance)
- WM-1 (Material Delivery and Storage)
- WM-2 (Material Use)
- WM-4 (Spill Prevention and Control)
- WM-5 (Solid Waste Management)
- WM-6 (Hazardous Waste Management)
- WM-8 (Concrete Waste Management)
- WM-9 (Sanitary/Septic Waste Management)
- WM-10 (Liquid Waste Management)

TRANSPORTATION

PDFs/PPPs

PDF-T-1: Posting of signs and use of construction cones and using a flag person on Live Oak Canyon Road when construction traffic is entering and exiting the project site.

PDF-T-2: When feasible, schedule construction trips to occur outside of peak traffic times (AM Peak [7:00AM-9:00 AM] and PM peak [4:00 PM -6:00 PM]) in order to minimize the effect of project traffic on Live Oak/Trabuco Canyon Road.

WILDFIRE

PDFs/PPPs

PDF-WF-1 No asphalt grinding, welding, or spark inducing activities shall take place during Red Flag warning days or during winds that exceed 25 miles per hour.

PDF-WF-2 All construction areas shall be equipped with emergency fire suppression equipment including at least one fire extinguisher.

7.0 REFERENCES

California Public Resources Code, Sections 21000–21177. California Environmental Quality Act (CEQA), as amended . http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf

CAPCOA (California Air Pollution Control Officers Association), 2017. California Emissions Estimator Model (CalEEMod) Version 2016.3.2 http://www.caleemod.com/.

CAPCOA (California Air Pollution Control Officers Association). 2008. CEQA & Climate Change: CAPCOA Evaluating and Addressing Greenhouse Gas Emissions from projects Subject to the California Environmental Quality Act. January 2008. http://www.capcoa.org/wpcontent/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf

County of Orange Environmental Management Agency, 1991. Foothill/Trabuco Specific Plan.

Department of Conservation. California Important Farmland Finder. 2019. http://maps.conservation.ca.gov/ciff/ciff. tml.

Department of Conservation, 2019. "Division of Oil, Gas, and Geothermal Resources Well Finder" Accessed June 6. http://maps. conservation. ca. gov/doggr.

Department of Conservation. 2019. "Orange County Tsunami Inundation Maps. " Accessed June 7, 2019. http://maps. conservation. ca. gov/cgs/tsunami/maps/Orange.

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

First American Professional Real Estate Services, Inc, 2017, Statutory Natural Hazard Disclosure ("NHD") Report for Orange County, APN 125-035-34, Report No. 2204012

Foothill/Eastern Transportation Corridor Agency, 2019. Appendix H to the Agency Administrative Code Procedures for Implementing the California Environmental Quality Act. Adopted by the Board February 14, 2019.

Foothill/Eastern Transportation Corridor Agency, 2019. Saddle Club Preservation Property Site Use Plan.

Foothill/Eastern Transportation Corridor Agency, 2019. Weekday/Weekend Origin Traffic to O'Neill Regional Park Entrance for 2018. A StreetLight Insight Analysis performed in June 2019.

Overland, Pacific & Cutler, 2017. Phase 1 Environmental site Assessment Report, Saddle Club LLC 32, APN 125-035-34, 31101 Trabuco Canyon Road, Orange County, California.

Orange County O'Neill Regional Park. Website: http://www.ocparks.com/parks/oneill/ (accessed June 5, 2019).

Orange County Public Works Department. General Plan. Various Elements and Maps http://www. ocpublicworks. com/ds/planning/generalplan

Orange County Public Works Department, 2018. Live Oak Canyon Road/Trabuco Canyon Road Safety Improvements Project. http://www.ocroad.com/projects/liveoaktrabuco. Accessed June 27, 2019.

Orange County Sheriff's Department. Patrol Areas. http://www.ocsd.org/divisions/fieldops/southeast. Accessed June 27, 2019.

Orange County Transportation Authority, 2017. Final O'Neil Oaks Preserve Resource Management Plan.

Saddleback Canyon Riders, et al., 2015. Trabuco Canyon Emergency Evacuation Plan. Version 6.0.

State of California, Department of Mines and Geology. Alquist-Priolo Earthquake Fault Zones. http://www. conservation. ca. gov/cgs/rghm/ap/index. htm Accessed June 6, 2019

State Smart Transportation Initiative, 2017. Understanding Trip-Making With Big Data: A Connecting Sacramento Summary Brief. www.ssti.us.

South Coast Air Quality Management District, 2017a. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin, available at http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caaqs-feb2016.pdf?sfvrsn=2.

South Coast Air Quality Management District, 2017b. Final 2016 Air Quality Management Plan, available at http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15. Access on June 21, 2019.

South Coast Air Quality Management District, 2008. Final Localized Significance Threshold Methodology, available at http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2. Access on June 20, 2019.

South Coast Air Quality Management District, 2008. Air Quality Significance Thresholds. Accessed Online at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. Access on June 20, 2018.

U.S. Environmental Protection Agency, Office of Noise Abatement and Control, 1971. *Noise From Construction Equipment and Operations, Building Equipment, and Home Appliances,* prepared by Bold Beranek and Newman, Washington DC.

WSP, 2019. Saddle Club Preservation Property Traffic Memorandum, July 26.

ATTACHMENT A

Saddle Club Preservation Property Site Use Plan

ATTACHMENT B

Emissions Calculations (CalEEMod)