APPENDIX A
INITIAL STUDY,
NOTICE OF PREPARATION (NOP)
Notice of Preparation and Initial Study

City of Orange
Comprehensive General Plan Update

March 24, 2006

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NOTICE OF PREPARATION
OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED
ORANGE GENERAL PLAN

PURPOSE

In 2004, The City of Orange began a comprehensive update program for its General Plan. Over the course of the last 2 years, the City has gathered input from residents and businesses within the City and is in the process of completing a Draft General Plan document for review and comment. Pursuant to the California Environmental Quality Act, the City is also preparing an Environmental Impact Report (EIR), to assess the environmental effects of implementing the General Plan.

PROCESS

This Initial Study is the first step in the EIR process. It consists of a project description, followed by a description of various environmental effects that may result from implementation of the General Plan. For each potential effect, a determination is made as to how that issue will be addressed in the EIR. Within the draft EIR, potential impacts identified for each topic area will be analyzed, and mitigation measures will be introduced to reduce impacts where possible. The draft EIR will also include an analysis of alternatives to the General Plan. Upon completion, the Draft EIR will be available for a 45-day public comment period. Written comments will be responded to within a Final EIR, which will be certified by the City Council prior to adoption of the General Plan.

REGIONAL SETTING

The City of Orange is located in north-central Orange County, approximately 12 miles northeast of the Pacific Ocean. Located near six major freeways that connect the City to other locations in Orange, Los Angeles and Riverside County, Orange is adjacent to the Cities of Anaheim, Garden Grove, Santa Ana, Tustin, and portions of unincorporated Orange County. The City also envelops the City of Villa Park and numerous unincorporated County islands. Interstate and regional access to the City is provided predominantly by I-5 (Santa Ana Freeway). In addition, connections to the City from northern Orange County, San Diego County, Los Angeles County, Riverside County, and San Bernardino County are provided by SR-57 (Orange Freeway), SR-55 (Costa Mesa Freeway) and SR-22 (Garden Grove Freeway). SR-91 (Riverside Freeway) passes just outside the northern edge of the planning area. SR-241 (Eastern Transportation Corridor) is a toll facility that directly serves the eastern portions of the City. The proposed project anticipates completion of the annexation and eventual development of east Orange. Therefore, the maps contained within this Notice of Preparation identify a portion of the area east of SR-241 as within the incorporated City (see Figure 1, Regional Location).

PLANNING AREA

In addition to the corporate limits of the City of Orange, the Orange General Plan generally addresses portions of unincorporated Orange County located east of the City within the area referred to as the City’s Sphere of Influence (see Figure 2, Planning Area Map). The sphere of influence consists principally of open space. The entire planning area encompasses approximately 38,000 acres, with about 22,000 acres within the City’s corporate limits (including approximately 6,800 acres in east Orange) and 16,000 acres within the sphere of influence. Land use and circulation plans set forth and quantified within the General Plan focus principally on the areas within the City’s corporate limits. The sphere of influence is addressed more generally through General Plan goals and policies. The entirety of Orange’s eastern Sphere of Influence is designated for Open Space or Resource use in the County of Orange’s General Plan.
PROJECT BACKGROUND

State law requires that each city and county adopt a comprehensive general plan. The City's current General Plan was last comprehensively updated in 1989, with a more recent update to the Housing Element (2001). The City has approved numerous General Plan Amendments since 1989. The most recent and substantial of these occurred in December 2005 when the City Council approved a General Plan Amendment and development plan for East Orange which resulted in a document referred to as the Integrated General Plan (integration of East Orange into the 1989 General Plan). The City's General Plan defines the framework by which its physical and economic resources are to be managed and used in the future.

The General Plan clarifies and articulates the City's intentions with respect to the expectations of residents and businesses, and their long-term vision for the community. Through its general plan, the City outlines its goals, policies, and standards to the public and private sectors for meeting community objectives. Since the General Plan is the constitution for all future development, any decision by the City affecting land use and development must be consistent with the General Plan. An action, program, or project would be considered consistent with the General Plan if, considering all of its aspects, it will further the objectives and policies set forth within the General Plan and not obstruct their attainment.

PROJECT OBJECTIVES

The General Plan establishes a comprehensive community vision for Orange with regard to land use, housing, circulation, safety, open space/conservation, noise, growth management, cultural resources and economic development. The project objectives for the General Plan, based upon the premise of the community vision, are expressed below.

- Adopt a General Plan that complies with current State law, incorporates the East Orange project area, and reflects current community values.
- Encourage a variety of semi-rural, suburban and urban living environments, consistent with existing neighborhoods.
- Protect and enhance Orange’s historic core, and expand historic preservation efforts to other neighborhoods within the City.
- Encourage new residential, commercial, industrial and public uses within established focus areas.
- Provide a multi-modal circulation network that accommodates vehicles, pedestrians, cyclists, hikers, and equestrians.
- Manage future development in a manner that ensures adequate and timely public services and infrastructure.
- Improve the appearance and variety of commercial, retail, industrial and employment centers.
- Enable development of quality entertainment-oriented mixed-use projects strategically located near regional tourist draws.
- Expand open space areas and promote completion of a trail system.
- Protect critical watersheds and other natural and open space resources.
Based on these objectives, the General Plan defines long-term community goals and decision-making policies through text and maps in each of ten elements (or chapters). Each element also includes implementation programs describing actions or strategies corresponding to adopted goals and policies. The recommended implementation programs serve as the basis for future programming decisions related to the assignment of staff and expenditure of City funds.

PROJECT DESCRIPTION

The proposed comprehensive update of the Orange General Plan addresses the state-mandated General Plan elements as well as other issues that are important to the community. The proposed General Plan text contains the following elements:

- Land Use
- Circulation and Mobility
- Natural Resources
- Public Safety
- Noise
- Growth Management
- Cultural Resources
- Infrastructure
- Urban Design
- Economic Development
- Housing (not included in this update)  

The text also includes an introduction and an implementation plan.

PROJECT CHARACTERISTICS

Physical development within the planning area will primarily be guided by the Land Use, Urban Design, Cultural Resources, and Circulation and Mobility Elements.

Land Use Element

This element of the General Plan describes the economic, social, physical, and cultural aspects of the planning area. Determining the future location, type, and intensity of new development and redevelopment projects, and establishing the desired mix and relationship between such projects are the primary objectives of the element. The proposed land use designations identify the types and nature of development permitted throughout the planning area. The goals and policies contained in this element are designed to ensure land use diversity and balanced development; encourage mixed-use development; promote commercial enterprise in Orange; encourage high quality industrial development; maintain and enhance the role of Old Towne within the community; evaluate environmental compatibility of various land uses within the community; ensure City interests are achieved through inter-jurisdictional and regional planning; and encourage public involvement in land use planning decisions.

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1 The City’s Housing Element was last updated in 2001. The City certified a Negative Declaration for the Housing Element. Therefore no comprehensive update to this Element is included in this Update program.
Pursuant to State law, the Land Use Element includes a land use diagram, depicting the types, locations, and intensities of current and future development within the City, included as Figure 3, Draft Land Use Plan. Table 1, General Plan Development Capacity compares the development capacity resulting from long-term implementation of General Plan policy to existing (2004) land use conditions.

<table>
<thead>
<tr>
<th>Table 1 General Plan Development Capacity</th>
<th>Acres</th>
<th>Dwelling Units</th>
<th>Non-Residential Square Feet (1,000s)</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estate Low Density Residential</td>
<td>656</td>
<td>984</td>
<td>--</td>
<td>2,794</td>
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<tr>
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<td>5,739</td>
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<td>77,415</td>
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<td>10,377</td>
<td>--</td>
<td>29,471</td>
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<tr>
<td>Medium Density Residential</td>
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<td>27,528</td>
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<td>Neighborhood Mixed Use</td>
<td>236</td>
<td>1,154</td>
<td>3,078</td>
<td>3,278</td>
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<td>Neighborhood Mixed Use</td>
<td>113</td>
<td>949</td>
<td>1,477</td>
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<td>Urban Mixed Use</td>
<td>356</td>
<td>5,336</td>
<td>13,171</td>
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<td>Commercial Recreation Mixed Use</td>
<td>74</td>
<td>442</td>
<td>4,368</td>
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<tr>
<td>General Commercial</td>
<td>535</td>
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<td>5,831</td>
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<tr>
<td>Recreational Commercial</td>
<td>218</td>
<td>--</td>
<td>1,659</td>
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<td>Neighborhood Office Professional</td>
<td>43</td>
<td>--</td>
<td>662</td>
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</tr>
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<td>Urban Office Professional</td>
<td>28</td>
<td>--</td>
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<td>Light Industrial</td>
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<td>17,125</td>
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<tr>
<td>Industrial</td>
<td>174</td>
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<td>4,916</td>
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<td>Public Facilities</td>
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<td>Open Space-Park</td>
<td>572</td>
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<td>Open Space-Ridgeline</td>
<td>98</td>
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<td>--</td>
<td>--</td>
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<tr>
<td>Resource Area</td>
<td>96</td>
<td>--</td>
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<td>--</td>
</tr>
<tr>
<td>Streets, Roads, Rights of Way</td>
<td>3,116</td>
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<td>SUBTOTAL Incorporated Area (Including East Orange)</td>
<td>22,375</td>
<td>56,195</td>
<td>59,594</td>
<td>159,593</td>
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<td>Sphere of Influence</td>
<td>15,801</td>
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<td>TOTAL Project Area</td>
<td>38,176</td>
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<tr>
<td>Change from Existing</td>
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<td>+12,823</td>
<td>+24,594</td>
<td>+22,765</td>
</tr>
</tbody>
</table>


Notes:
1. Existing conditions is based in 2004 in order to match an existing land use survey and traffic counts conducted by the City.
2. Population estimates are based on average of 2.84 persons per unit, derived by Keyser Marston Associates as representative of smaller household sizes associated with proposed future development in Orange through market studies conducted for the General Plan Update.
3. The entire Sphere of Influence is designated for Open Space use within the County of Orange General Plan.

An existing land use map, detailing uses present within the City in 2004 is available for review on the City’s website at www.cityoforange.org (follow the General Plan link).
Figure 3
Draft Land Use Plan
**Residential Land Use Designations** included in the Land Use Plan are:

- Estate Low Density Residential (0.0 - 2.0 dwelling units/acre)
- Low Density Residential (2.1 - 6.0 dwelling units/acre)
- Low-Medium Density Residential (6.1 - 15.0 dwelling units/acre)
- Medium Density Residential (15.1 - 24.0 dwelling units/acre)

**Commercial and Office Land Use Designations** include the following, with intensity of development allowed within each designation expressed as a maximum floor area ratio, or FAR:

- Recreation Commercial (Maximum 0.35 FAR)
- Neighborhood Office Professional (Maximum 0.50 FAR)
- General Commercial (Maximum 1.0 FAR)
- Urban Office Professional (Maximum 3.0 FAR)

The General Plan also establishes multiple **Mixed-Use Land Use Designations**, which establish development potential for both residential and non-residential use, either on a single parcel or multiple adjacent parcels within an area:

- Neighborhood Mixed Use 15 – Max. FAR= 1.5; Max. Res. Density= 15 du/ac  \(\text{(Maximum density or intensity for individual projects may vary, based on lot size.)}\)
- Neighborhood Mixed Use 24 – Max. FAR= 1.5; Max. Res. Density= 24 du/ac.;
- Commercial Recreation Mixed Use – Max. FAR= 3.0; Max. Res. Density= 40 du/ac.;
- Urban Mixed Use – Max. FAR= 3.0; Max. Res. Density= 60 du/ac.

**Industrial Land Use Designations** included within the General Plan include the following, with intensity of development allowed within each designation expressed as a maximum FAR:

- Industrial (Maximum 0.75 FAR)
- Light Industrial (Maximum 1.0 FAR)

Five land use designations are included within the General Plan to provide for regulation, use, and conservation of **Public and Semi-Public** land. These include the following:

- Public Facilities
  - Civic Uses and Schools (Maximum 0.5 FAR)
  - Institutions (Maximum 2.0 FAR)
- Open Space (FAR Not applicable)
- Open Space-Park (FAR Not applicable)
- Open Space-Ridgeline (FAR Not applicable)
- Resource Area (FAR Not applicable)

Future development potential exists both within focus areas established within the Land Use Element, and throughout the planning area at-large. The Land Use Element addresses infill residential and commercial development within the City through the designation of ten Land Use Focus Areas, which are the key locations within the City where land use change may occur in the future pursuant to the General Plan. Many of these areas are located within the City’s Redevelopment Project Area and are located generally west of the SR-55 corridor (See **Figure 4, Land Use Focus Areas**). Each Land Use Focus Area has unique future development objectives, responding to priorities established in the Vision Statement, and input from the community. Providing additional community open space and facilitating use of transit and other alternative transportation modes are encouraged as a component of future development within all Land Use Focus Areas.
Figure 4
Land Use Focus Areas
Following is a summary of specific objectives for each area. Detailed descriptions of each area and maps comparing current land uses, current General Plan land uses, and proposed General Plan land uses within each area are available on the City's website at www.cityoforange.org (follow the General Plan link, then click on Existing Land Use Maps or Recommended Land Use Maps).

1. **Tustin Street/Mall Vicinity:** Encourage commercial and residential mixed-use development within the currently commercial portions of Tustin Street near The Village at Orange, with lower intensity mixed-use on the west side of Tustin Street, and higher intensity mixed-use on the eastern side of the street. Maintain and enhance current multiple-family residential development areas surrounding potential mixed-use sites.

2. **Chapman Avenue/Tustin Street:** Emphasize continued commercial and multiple-family residential designations west of the 55 Freeway; promote viable open space recreation uses of Yorba Park, Grijalva Park, and Santiago Creek; and encourage future mixed commercial-residential use of the Chapman Hospital site.

3. **West Katella Avenue Corridor:** Establish an active, vibrant mixed-use residential and commercial entertainment-oriented gateway to the City; capitalize on development of expanded entertainment uses and housing across the Santa Ana River in Anaheim, and enhance retail options and convenience throughout west Orange.

4. **South Main Street Corridor:** Encourage compatible and integrated residential, commercial, and office uses, either as multiple-story projects with ground-floor retail, or as stand alone projects with pedestrian connections to transit along surrounding arterial corridors, as well as adjacent shopping and hospital facilities.

5. **West Chapman Avenue/Uptown Orange:** Encourage integrated commercial retail, professional office, housing and civic uses; provide convenient transit access, innovative housing options, and pedestrian-oriented design; and require new development projects to provide community open space areas and retain or improve access to the Santa Ana River.

6. **Old Towne and Santa Fe Depot:** Reduce residential densities throughout Old Towne; introduce neighborhood-scale mixed-use within currently industrial areas south of Chapman Avenue and west of Glassell Street, adjacent to the BNSF railroad; encourage the adaptive re-use of existing industrial areas; and support the walkability of the area.

7. **Industrial Areas:** Decrease the maximum allowed intensity within areas located west of Batavia Street and generally south of Grove Avenue to help preclude professional office uses within this area in favor of true industrial or business park uses; provide room for expansion of current businesses and infill of vacant properties within remaining portions of this area by increasing the maximum allowed development intensity; and preserve the single-family residential character of the Cully Drive neighborhood.

8. **Lemon Street Corridor:** Establish a corridor of well-insulated, higher density residential uses, gradually transitioning into a single-family area from west to east.

9. **Eckhoff Street/Orangewood Avenue:** Recognize the potential of areas north of Orangewood Avenue to continue to provide options for lower-scale office uses, business-park oriented light industrial uses, as well as warehouse and distribution uses; and maintain current neighborhood-scale office activities south of Orangewood Avenue.

10. **Lincoln Avenue Corridor:** Redefine Lincoln Avenue as a "live-work" corridor with concentrated and centrally-located commercial activities clustered at major arterial intersections, and residential and mixed residential/commercial uses at a variety of scales.
and densities in between. Recognize and preserve for the long-term the eclectic nature of current uses along the corridor.

Circulation and Mobility Element

The Circulation and Mobility Element addresses needed improvements to the existing transportation system, including local and regional roadways, transit, railways, and multi-use trails. The goals and policies in this element focus on enhancing the local circulation system, maintaining the regional circulation system, maintaining a viable public transportation network, creating a comprehensive pedestrian and bicycle network, providing adequate parking facilities, and improving streetscape aesthetics.

A well-developed system of local roadways provides access to and circulation within many residential areas of the City, and substantial efforts have been made in recent years to improve traffic conditions on local roadways and to encourage alternative means of travel. The Circulation and Mobility Element policies and plans aim to ensure that current transportation facilities will be improved and new facilities constructed to adequately serve traffic generated by planned development.

The Circulation and Mobility Element includes a proposed Master Plan of Streets and Highways. Future roadways have been designed to provide adequate capacity to accommodate travel needs resulting from development pursuant to the Land Use Element within the planning area, as well as attempting to anticipate future development in the County of Orange and surrounding cities. The Circulation and Mobility Element also establishes guidelines to determine the required number of lanes at intersections, includes policies requiring the City to identify and monitor the performance of critical intersections over time, and sets performance criteria for both signalized intersections and roadway segments within the planning area.

In addition to meeting the need for a roadway system, the goals, policies, and programs in the Circulation and Mobility Element emphasize the need for alternative modes of transportation. The Element establishes the foundation for the City’s Trail and Bikeway systems, offering both recreational and commuting opportunities to City residents, and identifies public transit facilities and services in Orange.

Natural Resources Element

The Natural Resources Element addresses the long term preservation and conservation of the City's natural resources, as well as the long term provision of a range of parks and recreational activities for all residents. Natural Resources Element policies provide the framework for:

- Protecting air, water, energy, and land resources
- Preserving significant ecological, biological, and mineral resources
- Preserving and expanding open space resources
- Providing and expanding recreational facilities and programs
- Creating a comprehensive trails network
- Preserving visual and aesthetic resources
- Encouraging Green Building

Public Safety Element

The Public Safety Element focuses on natural conditions and human activities in Orange that can create risks to individuals and properties within the community. Potential natural hazards addressed include: geologic and seismic hazards, flood hazards, wild land fires, and urban fire hazards. Potential human-caused hazards include: hazardous materials and waste-handling, aircraft hazards, and pedestrian and bicycle safety. Public Safety Element policies provide the framework for:
- Minimizing risk from environmental hazards and natural hazardous conditions
- Reducing risks from hazardous activities and human-caused safety hazards
- Providing adequate emergency and public safety services
- Establishing a local Homeland security strategy
- Preventing crime and being prepared for emergencies
- Designing safe environments

Noise Element

The City’s Noise Element establishes noise/land use compatibility standards, and addresses current and future noise sources within the variety of urban, suburban, and semi-rural environments within the planning area. Noise Element policies provide the framework for:

- Minimizing impacts of point source and ambient noise throughout the community
- Minimizing impacts of transportation-related noise

Growth Management Element

The purpose of the Growth Management Element is to mandate that growth and development be based upon the City’s ability to provide an adequate circulation system, pursuant to the requirements Orange County’s Measure M. Growth Management Element policies provide the framework for planning and providing traffic improvements necessary for the City’s orderly growth and development. The Element establishes traffic Level of Service (LOS) standards, a development mitigation program, and a development phasing program. In addition, the Element includes an implementation program for annual monitoring.

Cultural Resources Element

The Cultural Resources Element provides goals and policies related to historic and cultural resources within the planning area, library services, and community services for youth and seniors. Cultural Resources Element policies establish a framework for:

- Creating new historic neighborhoods in Orange beyond Old Towne
- Protecting the neighborhood character of established historic districts
- Promoting appropriate restoration and adaptive reuse of historic structures
- Recognizing the existence and importance of archeological and cultural resources within the planning area
- Ensuring long-range provision of quality library, youth and senior services as the community ages, grows and changes.

Infrastructure Element

The Infrastructure Element provides goals and policies related to long term operation and expansion of the City’s infrastructure and utilities. Infrastructure Element policies provide a framework for:

- Maintaining the City’s aging water, sewer and storm drain infrastructure in the face of increased growth pressures
- Protecting surface water resources from pollution caused by urban runoff
- Providing high-quality solid waste collection services and encouraging recycling

Urban Design Element

The Urban Design Element addresses the physical aspects of Orange that contribute to the image and character of the natural and built environments. This Element establishes a policy
foundation to implement focused area design criteria in various neighborhoods throughout the City. Urban Design Element policies provide the framework for:

- Enhancing the City’s visual character and image
- Establishing a framework for urban form and streetscapes throughout Orange
- Ensuring historically sensitive design within Old Towne Orange
- Promoting good design within the City’s commercial and mixed-use corridors
- Creating locally and regionally recognizable district identities
- Encouraging context appropriate infill development projects and exterior renovations throughout the City

**Economic Development Element**

The Economic Development Element provides goals and policies to improve the economic viability of the City. Economic Development Element policies establish a framework for:

- Ensuring a strong, diversified economic base
- Revitalizing aging and underperforming areas
- Maximizing benefits provided by the City’s location and assets
- Establishing beneficial and positive relationships both with local businesses and larger corporate retail and office entities.
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 on the following pages.

- [ ] Aesthetics
- [ ] Agriculture Resources
- [ ] Air Quality
- [ ] Biological Resources
- [ ] Cultural Resources
- [ ] Geology/Soils
- [ ] Hazards & Hazardous Materials
- [ ] Hydrology/Water Quality
- [ ] Land Use/Planning
- [ ] Mineral Resources
- [ ] Noise
- [ ] Population/Housing
- [ ] Public Services
- [ ] Recreation
- [ ] Transportation/Traffic
- [ ] Utilities/Service Systems
- [ ] Mandatory Findings of Significance

DETERMINATION:
On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

2. I find that although the proposed project could have a significant effect on the environment, there will 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** will be prepared.

3. I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

4. I find that 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.

5. I find that 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.

________________________________________                 __________________________
Project Planner   Date

________________________________________                 __________________________
Anna Pehoushek, AICP   Date
Principal Planner

City of Orange 14 Initial Study/Notice of Preparation Orange General Plan
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 may be cross-referenced, as discussed below).

5. 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 identity the following:
   a. Earlier Analysis Used. Identify and state where they are available for review.
   b. 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.
   c. 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 significance.
CHECKLIST OF ENVIRONMENTAL IMPACT ISSUES:

1. AESTHETICS. Would the project:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Have a substantial adverse effect on a scenic vista?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(b)</td>
<td>Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(c)</td>
<td>Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(d)</td>
<td>Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Impact Analysis:

a) – d). The Orange Planning Area contains numerous scenic resources including open space and riparian areas, predominantly in the eastern portion of the City. Also within the eastern planning area of the City and the largely undeveloped Santiago Hills are hillside open space areas, views of Irvine Lake, grassy valleys and winding canyons that provide scenic views for City residents. Future development in accordance with the proposed General Plan has the potential for impacts to these scenic resources within the planning area. In addition, future development in accordance with the proposed General Plan has the potential to create new sources of light and glare. Because there is the potential for significant impacts to aesthetics, a full analysis will be provided within the Program Environmental Impact Report (PEIR).
2. **AGRICULTURAL 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) *Would the project:*

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>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?</td>
<td>☑️</td>
<td></td>
<td>☑️</td>
</tr>
<tr>
<td>(b)</td>
<td>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c)</td>
<td>Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td>☑️</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Impact Analysis:

a) and c). The 2005 Important Farmland Map produced by the California Department of Conservation identifies a narrow strip of land adjacent to the Union Pacific Railroad as Unique Farmland. This land is currently designated as Open Space in the City’s General Plan. This designation identifies areas that should not be developed. The proposed General Plan would not alter this designation and would not result in the loss of this land. In addition, there is a small parcel of land at the northwest intersection of Chapman Ave. and Jamboree Road that is identified as both Unique Farmland and Farmland of Statewide Importance. The existing General Plan identifies this area as Public Facility (PF) and Low Medium Density Residential (LMDR). The area designated as PF has already been developed, however, the LMDR portion is currently undeveloped. This designation allows for the potential development of this former farmland. This would be considered a potentially significant impact. An analysis of this potential impact will be included in the PEIR being prepared.

Orange’s planning area also currently includes a Resource Areas land use designation. This land use is intended to allow for the continued use of mining activities and agricultural uses. None of the lands designated under this land use type by the existing General Plan are identified as prime, unique or farmland of statewide importance. No changes to the Resource Area land use designation will occur with the proposed General Plan update and potential impacts to these resources will be less than significant.

b). The proposed General Plan would not conflict with existing areas zoned for agricultural uses, nor are there any Williamson Act contract lands within the planning area. Impacts to this issue area will be less than significant.
3. **AIR QUALITY.** (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.)

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>✗</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>✗</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>(c) 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)?</td>
<td>✗</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(e) Create objectionable odors affecting a substantial number of people?</td>
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</tbody>
</table>

**Impact Analysis:**

a) – d). The proposed General Plan will allow for a variety of land uses such as residential, commercial, mixed use, office, industrial, open space, and public facilities. The construction and operation of these uses could increase air pollution emissions. Future development pursuant to the proposed General Plan will contribute to an incremental increase in local and regional air pollution. An increase in air emissions related to construction activities as well as an increase in air emissions generated by vehicular and stationary sources would result. Future development has the potential to expose sensitive receptors such as schools and residences to substantial pollutant concentrations as a result of increased vehicular traffic. Due to the potential for significant short- and long-term local and regional air emission impacts, a full analysis will be provided within the PEIR to be prepared for the project. Mitigation measures that could reduce or eliminate potential project impacts will be included, if necessary.

e). As discussed above, development in accordance with the proposed General Plan will allow for a variety of land uses. Each new development (and use conversion) will be required to comply with the South Coast Air Quality Management District’s (SCAQMD) guidelines regarding odor control. SCAQMD Rule 402, Public Nuisance, is based on California Health and Safety Code Sections 41700 and 41705, which prohibit the discharge of air contaminants or other materials which can cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public at large. Odors are included within the definition of ‘air contaminants and other material’ provided above. Violations of this rule are handled by SCAQMD’s Enforcement Division. Compliance with these existing regulations will ensure that potential impacts will be less than significant.
4. BIOLOGICAL RESOURCES. Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) have a substantial adverse effect, either directly or through habitat</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>modifications, on any species identified as a candidate, sensitive, or special</td>
<td></td>
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<tr>
<td>status species in local or regional plans, policies, or regulations, or by the</td>
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<tr>
<td>California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
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<tr>
<td>(b) have a substantial adverse effect on any riparian habitat or other sensitive</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>natural community identified in local or regional plans, policies, regulations</td>
<td></td>
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<tr>
<td>or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
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<tr>
<td>(c) have a substantial adverse effect on federally protected wetlands as defined</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>by Section 404 of the Clean Water Act (including, but not limited to, marsh,</td>
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<tr>
<td>vernal pool, coastal, etc.) through direct removal, filling, hydrological</td>
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<tr>
<td>interruption, or other means?</td>
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<tr>
<td>(d) interfere substantially with the movement of any native resident or</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>migratory fish or wildlife species or with established native resident or</td>
<td></td>
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<td></td>
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<tr>
<td>migratory wildlife corridors, or impede the use of native wildlife nursery</td>
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<td></td>
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<tr>
<td>sites?</td>
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<td></td>
<td></td>
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<tr>
<td>(e) conflict with any local policies or ordinances protecting biological</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>resources, such as a tree preservation policy or ordinance?</td>
<td></td>
<td></td>
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<tr>
<td>(f) conflict with the provisions of an adopted Habitat Conservation Plan,</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Natural Community Conservation Plan, or other approved local, regional, or state</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>habitat conservation plan?</td>
<td></td>
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</tbody>
</table>

Impact Analysis:

a) – e). A variety of biological resources are known to exist in portions of the planning area. However, the extent of sensitive wildlife and natural vegetation is limited due to extensive urbanization. Larger areas of undeveloped lands exist in the eastern portion of the planning area. Pockets of open space also exist in the Peralta Hills and Orange Park Acres. Future development according to the proposed General Plan could occur on existing undeveloped land and has the potential to impact sensitive species, riparian lands, and could interfere with wildlife corridors and wildlife nursery sites. The proposed General Plan may conflict with one or more of the local policies or ordinances protecting biological resources in the planning area. A potentially significant impact associated with these issues could occur and a full analysis will be included in the PEIR being prepared for the project.

f). The 37,000-acre Natural Communities Conservation Plan (NCCP) reserve area borders the eastern portion of the City’s planning area on both the north and south sides. The City of Orange is a participating agency in the NCCP program. The NCCP documents provide specific mitigation measures for any potential impacts to the reserve area. Adherence to the goals, policies and mitigation measures required under the NCCP plan would ensure that potential impacts would be less than significant. Additionally, parts of the eastern portion of the planning area are within the 50,000-acre Irvine Ranch Land Reserve. These areas are currently designated as Open Space in the City’s existing General Plan and would continue to be designated as such in the proposed General Plan. Implementation of the proposed General Plan will not conflict with either of these plans, potential impacts would be less than significant.
5. **CULTURAL RESOURCES.** Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td>✗</td>
<td></td>
<td></td>
<td>☐</td>
</tr>
<tr>
<td>(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>✗</td>
<td></td>
<td></td>
<td>☐</td>
</tr>
<tr>
<td>(c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>✗</td>
<td></td>
<td></td>
<td>☐</td>
</tr>
<tr>
<td>(d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>✗</td>
<td></td>
<td></td>
<td>☐</td>
</tr>
</tbody>
</table>

**Impact Analysis:**

a) – d). Orange is located in an area that has attracted humans in historic times. As a result, archaeological resources may be present in undeveloped lands within the City. In addition, the City of Orange is home to numerous historic resources including Old Towne Orange and the Plaza National Register Historic Districts. Future development according to the proposed General Plan could result in significant adverse effects on these historic and archaeological resources. Additionally, future development also has the potential to destroy paleontological resources and unique geological features, and disturb human remains. Because there is potential for a significant impact to these issue areas, the PEIR being prepared for the project will include a full analysis of potential impacts. The analysis will address known archaeological and paleontological resources (through record searches or geological formations known to have increased likelihood of resources) and provide a discussion of potential impacts and any mitigation measures that could be utilized to eliminate to reduce significant impacts.
6. GEOLOGY AND SOILS. Would the project:

(a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

<table>
<thead>
<tr>
<th></th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iv) Landslides?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

(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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Impact Analysis:

a.i). Like many parts of Southern California, Orange is located in a seismically active region. The City has experienced earthquakes of moderate magnitude and has numerous faults including the El Modena and Peralta Hills Faults crossing the planning area, although neither of these faults are included in the Alquist-Priolo Earthquake Fault Map. Other active and potentially active faults that could affect the City’s planning area include the San Andreas and Newport-Inglewood Faults. The location of faults within the Orange planning area has the potential to expose people or structures to significant impacts as a result of a fault rupture. An analysis of potential impacts will be included in the PEIR.

a.ii) – a.iv). As mentioned above, both active and potentially active faults are located within the planning area. As a result, portions of the planning area could be affected by strong seismic ground shaking due to seismic activity. Additionally, portions of the planning area are potentially subject to seismic related ground failure such as liquefaction. A potentially significant impact associated with these issues could occur. The PEIR being prepared for the project will include a full analysis of the potential affects of this issue area.

b) – d). Portions of the planning area may contain expansive soils that have the potential to damage new development if not properly engineered. In addition, grading associated with future development within the planning area pursuant to the proposed General Plan could result in substantial soil erosion. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR being prepared for the project.

e). Some areas within the planning area may have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. Future development that proposes the use of septic systems or alternative waste water disposal systems in areas where sewers are not available, such as areas surrounding and including Orange Park Acres, could result in significant impacts. As such, this issue will be addressed in the PEIR being prepared for the project.
7. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

<table>
<thead>
<tr>
<th>Description</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?</td>
<td>☒</td>
<td>☑</td>
<td>❌</td>
<td>☒</td>
</tr>
<tr>
<td>(b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>☒</td>
<td>☑</td>
<td>❌</td>
<td>☒</td>
</tr>
<tr>
<td>(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☒</td>
<td>☑</td>
<td>❌</td>
<td>☒</td>
</tr>
<tr>
<td>(d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
<td>☒</td>
</tr>
<tr>
<td>(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 for people residing or working in the project area?</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
<td>☒</td>
</tr>
<tr>
<td>(f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☒</td>
<td>☑</td>
<td>☒</td>
</tr>
<tr>
<td>(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☒</td>
<td>☑</td>
<td>☑</td>
<td>☒</td>
</tr>
<tr>
<td>(h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☒</td>
<td>☑</td>
<td>☑</td>
<td>☒</td>
</tr>
</tbody>
</table>

**Impact Analysis:**

a) – c). Hazardous materials are routinely used and transported through the planning area. Future development according to the proposed General Plan could be exposed to emissions of hazardous materials into the environment from the use, disposal, and transport of hazardous materials. Future development according to the proposed General Plan could also emit hazardous materials into the environment, as well as subject existing development including schools, to hazardous materials and wastes. Because of the potentially significant impact associated with these issues, a complete analysis will be included in the PEIR being prepared for the project.

d). According to the Environmental Protection Agency (EPA), no sites in Orange are listed on the Department of Toxic Substances Control Hazardous Waste and Substance List (Cortese List). As such, potential impacts associated with this issue area will be less than significant.

e) – f). The planning area does not lie within two miles of an airport land use plan or within two miles of a public airport or a public use airport. Additionally, no private airstrips exist within the planning area. However, the planning area does contain helipads, such as the one at the UCI Medical Center. In order to ensure that uses in and around helipads remain compatible; the City will comply with the Airport Land Use Commission for Orange County’s Heliports Airport Environments Land Use Plan. This plan requires that the construction of a new heliport or helistop complies with Federal Aviation Administration and CalTrans permit procedures, as well as all applicable requirements of the City of Orange. Additionally, the plan requires that construction or alteration of structures in excess of 200 feet in height comply with Federal and State law (FAR Part 77 and PUC 21676 (b), respectively) and with the requirements of the Airport Land Use Commission for Orange County, as well as all applicable requirements of the City of Orange. Adherence to these requirements will result in a less than significant impact.

g). In the short term, potential exists for inadequate emergency access to some portions of the planning area in the event of a disaster, which could result if new development occurs. Portions of the planning area may develop with limited access (e.g., one way in/out) or could result in required improvements to existing roadways that could impede or slow emergency response during construction of the improvements. New development, according to the proposed General Plan, may also result in congestion at intersections and along roadways, which could impede access by emergency vehicles. A potentially
significant impact associated with short-term emergency response and evacuation plans could occur and will be analyzed in the PEIR.

h). The proposed General Plan land uses may allow development to occur within and adjacent to wildlands, thereby exposing people or structures to a significant risk of loss, injury, or death involving wildland fires. Undeveloped areas in the eastern portion of the City are highly prone to wildland fires. These areas are characterized by brushy, undeveloped hillsides. A potentially significant impact associated with this issue could occur and will be fully analyzed in the PEIR being prepared for the project.
8. HYDROLOGY AND WATER QUALITY. Would the project:

(a) Violate any water quality standards or waste discharge requirements?  ☒ ☐ ☐ ☐

(b) Substantially 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?  ☒ ☐ ☐ ☐

(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site.  ☒ ☐ ☐ ☐

(d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?  ☒ ☐ ☐ ☐

(e) 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?  ☒ ☐ ☐ ☐

(f) Otherwise substantially degrade water quality?  ☒ ☐ ☐ ☐

(g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  ☒ ☐ ☐ ☐

(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?  ☒ ☐ ☐ ☐

(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  ☒ ☐ ☐ ☐

(j) Inundation by seiche, tsunami, or mudflow?  ☒ ☐ ☐ ☐

(k) Potentially impact stormwater runoff from construction activities?  ☒ ☐ ☐ ☐

(l) Potentially impact stormwater runoff from post-construction activities?  ☒ ☐ ☐ ☐

(m) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?  ☒ ☐ ☐ ☐

(n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?  ☒ ☐ ☐ ☐

(o) Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?  ☒ ☐ ☐ ☐

(p) Create significant increases in erosion of the project site or surrounding areas?  ☒ ☐ ☐ ☐

Impact Analysis:

(a) – (b). Future development according to the proposed General Plan has the potential to violate water quality standards and waste discharge requirements as well as impact groundwater supplies and recharge in the Orange area. Potential impacts could result from alteration to the existing drainage patterns that lead to surface and groundwater resources. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR being prepared for the project.

More than half of the water in the planning area is obtained from the Orange County Groundwater Basin administered through the Orange County Water District (OCWD). The balance is purchased from the Metropolitan Water District of Orange County (MWDOC). Approximately 30 retail water agencies and cities rely on MWDOC for the imported water they provide their customers. The City obtains approximately 75 percent of its water from City-owned wells. The City purchases approximately 20 percent form the MWD through the MWDOC and purchases approximately five percent from
the Serrano Water District. The Serrano Water District provides local water from Santiago Creek which is impounded behind Santiago Dam in Irvine Lake.

In addition to the City of Orange Water Division, portions of the planning area are served by Irvine Ranch Water District (IRWD), and Santiago County Water District (SCWD), and East Orange County Water District (EOCWD). The majority of the eastern portion of the planning area is located within the IRWD service area; while a southeastern portion of the planning area is located in the service area of SCWD. Water in the eastern portion of the planning area will most likely be provided through joint IRWD and SCWD facilities.

Since new development in the planning area has the potential to deplete groundwater supplies and interfere with groundwater recharge, impact on groundwater supplies will be examined in the PEIR.

c) – f). Future development according to the proposed General Plan could increase the amount of impervious surfaces in the planning area and will contribute to an increase in runoff, which may alter the existing drainage pattern; result in erosion and flooding; and degrade water quality. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR.

g) – j). The Orange planning area includes areas located within a FEMA Special Flood Hazard Area (SFHA). Three dams are located in and around the planning area including Prado Dam in Corona, and Villa Park Dam and Santiago Dam which are located within the planning area. The City could be subject to flooding if dam failure coincided with an earthquake or heavy rainfall. Additionally, there is a chance of flooding from water tank failure at reservoirs within the planning area and from those located in surrounding areas. The planning area is protected from tsunamis due to its inland location. Seiches have not historically occurred within the planning area, although the possibility of a seiche exists associated either with the Santiago Creek Recharge Basin, or Irvine Lake. There is potential for mudflows from the hillsides in the eastern portion of the planning area. Because development in accordance with the proposed General Plan could result in the risk of loss, injury, or death from flooding and/or mudflow, a complete analysis of these potential impacts will be included in the PEIR being prepared for the project.

k) – p). Construction related activities in support of development proposed in the General Plan could result in potential impacts from stormwater runoff. This could include sediments from grading activities, pollutants from materials storage or vehicles/equipment. As discussed above, post-construction alteration to the drainage patterns could result in increases in erosion, alter the flow and velocity of runoff and potentially discharge pollutants to receiving waters. A discussion of these potential impacts will be included in the PEIR being prepared for the project.
9. **LAND USE/PLANNING.** Would the project:

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<tbody>
<tr>
<td>(a)</td>
<td>Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>(b)</td>
<td>Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
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<tr>
<td>(c)</td>
<td>Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>☐</td>
<td>☐</td>
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</table>

**Impact Analysis:**

a). Implementation of the proposed General Plan would not divide an established community. While new development and redevelopment would be located on vacant and underutilized parcels, those parcels would not be large enough to physically divide areas within the City and would be surrounded by existing development. Potential impacts would be less than significant.

b). The proposed General Plan could allow development that would conflict with local and regional policies and plans. Implementation of the proposed General Plan could result in land uses that differ from those used to develop the local Air Quality Management Planning document. In addition, the proposed General Plan could propose roadway improvements that do not conform to the Regional Transportation Plan produced by the Southern California Association of Governments. As a result, the proposed General Plan could conflict with these planning documents. Because of the potentially significant impact associated with these issues, an analysis will be included in the PEIR.

c). As previously discussed, the 37,000-acre Natural Communities Conservation Plan (NCCP) reserve area borders the eastern portion of the City’s planning area on both the north and south sides. The City of Orange is a participating agency in the NCCP program. The NCCP documents provide specific mitigation measures for any potential impacts to the reserve area. Adherence to the goals, policies and mitigation measures required under the NCCP plan would ensure that potential impacts would be less than significant. Additionally, parts of the eastern portion of the planning area are within the 50,000-acre Irvine Ranch Land Reserve. These areas are currently designated as Open Space in the City’s existing General Plan and would continue to be designated as such in the proposed General Plan. Implementation of the proposed General Plan will not conflict with either of these plans, potential impacts would be less than significant.
10. MINERAL RESOURCES. Would the project:

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<tbody>
<tr>
<td>(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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>(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?</td>
<td>☐</td>
<td>☐</td>
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</tbody>
</table>

Impact Analysis:

a) – b). The City of Orange contains sand and gravel resources (collectively referred to as “aggregate”) along both the Santa Ana River and Santiago Creek. These areas, located generally north of Santiago Road and east of the City of Villa Park near water sources, are designated as Resource Areas or Open Space on the Draft General Plan Land Use Map. These areas have been identified by the State Mining and Geology Board as regionally significant aggregate resources. As such, the City is not proposing General Plan land use designation changes to these areas. Additionally, the City’s Zoning Ordinance includes a “Sand and Gravel Extraction” district to further implement the City’s land use policies related to aggregate resource preservation and management. The proposed General Plan would continue to implement these land use policies and would not result in the loss of these resources. As such, no impact would result.
11. **NOISE. Would the project result in:**

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<tbody>
<tr>
<td>(a)</td>
<td>Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>✗</td>
<td></td>
<td></td>
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<tr>
<td>(b)</td>
<td>Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>✗</td>
<td></td>
<td></td>
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<tr>
<td>(c)</td>
<td>A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✗</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d)</td>
<td>A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✗</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e)</td>
<td>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 expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td>✗</td>
</tr>
<tr>
<td>(f)</td>
<td>For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td>✗</td>
</tr>
</tbody>
</table>

**Impact Analysis:**

a) – d). The proposed General Plan will allow development to occur that could create periodic and short-term construction related noise impacts, including groundborne vibration and groundborne noise levels, which could exceed established noise standards. Development according to the proposed General Plan is also anticipated to result in an increase in noise levels in the long-term due to increased vehicular traffic and the addition of new stationary sources of noise. Lastly, development in accordance with the proposed General Plan could occur adjacent to noise sources such as freeways and major arterial roadways. Because of the potentially significant impact associated with these issues, a noise analysis will be included in the PEIR. The analysis will include discussion of both permanent and temporary noise increases within the planning area, the effect this would have on the City’s residents and in particular, sensitive receptors and any mitigation measures that could eliminate or reduce impacts, if necessary.

e) – f). No airport or private airstrip is located within two miles of the planning area. Although the flight path to the closest commercial airport, John Wayne Airport, lies over the City, elevations are such that noise from aircraft do not create adverse impacts, except for helicopters accessing UCI Medical Center. Furthermore, the City is not located within the Airport Environs Land Use Plan planning area. Those residing and working within the City would not be subject to excessive noise from aircraft and aircraft operations.
12. **POPULATION AND HOUSING.** *Would the project:*

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<tr>
<td>a) Induce substantial 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)?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☐</td>
<td>☐</td>
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</table>

**Impact Analysis:**

a). The proposed General Plan will introduce new population in the planning area by allowing the construction of new homes and businesses, as well as allowing for the extension of roads and infrastructure to serve newer portions of the community. A potentially significant impact associated with this issue could occur and will be addressed in the PEIR being prepared for the project.

b) – c). The proposed General Plan will allow the development of a variety of uses on vacant and previously developed land. However, most of the anticipated land use changes will occur within non-residentially designated areas and would, therefore, not impact the current housing stock. Potential impacts to this issue area are anticipated to be less than significant.
13. **PUBLIC SERVICES.**  *Would the project:*  

<table>
<thead>
<tr>
<th>(a) Would the project result in substantial adverse physical impacts associated with the provision of or 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:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Protection?</td>
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<tr>
<td>Police Protection?</td>
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<tr>
<td>Schools?</td>
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<tr>
<td>Parks?</td>
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<tr>
<td>Other public facilities?</td>
</tr>
</tbody>
</table>

**Impact Analysis:**

a). Development according to the proposed General Plan will place an increased demand on fire protection, police protection, schools, parks, and other public facilities, which may require the provision of new or altered governmental facilities. Implementation of the proposed project has the potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. As such, potential impacts will be analyzed in the PEIR for the project.
14. **RECREATION. Would the project:**

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<tbody>
<tr>
<td>(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?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>(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?</td>
<td>☒</td>
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</tbody>
</table>

**Impact Analysis:**

a). Future development according to the proposed General Plan will include residential uses, which would result in an increase in population within the planning area, thereby placing a greater demand on parks and recreational facilities and contributing to the deterioration of existing parks and recreational facilities. A potentially significant impact is anticipated and will be addressed in the PEIR.

b). Implementation of the General Plan could require the construction, expansion, and maintenance of parks and recreational facilities, which could cause significant environmental impacts. A potentially significant impact associated with this issue could occur and will be addressed in the PEIR for the project.
15. **TRANSPORTATION/TRAFFIC. Would the project:**

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<tbody>
<tr>
<td>(a)</td>
<td>Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
<td>☒</td>
<td>☐</td>
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</tr>
<tr>
<td>(b)</td>
<td>Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
<td>☒</td>
<td>☐</td>
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</tr>
<tr>
<td>(c)</td>
<td>Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>(d)</td>
<td>Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(e)</td>
<td>Result in inadequate emergency access?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(f)</td>
<td>Result in inadequate parking capacity?</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>(g)</td>
<td>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
<td>☒</td>
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</table>

**Impact Analysis:**

a)–b). Development according to the proposed General Plan could significantly increase traffic volumes within the planning area. The increase in traffic volumes could result in the adopted level of service standards being exceeded for certain roadway segments in the planning area. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR being prepared for the project.

c). No airport or airstrip is located within or adjacent to the planning area. As a result, air traffic patterns would not be altered with implementation of the proposed General Plan. Furthermore, current patterns utilized by helicopters accessing facilities within the City would not be altered with implementation of the proposed General Plan.

d). Development allowed under the proposed General Plan would not increase hazards due to design features or incompatible uses. No new roadways are planned within the planning area and those that may be proposed for expansion or alteration would be subject to existing City design standards for roadways that ensure that no hazards would result. No impacts would result with implementation of the proposed General Plan.

e). Traffic generated by new development allowed under the proposed General Plan may also result in congestion along intersections and roadways, which could impede access by emergency vehicles. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR being prepared for the project.

f). Development according to the proposed General Plan could result in inadequate parking capacity within the planning area, especially in those areas within the City that already experience high parking demands. Although any new development will be required to meet the City’s parking requirements and standards, significant impacts could occur. Impacts to parking could occur in areas proposed for development that already experience parking shortfalls. Development in accordance with the proposed General Plan could result in the demand for more parking in areas where additional parking is not available (such as the Old Towne Historic District, South Main Street, Tustin Street, and Town and Country Road). As such, potential impacts will be analyzed in the PEIR for the project.

g). Development and circulation improvements allowed under the proposed General Plan may conflict with the City’s policies or plans supporting alternative transportation. Potential conflicts could arise from roadway infrastructure changes that may be required as a result of proposed development that would eliminate right-of-way for a bike lane to add automobile capacity or from the extension of roadways into an area that is not serviced by bus or rail services necessitating automobile use (at least in the interim). A potentially significant impact associated with this issue could occur and will be analyzed in the PEIR being prepared for the project.
16. **UTILITIES/SERVICE SYSTEMS.** Would the project:

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<tbody>
<tr>
<td>(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>❌</td>
<td></td>
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<tr>
<td>(b) Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>❌</td>
<td></td>
<td></td>
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<tr>
<td>(c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>❌</td>
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<tr>
<td>(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>❌</td>
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<tr>
<td>(e) 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?</td>
<td>❌</td>
<td></td>
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<tr>
<td>(f) Be served by a landfill with insufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>❌</td>
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<tr>
<td>(g) Comply with federal, state, and local statutes and regulations related to solid wastes.</td>
<td>❌</td>
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</table>

**Impact Analysis:**

a) – e). Future development according to the proposed General Plan will result in an increase in impervious surfaces in the planning area. New development could also result in the generation of wastewater that exceeds the wastewater treatment requirements of the Regional Water Quality Control Board. Implementation of the General Plan may also result in the need for the construction or expansion of existing water and wastewater facilities in order to ensure sufficient supplies, capacity, and service levels are maintained. Additionally, the increase in impervious surfaces in the planning area could result in the need for the construction of new stormwater drainage facilities. A potentially significant impact associated with these issues could occur and will be analyzed in the PEIR being prepared for the project.

f) – g). Future development in accordance with the General Plan will generate additional solid waste within the planning area, potentially exceeding its permitted landfill capacity, and may lead to potential conflicts with federal, State, and local statues and regulations related to the disposal of solid waste. These issues will be discussed in the PEIR.
17.  MANDATORY FINDINGS OF SIGNIFICANCE

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<tr>
<td>(a)  Does the project have the potential to 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, 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?</td>
<td>☒</td>
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<tr>
<td>(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?)</td>
<td>☒</td>
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<tr>
<td>(c)  Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>☒</td>
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Impact Analysis:

a). Development pursuant to General Plan policy has the potential to significantly impact biological and cultural resources and, therefore, has the potential to degrade the quality of the environment. These issues will be discussed in the relevant sections of the Program EIR.

b). Future development according to the proposed General Plan has the potential to result in significant cumulative impacts when viewed in conjunction with other growth in the Orange County region as well as the Cities of Villa Park, Anaheim, Santa Ana, Garden Grove, and Tustin. Orange County Projections (OCP) of population, housing and employment prepared by the Orange County Council of Governments will be used in conjunction with the proposed General Plan to determine what, if any, cumulative impacts may result. A potentially significant impact associated with this issue could occur. These issues will be discussed in the Program EIR.

c). Due to the potentially significant impacts associated with implementation of the proposed General Plan, the proposed project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. A potentially significant impact associated with this issue could occur. These issues will be discussed in the relevant sections of the Program EIR.
April 24, 2006

Ms. Anna Pehoushek
City of Orange
300 E. Chapman Avenue
Orange, California 92866

Dear Ms. Pehoushek:

Notice of Preparation of a
Draft Environmental Impact Report for the City of Orange Comprehensive General Plan Update

The Metropolitan Water District of Southern California (Metropolitan) has reviewed a copy of the Notice of Preparation (NOP) of a Draft Environmental Impact Report (Draft EIR) for the City of Orange (City) Comprehensive General Plan Update. In 2004, the City began a comprehensive update of its adopted General Plan. State law requires each city to adopt a comprehensive, long-term general plan for the physical development of the City and any land outside its corporate boundaries that relates to its planning and operation. The General Plan addresses the seven State mandated general plan elements (land use, housing, circulation, safety, open space, conservation and noise), the Orange County mandated growth management elements, and several other issues that are important to the community. This letter contains Metropolitan’s response to the NOP as a potentially affected agency.

Based on the Land Use Map included in the NOP, Metropolitan owns and operates facilities within the proposed project area. Metropolitan’s existing or proposed facilities that are within or adjacent to the City boundaries include:

- Orange County Feeder – an approximately 33-inch diameter pipeline, located along the planning area western boundary within street easement right-of-way along Lewis Street and in permanent easement right-of-way.
- East Orange County Feeder No. 2 – an approximately 78-inch diameter pipeline, located within the planning area, west of State Route 55 within street easement right-of-way along Tustin Avenue.
- Allen McCulloch Pipeline – an approximately 85-inch diameter pipeline, traverses the planning area near the eastern planning area boundary within permanent easement right-of-way.
- Santiago Lateral – an approximately 48-inch diameter pipeline, traverses the planning area near the eastern planning area boundary to the Irvine Lake/Santiago Reservoir, within permanent easement right-of-way.
Ms. Anna Pehoushek
Page 2
April 24, 2006

- Central Pool Augmentation Tunnel/Pipeline – a proposed approximately 144-inch diameter tunnel pipeline, which will traverse the southeast sphere of influence.

Metropolitan is concerned with potential impacts to our facilities that may occur as a result of the proposed General Plan Update. Metropolitan is interested in potential changes in land use designation that may occur as a result of the proposed project. Metropolitan must be allowed to maintain its rights-of-way and requires unobstructed access to our facilities and properties at all times in order to repair and maintain our system.

Metropolitan requests that the City consider Metropolitan’s facilities and rights-of-way in its planning and in the Draft EIR, and avoid potential impacts that may occur due to the implementation of the General Plan Update. In order to avoid impacts, Metropolitan requests that our pipelines and property be assigned a land use designation that would not conflict with our operations and routine and/or emergency maintenance. The land use designation should ensure that development around Metropolitan’s facilities and property is consistent with the express use of our pipelines and rights-of-way as public utilities. Metropolitan, therefore, requests that the lands over our pipeline be identified in the General Plan as “Public Facilities” or an equivalent City designation. Additionally, Metropolitan requests that our rights-of-way are not identified as “Open Space.” These lands are not intended for open space use nor should they be implied as such.

In order to avoid potential conflicts with Metropolitan's rights-of-way, we require that any development plans submitted to the City for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval. Approval of any projects where they could impact Metropolitan’s property should be contingent on Metropolitan’s approval of development plans. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan’s Substructures Information Line at (213) 217-6564. To assist in preparing plans that are compatible with Metropolitan’s facilities, easements, and properties, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California.” Please note that all submitted designs or plans must clearly identify Metropolitan’s facilities and rights-of-way.

Metropolitan also requests that the City analyze the consistency of the proposed project with the growth management plan adopted by the Southern California Association of Governments (SCAG). Metropolitan uses SCAG’s population, housing, and employment projections to determine future water demand.

In addition, Metropolitan encourages projects within its service area to include water conservation measures. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures,
such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to, offset any increase in water use associated with the proposed project.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving future environmental documentation, including a copy of the Draft EIR, for this project. If we can be of further assistance, please contact Ms. Deirdre West at (213) 217-6696.

Very truly yours,

Laura J. Simonck
Manager, Environmental Planning Team

LIM
(Public Folders/EPU/Letters/06-APR-065A.doc – Anna Pehoushek)

Enclosed: Guidelines
1. **Introduction**

   a. The following general guidelines should be followed for the design of proposed facilities and developments in the area of Metropolitan's facilities, fee properties, and/or easements.

   b. We require that 3 copies of your tentative and final record maps, grading, paving, street improvement, landscape, storm drain, and utility plans be submitted for our review and written approval as they pertain to Metropolitan's facilities, fee properties and/or easements, prior to the commencement of any construction work.

2. **Plans, Parcel and Tract Maps**

   The following are Metropolitan's requirements for the identification of its facilities, fee properties, and/or easements on your plans, parcel maps and tract maps:

   a. Metropolitan's fee properties and/or easements and its pipelines and other facilities must be fully shown and identified as Metropolitan's on all applicable plans.

   b. Metropolitan's fee properties and/or easements must be shown and identified as Metropolitan's with the official recording data on all applicable parcel and tract maps.

   c. Metropolitan's fee properties and/or easements and existing survey monuments must be dimensionally tied to the parcel or tract boundaries.

   d. Metropolitan's records of surveys must be referenced on the parcel and tract maps.

a. Proposed cut or fill slopes exceeding 10 percent are normally not allowed within Metropolitan's fee properties or easements. This is required to facilitate the use of construction and maintenance equipment, and provide access to its aboveground and belowground facilities.

b. We require that 16-foot-wide commercial-type driveway approaches be constructed on both sides of all streets crossing Metropolitan's rights-of-way. Openings are required in any median island. Access ramps, if necessary, must be at least 16-feet-wide. Grades of ramps are normally not allowed to exceed 10 percent. If the slope of an access ramp must exceed 10 percent due to the topography, the ramp must be paved. We require a 40-foot-long level area on the driveway approach to access ramps where the ramp meets the street. At Metropolitan's fee properties, we may require fences and gates.

c. The terms of Metropolitan's permanent easement deeds normally preclude the building or maintenance of structures of any nature or kind within its easements, to ensure safety and avoid interference with operation and maintenance of Metropolitan's pipelines or other facilities. Metropolitan must have vehicular access along the easements at all times for inspection, patrolling, and for maintenance of the pipelines and other facilities on a routine basis. We require a 20-foot-wide clear zone around all above-ground facilities for this routine access. This clear zone should slope away from our facility on a grade not to exceed 2 percent. We must also have access along the easements with construction equipment. An example of this is shown on Figure 1.

d. The footings of any proposed buildings adjacent to Metropolitan's fee properties and/or easements must not encroach into the fee property or easement or impose additional loading on Metropolitan's pipelines or other facilities therein. A typical situation is shown on Figure 2. Prints of the detail plans of the footings for any building or structure adjacent to the fee property or easement must be submitted for our review and written approval as they pertain to the pipeline or other facilities therein. Also, roof eaves of buildings adjacent to the easement or fee property must not overhang into the fee property or easement area.
e. Metropolitan's pipelines and other facilities, e.g. structures, manholes, equipment, survey monuments, etc. within its fee properties and/or easements must be protected from damage by the easement holder on Metropolitan's property or the property owner where Metropolitan has an easement, at no expense to Metropolitan. If the facility is a cathodic protection station it shall be located prior to any grading or excavation. The exact location, description and way of protection shall be shown on the related plans for the easement area.

4. Easements on Metropolitan's Property

  a. We encourage the use of Metropolitan's fee rights-of-way by governmental agencies for public street and utility purposes, provided that such use does not interfere with Metropolitan's use of the property, the entire width of the property is accepted into the agency's public street system and fair market value is paid for such use of the right-of-way.

  b. Please contact the Director of Metropolitan's Right of Way and Land Division, telephone (213) 250-6302, concerning easements for landscaping, street, storm drain, sewer, water or other public facilities proposed within Metropolitan's fee properties. A map and legal description of the requested easements must be submitted. Also, written evidence must be submitted that shows the city or county will accept the easement for the specific purposes into its public system. The grant of the easement will be subject to Metropolitan's rights to use its land for water pipelines and related purposes to the same extent as if such grant had not been made. There will be a charge for the easement. Please note that, if entry is required on the property prior to issuance of the easement, an entry permit must be obtained. There will also be a charge for the entry permit.

5. Landscaping

  Metropolitan's landscape guidelines for its fee properties and/or easements are as follows:

  a. A green belt may be allowed within Metropolitan's fee property or easement.

  b. All landscape plans shall show the location and size of Metropolitan's fee property and/or easement and the location and size of Metropolitan's pipeline or other facilities therein.
c. Absolutely no trees will be allowed within 15 feet of the centerline of Metropolitan's existing or future pipelines and facilities.

d. Deep-rooted trees are prohibited within Metropolitan's fee properties and/or easements. Shallow-rooted trees are the only trees allowed. The shallow-rooted trees will not be permitted any closer than 15 feet from the centerline of the pipeline, and such trees shall not be taller than 25 feet with a root spread no greater than 20 feet in diameter at maturity. Shrubs, bushes, vines, and ground cover are permitted, but larger shrubs and bushes should not be planted directly over our pipeline. Turf is acceptable. We require submittal of landscape plans for Metropolitan's prior review and written approval. (See Figure 3).

e. The landscape plans must contain provisions for Metropolitan's vehicular access at all times along its rights-of-way to its pipelines or facilities therein. Gates capable of accepting Metropolitan's locks are required in any fences across its rights-of-way. Also, any walks or drainage facilities across its access route must be constructed to AASHTO H-20 loading standards.

f. Rights to landscape any of Metropolitan's fee properties must be acquired from its Right of Way and Land Division. Appropriate entry permits must be obtained prior to any entry on its property. There will be a charge for any entry permit or easements required.

6. Fencing

Metropolitan requires that perimeter fencing of its fee properties and facilities be constructed of universal chain link, 6 feet in height and topped with 3 strands of barbed wire angled upward and outward at a 45 degree angle or an approved equal for a total fence height of 7 feet. Suitable substitute fencing may be considered by Metropolitan. (Please see Figure 5 for details).

7. Utilities in Metropolitan's Fee Properties and/or Easements or Adjacent to Its Pipeline in Public Streets

Metropolitan's policy for the alignment of utilities permitted within its fee properties and/or easements and street rights-of-way is as follows:
a. Permanent structures, including catch basins, manholes, power poles, telephone riser boxes, etc., shall not be located within its fee properties and/or easements.

b. We request that permanent utility structures within public streets, in which Metropolitan's facilities are constructed under the Metropolitan Water District Act, be placed as far from our pipeline as possible, but not closer than 5 feet from the outside of our pipeline.

c. The installation of utilities over or under Metropolitan's pipeline(s) must be in accordance with the requirements shown on the enclosed prints of Drawings Nos. C-11632 and C-9547. Whenever possible we request a minimum of one foot clearance between Metropolitan's pipe and your facility. Temporary support of Metropolitan's pipe may also be required at undercrossings of its pipe in an open trench. The temporary support plans must be reviewed and approved by Metropolitan.

d. Lateral utility crossings of Metropolitan's pipelines must be as perpendicular to its pipeline alinement as practical. Prior to any excavation our pipeline shall be located manually and any excavation within two feet of our pipeline must be done by hand. This shall be noted on the appropriate drawings.

e. Utilities constructed longitudinally within Metropolitan's rights-of-way must be located outside the theoretical trench prism for uncovering its pipeline and must be located parallel to and as close to its rights-of-way lines as practical.

f. When piping is jacked or installed in jacked casing or tunnel under Metropolitan's pipe, there must be at least two feet of vertical clearance between the bottom of Metropolitan's pipe and the top of the jacked pipe, jacked casing or tunnel. We also require that detail drawings of the shoring for the jacking or tunneling pits be submitted for our review and approval. Provisions must be made to grout any voids around the exterior of the jacked pipe, jacked casing or tunnel. If the piping is installed in a jacked casing or tunnel the annular space between the piping and the jacked casing or tunnel must be filled with grout.
g. Overhead electrical and telephone line requirements:

1) Conductor clearances are to conform to the California State Public Utilities Commission, General Order 95, for Overhead Electrical Line Construction or at a greater clearance if required by Metropolitan. Under no circumstances shall clearance be less than 35 feet.

2) A marker must be attached to the power pole showing the ground clearance and line voltage, to help prevent damage to your facilities during maintenance or other work being done in the area.

3) Line clearance over Metropolitan's fee properties and/or easements shall be shown on the drawing to indicate the lowest point of the line under the most adverse conditions including consideration of sag, wind load, temperature change, and support type. We require that overhead lines be located at least 30 feet laterally away from all above-ground structures on the pipelines.

4) When underground electrical conduits, 120 volts or greater, are installed within Metropolitan's fee property and/or easement, the conduits must be incased in a minimum of three inches of red concrete. Where possible, above ground warning signs must also be placed at the right-of-way lines where the conduits enter and exit the right-of-way.

h. The construction of sewerlines in Metropolitan's fee properties and/or easements must conform to the California Department of Health Services Criteria for the Separation of Water Mains and Sanitary Services and the local City or County Health Code Ordinance as it relates to installation of sewers in the vicinity of pressure waterlines. The construction of sewerlines should also conform to these standards in street rights-of-way.

i. Cross sections shall be provided for all pipeline crossings showing Metropolitan's fee property and/or easement limits and the location of our pipeline(s). The exact locations of the crossing pipelines and their elevations shall be marked on as-built drawings for our information.
j. Potholing of Metropolitan's pipeline is required if the vertical clearance between a utility and Metropolitan's pipeline is indicated on the plan to be one foot or less. If the indicated clearance is between one and two feet, potholing is suggested. Metropolitan will provide a representative to assists others in locating and identifying its pipeline. Two-working days notice is requested.

k. Adequate shoring and bracing is required for the full depth of the trench when the excavation encroaches within the zone shown on Figure 4.

l. The location of utilities within Metropolitan's fee property and/or easement shall be plainly marked to help prevent damage during maintenance or other work done in the area. Detectable tape over buried utilities should be placed a minimum of 12 inches above the utility and shall conform to the following requirements:

1) Water pipeline: A two-inch blue warning tape shall be imprinted with:

"CAUTION BURIED WATER PIPELINE"

2) Gas, oil, or chemical pipeline: A two-inch yellow warning tape shall be imprinted with:

"CAUTION BURIED ______ PIPELINE"

3) Sewer or storm drain pipeline: A two-inch green warning tape shall be imprinted with:

"CAUTION BURIED ______ PIPELINE"

4) Electric, street lighting, or traffic signals conduit: A two-inch red warning tape shall be imprinted with:

"CAUTION BURIED ______ CONDUIT"

5) Telephone, or television conduit: A two-inch orange warning tape shall be imprinted with:

"CAUTION BURIED ______ CONDUIT"
m. Cathodic Protection requirements:

1) If there is a cathodic protection station for Metropolitan's pipeline in the area of the proposed work, it shall be located prior to any grading or excavation. The exact location, description and manner of protection shall be shown on all applicable plans. Please contact Metropolitan’s Corrosion Engineering Section, located at Metropolitan's F. E. Weymouth Softening and Filtration Plant, 700 North Moreno Avenue, La Verne, California 91750, telephone (714) 593-7474, for the locations of Metropolitan's cathodic protection stations.

2) If an induced-current cathodic protection system is to be installed on any pipeline crossing Metropolitan's pipeline, please contact Mr. Wayne E. Risner at (714) 593-7474 or (213) 250-5085. He will review the proposed system and determine if any conflicts will arise with the existing cathodic protection systems installed by Metropolitan.

3) Within Metropolitan's rights-of-way, pipelines and carrier pipes (casings) shall be coated with an approved protective coating to conform to Metropolitan's requirements, and shall be maintained in a neat and orderly condition as directed by Metropolitan. The application and monitoring of cathodic protection on the pipeline and casing shall conform to Title 49 of the Code of Federal Regulations, Part 195.

4) If a steel carrier pipe (casing) is used:

(a) Cathodic protection shall be provided by use of a sacrificial magnesium anode (a sketch showing the cathodic protection details can be provided for the designers information).

(b) The steel carrier pipe shall be protected with a coal tar enamel coating inside and out in accordance with AWWA C203 specification.

n. All trenches shall be excavated to comply with the CAL/OSHA Construction Safety Orders, Article 6, beginning with Sections 1539 through 1547. Trench backfill shall be placed in 8-inch lifts and shall be compacted to 95 percent relative compaction (ASTM D698) across roadways and through protective dikes. Trench backfill elsewhere will be compacted to 90 percent relative compaction (ASTM D698).
o. Control cables connected with the operation of Metropolitan's system are buried within streets, its fee properties and/or easements. The locations and elevations of these cables shall be shown on the drawings. The drawings shall note that prior to any excavation in the area, the control cables shall be located and measures shall be taken by the contractor to protect the cables in place.

p. Metropolitan is a member of Underground Service Alert (USA). The contractor (excavator) shall contact USA at 1-800-422-4133 (Southern California) at least 48 hours prior to starting any excavation work. The contractor will be liable for any damage to Metropolitan's facilities as a result of the construction.

8. Paramount Right

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of Metropolitan to use its fee properties and/or easements for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of the facilities from the fee properties and/or easements, such removal and replacement shall be at the expense of the owner of the facility.

9. Modification of Metropolitan's Facilities

When a manhole or other of Metropolitan's facilities must be modified to accommodate your construction or reconstruction, Metropolitan will modify the facilities with its forces. This should be noted on the construction plans. The estimated cost to perform this modification will be given to you and we will require a deposit for this amount before the work is performed. Once the deposit is received, we will schedule the work. Our forces will coordinate the work with your contractor. Our final billing will be based on actual cost incurred, and will include materials, construction, engineering plan review, inspection, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount.
10. **Drainage**

   a. Residential or commercial development typically increases and concentrates the peak storm water runoff as well as the total yearly storm runoff from an area, thereby increasing the requirements for storm drain facilities downstream of the development. Also, throughout the year water from landscape irrigation, car washing, and other outdoor domestic water uses flows into the storm drainage system resulting in weed abatement, insect infestation, obstructed access and other problems. Therefore, it is Metropolitan's usual practice not to approve plans that show discharge of drainage from developments onto its fee properties and/or easements.

   b. If water must be carried across or discharged onto Metropolitan's fee properties and/or easements, Metropolitan will insist that plans for development provide that it be carried by closed conduit or lined open channel approved in writing by Metropolitan. Also the drainage facilities must be maintained by others, e.g., city, county, homeowners association, etc. If the development proposes changes to existing drainage features, then the developer shall make provisions to provide for replacement and these changes must be approved by Metropolitan in writing.

11. **Construction Coordination**

   During construction, Metropolitan's field representative will make periodic inspections. We request that a stipulation be added to the plans or specifications for notification of Mr. ________ of Metropolitan's Operations Services Branch, telephone (213) 250-____, at least two working days prior to any work in the vicinity of our facilities.

12. **Pipeline Loading Restrictions**

   a. Metropolitan's pipelines and conduits vary in structural strength, and some are not adequate for AASHTO H-20 loading. Therefore, specific loads over the specific sections of pipe or conduit must be reviewed and approved by Metropolitan. However, Metropolitan's pipelines are typically adequate for AASHTO H-20 loading provided that the cover over the pipeline is not less than four feet or the cover is not substantially increased. If the temporary cover over the pipeline during construction is between three and four feet, equipment must restricted to that which
imposes loads no greater than AASHTO H-10. If the cover is 
between two and three feet, equipment must be restricted to 
that of a Caterpillar D-4 tract-type tractor. If the cover 
is less than two feet, only hand equipment may be used. 
Also, if the contractor plans to use any equipment over 
Metropolitan's pipeline which will impose loads greater than 
AASHTO H-20, it will be necessary to submit the specifications 
of such equipment for our review and approval at least one 
week prior to its use. More restrictive requirements may 
apply to the loading guideline over the San Diego Pipelines 
1 and 2, portions of the Orange County Feeder, and the 
Colorado River Aqueduct. Please contact us for loading 
restrictions on all of Metropolitan's pipelines and 
conduits.

b. The existing cover over the pipeline shall be 
maintained unless Metropolitan determines that proposed 
changes do not pose a hazard to the integrity of the 
pipeline or an impediment to its maintenance.

13. Blasting

a. At least 20 days prior to the start of any 
drilling for rock excavation blasting, or any blasting, in 
the vicinity of Metropolitan's facilities, a two-part 
preliminary conceptual plan shall be submitted to 
Metropolitan as follows:

b. Part 1 of the conceptual plan shall include a 
complete summary of proposed transportation, handling, 
storage, and use of explosions.

c. Part 2 shall include the proposed general concept 
for blasting, including controlled blasting techniques and 
controls of noise, fly rock, airblast, and ground vibration.

14. CEQA Requirements

a. When Environmental Documents Have Not Been 
Prepared

1) Regulations implementing the California 
Environmental Quality Act (CEQA) require that 
Metropolitan have an opportunity to consult with the 
agency or consultants preparing any environmental 
documentation. We are required to review and consider 
the environmental effects of the project as shown in 
the Negative Declaration or Environmental Impact Report 
(EIR) prepared for your project before committing 
Metropolitan to approve your request.
2) In order to ensure compliance with the regulations implementing CEQA where Metropolitan is not the Lead Agency, the following minimum procedures to ensure compliance with the Act have been established:

   a) Metropolitan shall be timely advised of any determination that a Categorical Exemption applies to the project. The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

   b) Metropolitan is to be consulted during the preparation of the Negative Declaration or EIR.

   c) Metropolitan is to review and submit any necessary comments on the Negative Declaration or draft EIR.

   d) Metropolitan is to be indemnified for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

b. **When Environmental Documents Have Been Prepared**

   If environmental documents have been prepared for your project, please furnish us a copy for our review and files in a timely manner so that we may have sufficient time to review and comment. The following steps must also be accomplished:

   1) The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

   2) You must agree to indemnify Metropolitan, its officers, engineers, and agents for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

15. **Metropolitan's Plan-Review Cost**

   a. An engineering review of your proposed facilities and developments and the preparation of a letter response
giving Metropolitan's comments, requirements and/or approval that will require 8 man-hours or less of effort is typically performed at no cost to the developer, unless a facility must be modified where Metropolitan has superior rights. If an engineering review and letter response requires more than 8 man-hours of effort by Metropolitan to determine if the proposed facility or development is compatible with its facilities, or if modifications to Metropolitan's manhole(s) or other facilities will be required, then all of Metropolitan's costs associated with the project must be paid by the developer, unless the developer has superior rights.

b. A deposit of funds will be required from the developer before Metropolitan can begin its detailed engineering plan review that will exceed 8 hours. The amount of the required deposit will be determined after a cursory review of the plans for the proposed development.

c. Metropolitan's final billing will be based on actual cost incurred, and will include engineering plan review, inspection, materials, construction, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount. Additional deposits may be required if the cost of Metropolitan's review exceeds the amount of the initial deposit.

16. Caution

We advise you that Metropolitan's plan reviews and responses are based upon information available to Metropolitan which was prepared by or on behalf of Metropolitan for general record purposes only. Such information may not be sufficiently detailed or accurate for your purposes. No warranty of any kind, either express or implied, is attached to the information therein conveyed as to its accuracy, and no inference should be drawn from Metropolitan's failure to comment on any aspect of your project. You are therefore cautioned to make such surveys and other field investigations as you may deem prudent to assure yourself that any plans for your project are correct.
17. **Additional Information**

Should you require additional information, please contact:

**Civil Engineering Substructures Section**  
Metropolitan Water District  
of Southern California  
P.O. Box 54153  
Los Angeles, California 90054-0153  
(213) 217-6000

JEH/MRW/1k

Rev. January 22; 1989

Encl.
NO PERMANENT STRUCTURES PERMITTED
M.W.D. PERMANENT RIGHT OF WAY

NO ROOF OVERHANG PERMITTED

FOOTING MUST NOT ENCROACH INTO RIGHT OF WAY

FINISHED SURFACE

VARIES

VARIES

REQUIRED DEPTH OF FOOTING

M.W.D. PIPE

45° TYPICAL

& M.W.D. PIPELINE

NOTE: M.W.D. PIPELINE SIZE, DEPTH, LOCATION AND WIDTH OF PERMANENT RIGHT OF WAY VARIES.
1. Supporting wall shall have a firm bearing on the subgrade and against the side of the excavation.
2. Premolded expansion joint filler per ASTM D-1751-73 to be used in support for steel pipe only.
3. If trench width is 4 feet or greater, measured along centerline of M.W.D. pipe, concrete support must be constructed.
4. If trench width is less than 4 feet, clean sand backfill, compacted to 90% density in accordance with the provisions of ASTM Standard D-1557-70 may be used in lieu of the concrete support wall.

SECTION "B-B"

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

TYPICAL SUPPORT FOR M.W.D. PIPELINE
3" Preformed expansion joint filler

NOTES

1. This method to be used where the utility line is 24" or greater in diameter and the clearance between the utility line and M.W.D. pipe is 12" or less.

2. Special protection may be required if the utility line diameter is greater than M.W.D. pipe or if the cover over the utility line to the street surface is minimal and there is 12" or less clearance between M.W.D. pipe and the utility line.

3. Preformed expansion joint filler to comply with ASTM designation D-1751-73.

4. M.W.D. requests 12" minimum clearance whenever possible.
Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of The Metropolitan Water District of Southern California

1. Introduction

   a. The following general guidelines should be followed for the design of proposed facilities and developments in the area of Metropolitan's facilities, fee properties, and/or easements.

   b. We require that 3 copies of your tentative and final record maps, grading, paving, street improvement, landscape, storm drain, and utility plans be submitted for our review and written approval as they pertain to Metropolitan's facilities, fee properties and/or easements, prior to the commencement of any construction work.

2. Plans, Parcel and Tract Maps

   The following are Metropolitan's requirements for the identification of its facilities, fee properties, and/or easements on your plans, parcel maps and tract maps:

   a. Metropolitan's fee properties and/or easements and its pipelines and other facilities must be fully shown and identified as Metropolitan's on all applicable plans.

   b. Metropolitan's fee properties and/or easements must be shown and identified as Metropolitan's with the official recording data on all applicable parcel and tract maps.

   c. Metropolitan's fee properties and/or easements and existing survey monuments must be dimensionally tied to the parcel or tract boundaries.

   d. Metropolitan's records of surveys must be referenced on the parcel and tract maps.
e. Metropolitan's pipelines and other facilities, e.g. structures, manholes, equipment, survey monuments, etc. within its fee properties and/or easements must be protected from damage by the easement holder on Metropolitan's property or the property owner where Metropolitan has an easement, at no expense to Metropolitan. If the facility is a cathodic protection station it shall be located prior to any grading or excavation. The exact location, description and way of protection shall be shown on the related plans for the easement area.

4. Easements on Metropolitan's Property

a. We encourage the use of Metropolitan's fee rights-of-way by governmental agencies for public street and utility purposes, provided that such use does not interfere with Metropolitan's use of the property, the entire width of the property is accepted into the agency's public street system and fair market value is paid for such use of the right-of-way.

b. Please contact the Director of Metropolitan's Right of Way and Land Division, telephone (213) 250-6302, concerning easements for landscaping, street, storm drain, sewer, water or other public facilities proposed within Metropolitan's fee properties. A map and legal description of the requested easements must be submitted. Also, written evidence must be submitted that shows the city or county will accept the easement for the specific purposes into its public system. The grant of the easement will be subject to Metropolitan's rights to use its land for water pipelines and related purposes to the same extent as if such grant had not been made. There will be a charge for the easement. Please note that, if entry is required on the property prior to issuance of the easement, an entry permit must be obtained. There will also be a charge for the entry permit.

5. Landscaping

Metropolitan's landscape guidelines for its fee properties and/or easements are as follows:

a. A green belt may be allowed within Metropolitan's fee property or easement.

b. All landscape plans shall show the location and size of Metropolitan's fee property and/or easement and the location and size of Metropolitan's pipeline or other facilities therein.
a. Permanent structures, including catch basins, manholes, power poles, telephone riser boxes, etc., shall not be located within its fee properties and/or easements.

b. We request that permanent utility structures within public streets, in which Metropolitan's facilities are constructed under the Metropolitan Water District Act, be placed as far from our pipeline as possible, but not closer than 5 feet from the outside of our pipeline.

c. The installation of utilities over or under Metropolitan's pipeline(s) must be in accordance with the requirements shown on the enclosed prints of Drawings Nos. C-11632 and C-9547. Whenever possible we request a minimum of one foot clearance between Metropolitan's pipe and your facility. Temporary support of Metropolitan's pipe may also be required at undercrossings of its pipe in an open trench. The temporary support plans must be reviewed and approved by Metropolitan.

d. Lateral utility crossings of Metropolitan's pipelines must be as perpendicular to its pipeline alignment as practical. Prior to any excavation our pipeline shall be located manually and any excavation within two feet of our pipeline must be done by hand. This shall be noted on the appropriate drawings.

e. Utilities constructed longitudinally within Metropolitan's rights-of-way must be located outside the theoretical trench prism for uncovering its pipeline and must be located parallel to and as close to its rights-of-way lines as practical.

f. When piping is jacked or installed in jacked casing or tunnel under Metropolitan's pipe, there must be at least two feet of vertical clearance between the bottom of Metropolitan's pipe and the top of the jacked pipe, jacked casing or tunnel. We also require that detail drawings of the shoring for the jacking or tunneling pits be submitted for our review and approval. Provisions must be made to grout any voids around the exterior of the jacked pipe, jacked casing or tunnel. If the piping is installed in a jacked casing or tunnel the annular space between the piping and the jacked casing or tunnel must be filled with grout.
j. Potholing of Metropolitan's pipeline is required if the vertical clearance between a utility and Metropolitan's pipeline is indicated on the plan to be one foot or less. If the indicated clearance is between one and two feet, potholing is suggested. Metropolitan will provide a representative to assist others in locating and identifying its pipeline. Two-working days notice is requested.

k. Adequate shoring and bracing is required for the full depth of the trench when the excavation encroaches within the zone shown on Figure 4.

l. The location of utilities within Metropolitan's fee property and/or easement shall be plainly marked to help prevent damage during maintenance or other work done in the area. Detectable tape over buried utilities should be placed a minimum of 12 inches above the utility and shall conform to the following requirements:

1) Water pipeline: A two-inch blue warning tape shall be imprinted with:

"CAUTION BURIED WATER PIPELINE"

2) Gas, oil, or chemical pipeline: A two-inch yellow warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

3) Sewer or storm drain pipeline: A two-inch green warning tape shall be imprinted with:

"CAUTION BURIED _____ PIPELINE"

4) Electric, street lighting, or traffic signals conduit: A two-inch red warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"

5) Telephone, or television conduit: A two-inch orange warning tape shall be imprinted with:

"CAUTION BURIED _____ CONDUIT"
o. Control cables connected with the operation of Metropolitan's system are buried within streets, its fee properties and/or easements. The locations and elevations of these cables shall be shown on the drawings. The drawings shall note that prior to any excavation in the area, the control cables shall be located and measures shall be taken by the contractor to protect the cables in place.

p. Metropolitan is a member of Underground Service Alert (USA). The contractor (excavator) shall contact USA at 1-800-422-4133 (Southern California) at least 48 hours prior to starting any excavation work. The contractor will be liable for any damage to Metropolitan's facilities as a result of the construction.

8. Paramount Right

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of Metropolitan to use its fee properties and/or easements for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of the facilities from the fee properties and/or easements, such removal and replacement shall be at the expense of the owner of the facility.

9. Modification of Metropolitan's Facilities

When a manhole or other of Metropolitan's facilities must be modified to accommodate your construction or reconstruction, Metropolitan will modify the facilities with its forces. This should be noted on the construction plans. The estimated cost to perform this modification will be given to you and we will require a deposit for this amount before the work is performed. Once the deposit is received, we will schedule the work. Our forces will coordinate the work with your contractor. Our final billing will be based on actual cost incurred, and will include materials, construction, engineering plan review, inspection, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount.
imposes loads no greater than AASHTO H-10. If the cover is between two and three feet, equipment must be restricted to that of a Caterpillar D-4 tract-type tractor. If the cover is less than two feet, only hand equipment may be used. Also, if the contractor plans to use any equipment over Metropolitan's pipeline which will impose loads greater than AASHTO H-20, it will be necessary to submit the specifications of such equipment for our review and approval at least one week prior to its use. More restrictive requirements may apply to the loading guideline over the San Diego Pipelines 1 and 2, portions of the Orange County Feeder, and the Colorado River Aqueduct. Please contact us for loading restrictions on all of Metropolitan's pipelines and conduits.

b. The existing cover over the pipeline shall be maintained unless Metropolitan determines that proposed changes do not pose a hazard to the integrity of the pipeline or an impediment to its maintenance.

13. Blasting

a. At least 20 days prior to the start of any drilling for rock excavation blasting, or any blasting, in the vicinity of Metropolitan's facilities, a two-part preliminary conceptual plan shall be submitted to Metropolitan as follows:

b. Part 1 of the conceptual plan shall include a complete summary of proposed transportation, handling, storage, and use of explosions.

c. Part 2 shall include the proposed general concept for blasting, including controlled blasting techniques and controls of noise, fly rock, airblast, and ground vibration.

14. CEQA Requirements

a. When Environmental Documents Have Not Been Prepared

1) Regulations implementing the California Environmental Quality Act (CEQA) require that Metropolitan have an opportunity to consult with the agency or consultants preparing any environmental documentation. We are required to review and consider the environmental effects of the project as shown in the Negative Declaration or Environmental Impact Report (EIR) prepared for your project before committing Metropolitan to approve your request.
giving Metropolitan's comments, requirements and/or approval that will require 8 man-hours or less of effort is typically performed at no cost to the developer, unless a facility must be modified where Metropolitan has superior rights. If an engineering review and letter response requires more than 8 man-hours of effort by Metropolitan to determine if the proposed facility or development is compatible with its facilities, or if modifications to Metropolitan's manhole(s) or other facilities will be required, then all of Metropolitan's costs associated with the project must be paid by the developer, unless the developer has superior rights.

b. A deposit of funds will be required from the developer before Metropolitan can begin its detailed engineering plan review that will exceed 8 hours. The amount of the required deposit will be determined after a cursory review of the plans for the proposed development.

c. Metropolitan's final billing will be based on actual cost incurred, and will include engineering plan review, inspection, materials, construction, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount. Additional deposits may be required if the cost of Metropolitan's review exceeds the amount of the initial deposit.

16. Caution

We advise you that Metropolitan's plan reviews and responses are based upon information available to Metropolitan which was prepared by or on behalf of Metropolitan for general record purposes only. Such information may not be sufficiently detailed or accurate for your purposes. No warranty of any kind, either express or implied, is attached to the information therein conveyed as to its accuracy, and no inference should be drawn from Metropolitan's failure to comment on any aspect of your project. You are therefore cautioned to make such surveys and other field investigations as you may deem prudent to assure yourself that any plans for your project are correct.
M.W.D. PERMANENT RIGHT OF WAY

NO DEEP
ROOTED TREES

NO TREES
ONLY APPROVED SHALLOW ROOTING SHRUBS OR GRASSES

NO DEEP
ROOTED TREES

15'

FINISHED SURFACE

ε MWD PIPE

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

LANDSCAPE GUIDELINES
FOR
M.W.D. RIGHT OF WAY

CHECKED
APPROVED

FIGURE 3
3" Preformed expansion joint filler

**NOTES**

1. This method to be used where the utility line is 24" or greater in diameter and the clearance between the utility line and M.W.D. pipe is 12" or less.

2. Special protection may be required if the utility line diameter is greater than M.W.D. pipe or if the cover over the utility line to the street surface is minimal and there is 12" or less clearance between M.W.D. pipe and the utility line.

3. Preformed expansion joint filler to comply with ASTM designation D-1751-73.

4. M.W.D. requests 12" minimum clearance whenever possible.
Orange Barrio Historical Society (OBHS)
PO Box 802
Orange CA 92856

We have been working with the City of Orange Planning Department in protecting our Community, but an unforeseen situation has come up. We have seen a recent copy of the Master Plan for the Community, 500 block of Lemon and Cypress north of Walnut. OBHS is very concerned to see that the zoning may be drastically altered, without our input or cooperation in the planning.

This zoning is going to be altered to a Public Facility, from R-2-6, which is the current zoning. Once the zoning is altered, only public entities can have access to this property.

The following items are areas of concern;

1. An area of interest means the zoning can be changed at a later date
2. The community does not want mixed zoning
3. Remove all zoning except R-2-6.
4. We had an understanding; all zoning will revert to R-2-6.
5. No multi-story buildings in or around our community
6. Remove R-3 zoning on the Park next to the Friendly Center
7. Park should be designated as only a Park

Orange Barrio Historical Society (OBHS)
President,

Augie H. Morafes
25 April 2006

Ms. Anna Pehoushek
Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Orange Comprehensive General Plan Update
SCAG No. I 20060141

Dear Ms. Ikar:

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the above-mentioned project to the Southern California Association of Governments (SCAG) for review and comment. SCAG’s responsibility as the region’s clearinghouse per Executive Order 12372 includes the implementation of California Environmental Quality Act (CEQA) §15125 [d]. This legislation requires the review of local plans, projects and programs for consistency with regional plans. SCAG bases review of such projects on its adopted regional plans:

Compass Growth Vision

CEQA requires that EIRs discuss any inconsistencies between the proposed plan and the applicable general plans and regional plans (Section 15125 [d]). Please state separately how the proposed plan will or will not support each regional plan. Please cite specific policies in the regional plans that the proposed project supports. If there are inconsistencies, an explanation and rationalization for such inconsistencies should be provided. Visit www.scag.ca.gov for downloadable versions of these documents.

Please provide a minimum of 45 days for SCAG to review the EIR when this document is available. We look forward to following the progress of this potentially significant development in Gardena. If you have any questions regarding these comments or the available services, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace
Associate Regional Planner
Intergovernmental Review

DOCS # 121307
April 17, 2006

Ms. Anna Pehoushek
Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

SUBJECT: CITY OF ORANGE COMPREHENSIVE GENERAL PLAN UPDATE – NOTICE OF PREPARATION OF A DEIR

Dear Ms. Pehoushek:

The City of Irvine has received and reviewed the information on the above referenced project. The Community Development Department has consulted with the Public Works Department for possible comments on transportation issues. Based on their review, Transportation Services staff has the following comments:

COMMENT 1

Revise the figures to reflect the City of Irvine boundary that extends north to the Orange city limit and west to Jamboree Road.

COMMENT 2

Prior to commencement of the traffic analysis for the EIR, the City of Orange’s traffic consultant should contact Peter Anderson at (949) 724-7370 to determine the appropriate version of ITAM 3.01 to utilize for this analysis.

COMMENT 3

If impacts are identified on City of Irvine arterials or intersections based on City of Irvine performance criteria, appropriate mitigations should be identified in the findings of the EIR for all of the potentially impacted locations.
Ms. Anna Pehoushek  
April 17, 2006  
Page 2

Thank you for the opportunity to review the project. We look forward to receiving the draft EIR for review. If you have any questions, please contact me at (949) 724-6546.

Sincerely,

[Signature]

AMY MULLAY  
Associate Planner

cc: Barry Curtis, Principal Planner  
Sun-Sun Murillo, Senior Transportation Analyst
April 20, 2006

Ms. Anna Pehoushek
City of Orange
300 East Chapman Avenue
Orange, California 92866

Subject: Notice of Preparation for the City of Orange Comprehensive General Plan Update, SCH# 2006031117

Dear Ms. Pehoushek:

The Department of Conservation's (Department) Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California.

The proposed project is located beyond the administrative boundaries of any oil or gas field. However, there are two drilling idle wells and numerous plugged and abandoned wells within or in proximity to the project boundaries. These wells are identified on Division Map W1-4, W1-6 and records. The Division recommends that all wells within or in close proximity to project boundaries be accurately plotted on future project maps.

Building over or in the proximity of plugged and abandoned wells should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current Division specifications. Also, the State Oil and Gas Supervisor is authorized to order the reabandonment of previously plugged and abandoned wells when construction over or in the proximity of wells could result in a hazard (Section 3208.1 of the Public Resources Code). If reabandonment is necessary, the cost of operations is the responsibility of the owner of the property upon which the structure will be located. Finally, if construction over an abandoned well is unavoidable an adequate gas venting system should be placed over the well.

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

The Department of Conservation's mission is to protect Californians and their environment by:
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;
Conserving California's farmland; and Saving energy and resources through recycling.
Ms. Anna Pehoushek, City of Orange
April 20, 2006
Page 2

To ensure proper review of building projects, the Division has published an informational packet entitled, "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for review. Developers should contact the Division's Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction.

Thank you for the opportunity to comment on the Notice of Preparation. If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, CA 90630-4731; phone (714) 816-6847.

Sincerely,

[Signature]

Paul Frost
Associate Oil & Gas Engineer
April 17, 2006

Anna Pehoushek  
Principle Planner  
City of Orange  
300 E. Chapman Avenue  
Orange, CA 92866

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report for the proposed City of Orange General Plan.

Dear Ms. Pehoushek:

Irvine Ranch Water District (IRWD) has received and reviewed the subject NOP and offers the following comments. IRWD will be the domestic water, recycled water, and wastewater service provider for the project. Santiago County Water District (SCWD) would not serve water to the eastern portion of the planning area due to the pending consolidation of IRWD with SCWD, scheduled for July 2006. Please contact Michael Hoolihan at (949) 453-5553 for further information.

In addition, IRWD is the leading participant in the development of its Natural Treatment System (NTS). The NTS program is designed to capture and naturally treat urban runoff that would ordinarily flow to Upper Newport Bay and/or to the ocean untreated. IRWD’s NTS program includes preliminary planning for facilities that would serve the eastern portion of the City and its Sphere of Influence. For more information regarding our NTS services, please contact Norris Brandt, Environmental Quality Manager at (949) 453-5860.

IRWD appreciates the opportunity to review and comment on the NOP. If you have any questions or require additional information, please call Natalie Likens, Engineering Technician, at (949) 453-5757.

Sincerely,

[Signature]

Norris Brandt  
Environmental Quality Manager

NB/NRL

cc: Dick Diamond, IRWD  
    Mike Hoolihan, IRWD
April 18, 2006

City of Orange
Attn: Anna Pehoushek
300 E. Chapman Avenue
Orange, CA 92866

SUBJECT: REVIEW OF NOP FOR THE CITY OF ORANGE COMPREHENSIVE GENERAL PLAN UPDATE DRAFT PROGRAM EIR

Dear Ms. Pehoushek:

Thank you for the opportunity to provide comments on the Notice of Preparation (NOP) prepared for the Draft Program Environmental Impact Report (DPEIR) for the City of Orange Comprehensive General Plan Update. The proposed changes would allow for the development of higher density mixed-use land uses (up to an overall 3.0 floor area ratio and 60 dwelling units per acre) within ten (10) land use focus areas throughout the City of Orange.

The City of Tustin has identified the following concerns and issues that we request be addressed in the Draft Environmental Impact Report.

1. The City of Tustin needs assurance that adequate mitigation for the proposed General Plan Update will be required of the future projects, regardless of jurisdictional boundaries. As previously identified in regional and City of Orange studies, there are currently traffic impacts in the City of Tustin that would increase with more intensive development.

2. Previously there were proposed amendments to the “Master Plan of Arterial Highways” (“MPAH”) and technical evaluations prepared under OCTA. A primary concern stated in our previous comments was that MPAH amendments are being processed, but there is no assurance that adequate mitigation for these changes will be provided. It is our understanding through our previous participation in the OCTA meetings that mitigations for the MPAH changes would be provided at the “Project level”. This should be described and assured through the General Plan Update.

3. The current and future operations of Jamboree Road need to be addressed. The City of Tustin does not have funding for the widening of Jamboree Road to six lanes north of Tustin Ranch Road within its current seven-year Capital Improvement Program (CIP), which will need to be considered in the PEIR.
4. The impacts to Jamboree Road are expected to be further exacerbated by the proposed downgrade of Chapman Avenue in the City of Orange, from a six-lane to a four-lane facility, as previously indicated. This highlights the need for full mitigation (project and cumulative impacts) of the arterial segments and intersections along Jamboree Road and Tustin Ranch Road.

5. The uncertainty associated with the extension of Measure M funding places increased reliance on the arterial street system. An evaluation should be provided, whereby all potential impacts without Measure M funding on the City of Tustin are addressed. Realistic assessment of the use of the arterial roadways as a bypass to the freeway system should be considered.

6. There must be a complete and thorough discussion of the traffic model assumptions, such as ramp metering assumptions, TDM credits, and freeway congestion.

7. The PEIR should utilize a select zone model run to identify where the Project traffic will travel on the surrounding roadways, including those roadways in the City of Tustin. This is critical information needed for the City of Tustin to evaluate the potential Project related traffic impacts.

8. Given the proposed changes in land uses, the analyses should consider the potential “worst case” traffic impacts and required mitigations associated with build out of the proposed General Plan.

9. There is a significant amount of new development approved in the City of Irvine that will likely use arterials roadways, including Irvine Boulevard, First Street, Bryan Avenue, Main Street, and El Camino Real. These volumes should be considered in the PEIR.

10. The PEIR should clearly identify the methodology for the selection of the study area and traffic analysis locations. There are no preliminary trip generation calculations provided in the NOP, so it is difficult to estimate potential impacts to the City of Tustin. There is a need to evaluate all locations that would experience significant traffic impacts, both cumulative and project related. For locations within the City of Tustin, the traffic analyses must be consistent with City of Tustin criteria and methodologies. Furthermore, the traffic analyses for the proposed projects should be based on traffic forecasts derived from a traffic model that includes the Tustin Legacy Project. As there are no traffic analyses provided as a part of the NOP, the City of Tustin may have additional comments once these materials are provided for review.

11. The PEIR will need to detail the effects of the assumed road system changes as well as the effects of the traffic generated by the proposed project.
March 31, 2006

Ms. Anna Pehoushek  
Principal Planner  
City of Orange  
300 E. Chapman Avenue  
Orange, CA 92866

Dear Ms. Pehoushek:

Notice of Preparation of a Draft Environmental Impact Report for  
City of Orange Comprehensive General Plan Update

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD’s comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD’s Subscription Services Department by calling (909) 396-3720. Alternatively, lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2002 Model. This model is available on the SCAQMD Website at: www.aqmd.gov/ceqa/models.html.

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

Consistent with the SCAQMD’s environmental justice enhancement I-4, in October 2003, the SCAQMD Governing Board adopted a methodology for calculating localized air quality impacts and localized significance thresholds (LSTs). LST’s can be used in addition to the recommended regional significance thresholds as a second
12. From a traffic perspective the definition of the Project is critical. The analysis needs to consider the land use changes, the road system changes and what conditions will be considered as the “baseline” regarding identification of Project related impacts.

13. Fair share contributions and/or construction of improvements to mitigate project impacts in the City of Tustin need to be required of future projects and clearly identified in the PEIR.

14. There are different traffic projections dependent on whether a toll or non-toll operation is assumed for the Transportation Corridors. There should be analyses of the worst case, which is anticipated to be the “with toll” conditions.

I would appreciate receiving a copy of the Draft EIR, including the detailed traffic analysis when it becomes available. If you have any questions regarding the City’s comments, please call me at (714) 573-3016 or Terry Lutz, Principal Engineer, at (714) 573-3263.

Sincerely,

Scott Reekstin
Senior Planner

cc: William A. Huston
    Elizabeth A. Binsack
    Tim Serlet
    Dana Kasdan
    Dana Ogdon
    Doug Anderson
    Terry Lutz
April 19, 2006

Anna Pehoushek, Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

Dear Ms. Pehoushek:

Thank you for this opportunity to comment on the City of Orange’s Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the City of Orange Comprehensive General Plan Update. As a responsible agency for any future changes of organization within the project area, LAFCO has reviewed the NOP and has the following comments.

**Initial Study Page 1, Regional Setting**
The project area regional description states that the city anticipates successful annexation and eventual development of the East Orange Planning Area surrounding Irvine Lake. Accordingly, the city boundaries are described as including the proposed future East Orange development areas.

As you are aware, authority to changes boundaries rests with LAFCO. The project description should clearly indicate that any future annexations of the unincorporated portions of the project area are part of the project as a whole and would require LAFCO approval prior to inclusion in the city boundary. The DEIR should also contain a discussion of the process of annexation. Finally any potential impacts, especially growth inducing impacts, that might result from any future and/or potential annexations or change in boundaries should also be included in the DEIR.

**Figures 1, 2, 3 & 4**
The city boundary depicted in the figures included in the NOP does not coincide with the recognized existing incorporated boundary for the City of Orange. The figures depicting the project area should make a clear distinction between existing and proposed boundaries when referencing any potential annexations to the city. An accompanying description of the proposed annexation area and requirement for LAFCO approval is also suggested.

**Land Use Element**
A significant portion of the Orange sphere of influence (SOI) consists of open space. The DEIR should include discussion regarding the city’s
indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment (“Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis”) can be found on the SCAQMD’s CEQA webpages at the following internet address: http://www.aqmd.gov/ceQA/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures
In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, SCAQMD’s Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD’s Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

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

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith
Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

ORC060328-05LI
Control Number
prospective service delivery and maintenance plans for the open space area. LAFCO as you know has the ultimate responsibility for setting spheres of influence for public agencies. Whenever possible, LAFCO attempts to be consistent with a city’s general plan when updating spheres of influence. It is anticipated that the City of Orange sphere of influence will be re-evaluated within the next two years. The city’s position on service delivery responsibility and maintenance issue of open space areas, especially with respect to the cost and responsibility for maintenance of open space areas and for the public safety should be addressed in the land use element of a DEIR so any future sphere of influence update may consider that general plan as a resource in updating the city’s SOI.

If you have any questions or concerns, please contact me either by phone at (714) 834-2556 or by e-mail at kkoeppe@orange.lafco.ca.gov.

Sincerely,

Kim Koeppen  
Project Manager
April 13, 2006

Anna Pehoushek
City of Orange
Planning Division
300 East Chapman Avenue
Orange, Ca 92866

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report, City of Orange Comprehensive General Plan Update

This letter is in response to the above referenced Project.

Proposed land use changes may significantly increase sanitary sewage flows in focused areas that may impact Orange County Sanitation District (Sanitation District) regional collection sewers. Please identify proposed increases in sewage flows so the Sanitation District can assess these possible impacts.

In accordance with the letter agreement dated October 1, 1983, between the City of Orange and the Sanitation District, the Sanitation District would like the following items to be addressed within the General Plan Update regarding local sewer service:

- A description of the City's Sewer Master Planning activities that includes Orange Park Acres area. Please indicate the City’s ability and plan to accept sanitary sewage from this area. Reference may be made to the Orange Park Acres sewer master plan that was produced by the Sanitation District. Also please include the City's plan to own and maintain these sewers after construction.

- A description of the annexation of the Orange Park Acres into the Sanitation District's Service Area.

Thank you for the opportunity to comment. Please update your records to ensure that all future CEQA documentation is sent to the attention of Adam Nazaroff, Associate Engineer III. This will allow the Sanitation District to respond within the comment period. Please contact Adam Nazaroff at (714) 593-7854, if you have any questions.

David A. Ludwin, P.E.
Director of Engineering

AN:sa:
H:\dept\eng\740 Planning\EIRS\2006\2006025_City of Orange_General Plan NOP Development.doc

Enclosure

Letter Agreement dated October 1, 1983

To maintain world-class leadership in wastewater and water resource management.
October 1, 1983

Honorable James Beam
Mayor, City of Orange
300 East Chapman Avenue
Orange, Ca.  92666

Re: County Sanitation Districts Sewer Service

Dear Mayor Beam:

This letter will serve to memorialize the understandings reached by and between your City and County Sanitation District No. 7 regarding our District providing collector and trunk sewer service for wastewater collection and treatment from those properties located outside of the City of Orange, but within the adopted City sphere of influence.  It has been generally agreed that this letter will serve to avoid misunderstandings in the future regarding the requirements of providing local sewer service by the City of Orange, as well as the collector trunk sewer service by the District.

It has been a long standing policy of County Sanitation District No. 7, as well as the other County Sanitation Districts, to require that all property owners obtain the local sewer service from the local sewer agency prior to annexing to and connecting into the County Sanitation District.  This is premised on the fact that the District provides service only to its local agency members and not directly to any user of the system.

During the past two years, as a result of Proposition 13 and subsequent legislation relating thereto, the District has not annexed any additional properties to its service area, but frequent requests for such service have been made by individual property owners, primarily in the Orange Park Acres area in the vicinity of your City.  Those property owners, as in the past when our District was annexing territory, had made application to the District for connection to our system.  We have continually advised that it is necessary for them to obtain local sewer service from the appropriate agency, typically the City of Orange.
In order to insure continuity of development and proper planning, the District agrees that it will not allow for the connection of any parcel or parcels to the District's system within the area shown within the boundaries on the map attached hereto and by this reference made a part of this agreement, until such time as they have either annexed to the City of Orange or received consent and approval of the City to obtain local sewer service through the City or other local sewer agency. This commitment on the part of the District is premised on the fact that the area within the defined boundaries is all contained within the sphere of influence by the City of Orange, constitutes a logical drainage area to be serviced by the City of Orange facilities, and ultimately would annex to the City of Orange if annexed to any City at all.

It is also agreed by the City of Orange that with regards to the local sewers located within the area covered by this agreement but outside of the City, and as more particularly shown on the map attached hereto, the City will assume full responsibility for the maintenance of those lines.

The policy and commitment evidenced by this letter could obviously generate some rejection by certain property owners who do not wish to annex to the City of Orange. We do believe that it is sound planning, however, and agree to use all possible means to comply with it in every instance. In turn, we would hope that the City of Orange would accommodate all property owners seeking sewer service, so as to not place the District in a difficult position of being used to force property owners to make decisions which are remarkably adverse to their interests.

We think this spirit of cooperation between governmental entities will reflect on the best possible service for all residents of the area; and if this accurately reflects the intent and adopted policy of the City, I would ask that you acknowledge this accordingly by signing and returning one copy of this agreement to us.

COUNTY SANITATION DISTRICT NO. 7

By Don E. Smith, Chairman

THE ABOVE STATEMENT OF POLICY BY COUNTY SANITATION DISTRICT NO. 7 MEETS WITH THE FULL APPROVAL OF THE CITY OF ORANGE, AND WE AGREE TO IMPLEMENT IT TO THE FULLEST EXTENT POSSIBLE.

CITY OF ORANGE

By James Beam, Mayor

APPROVED: October 4, 1983

W. C. Delbert, Attorney
October 28, 1983

Attention: Marilyn Jensen
City Clerk

Subject: Letter of Understanding re sewer service for properties annexing to District No. 7 in the Orange Park Acres area

We are enclosing herewith one fully-executed copy of subject Letter of Understanding for your records.

Rita J. Brown
Assistant Board Secretary

rjb
Enclosure

cc: Furman B. Roberts, City Attorney
    Thomas L. Woodruff
    Thomas M. Dawes
October 13, 1983

Thomas L. Woodruff, Esquire  
Rourke & Woodruff  
1055 North Main Street, Suite 1020  
Santa Ana, CA 92701  

Re: County Sanitation Districts Sewer Service - Letter of Understanding  

Dear Tom:  

In accordance with your letter dated September 29, 1983, enclosed are two executed copies of the Letter of Understanding specifying that the City's maintenance obligation is limited to those sewer lines shown on the service area map which is incorporated as part of the agreement.  

I understand that you will obtain the signature of Don E. Smith, Chairman of County Sanitation District No. 7, and a fully executed original agreement will be returned to the City of Orange.  

If I can be of any further assistance, please do not hesitate to contact me.  

Very truly yours,  

[Signature]  

Furman B. Roberts  
City Attorney  

FBR:cfk  
cc: City Clerk w/copy of Agreement and Service Area Map  
Department of Public Works - Attn: Don Scott w/copy of Agreement
Anna Pehoushek

From: Bill [bredcay@eocwd.com]
Sent: Thursday, April 13, 2006 10:13 AM
To: Anna Pehoushek
Subject: NOP regarding The General Plan

Anna
This is a follow up to the meeting you had yesterday regarding the NOP of the City of Orange general Plan. EOCWD comments are regarding section 8 on page 24. With increased development there will be additional demand for water use, and The City of Orange may require more water from the Chandler tie-in. The City of Orange did not include EOCWD as an agency that you are currently receiving water from. This should be noted in the EIR. If you have any questions, or need to ask me any additional questions, please call me 714 538-5815.

Bill Redcay
General Manager
April 13, 2006

Anna Pehoushek
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

Dear Ms. Pehoushek:

Re: SCH# 2006031117; City of Orange Comprehensive General Plan Update

As the state agency responsible for rail safety within California, we recommend that any future development projects planned adjacent to or near the Metrolink’s Orange Line, and BNSF Railway Company right-of-way be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new developments. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the City.

Please advise us on the status of the future development projects. If you have any questions in this matter, please contact me at (213) 576-7078 or at rxm@cpuc.ca.gov.

Sincerely,

Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

C: Ron Mathieu, Metrolink
John Shurson, BNSF
April 19, 2006

Anna Pehoushek, Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

Dear Ms. Pehoushek:

Thank you for this opportunity to comment on the City of Orange’s Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the City of Orange Comprehensive General Plan Update. As a responsible agency for any future changes of organization within the project area, LAFCO has reviewed the NOP and has the following comments.

Initial Study Page 1, Regional Setting
The project area regional description states that the city anticipates successful annexation and eventual development of the East Orange Planning Area surrounding Irvine Lake. Accordingly, the city boundaries are described as including the proposed future East Orange development areas.

As you are aware, authority to changes boundaries rests with LAFCO. The project description should clearly indicate that any future annexations of the unincorporated portions of the project area are part of the project as a whole and would require LAFCO approval prior to inclusion in the city boundary. The DEIR should also contain a discussion of the process of annexation. Finally any potential impacts, especially growth inducing impacts, that might result from any future and/or potential annexations or change in boundaries should also be included in the DEIR.

Figures 1, 2, 3 & 4
The city boundary depicted in the figures included in the NOP does not coincide with the recognized existing incorporated boundary for the City of Orange. The figures depicting the project area should make a clear distinction between existing and proposed boundaries when referencing any potential annexations to the city. An accompanying description of the proposed annexation area and requirement for LAFCO approval is also suggested.

Land Use Element
A significant portion of the Orange sphere of influence (SOI) consists of open space. The DEIR should include discussion regarding the city’s
prospective service delivery and maintenance plans for the open space area. LAFCO as you
know has the ultimate responsibility for setting spheres of influence for public agencies.
Whenever possible, LAFCO attempts to be consistent with a city’s general plan when updating
spheres of influence. It is anticipated that the City of Orange sphere of influence will be re-
evaluated within the next two years. The city’s position on service delivery responsibility and
maintenance issue of open space areas, especially with respect to the cost and responsibility for
maintenance of open space areas and for the public safety should be addressed in the land use
element of a DEIR so any future sphere of influence update may consider that general plan as a
resource in updating the city’s SOI.

If you have any questions or concerns, please contact me either by phone at (714) 834-2556 or
by e-mail at kkoeppen@orange.lafco.ca.gov.

Sincerely,

Kim Koeppen
Project Manager
March 28, 2006

Anna Pehoushek, Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

Subject: Notice of Preparation of a Draft Environmental Impact Report
City of Orange Comprehensive General Plan Update

Dear Ms. Pehoushek:

The Transportation Corridor Agencies (TCA) wishes to thank you for the opportunity to review and comment on the above-mentioned environmental notification. The TCA has reviewed the notification and has no comments at this time, however, would appreciate your sending the EIR when it is completed.

Should you have any questions or concerns regarding this information, please feel free to contact me at (949) 754-3483.

Sincerely,

Macie Cleary-Milan
Deputy Director
Environmental Planning
April 12, 2006

Ms. Anna Pehoushek, Principal Planner
City of Orange
300 E. Chapman Avenue
Orange, CA 92866

RE: PEIR Comments

Dear Ms. Pehoushek:

We make two suggestions for the proposed General Plan and the Program EIR:

1. That FAR, not units per acre, be used as the controlling metric within Mixed Use zones, in order to allow property owners to change the mix between commercial and residential uses without changing the overall development intensity.

2. That the Mixed Use areas within ¼ mile of the Depot be designated with the higher densities, not the lower ones, in order to promote transit use and pedestrian activity, consistent with the general philosophy of Transit-Oriented Development.

Sincerely,

[Signature]

Alex Wong
PUBLICATION SCOPING MEETING  
(April 12, 2006 – 2:00 PM)  
ENVIRONMENTAL IMPACT REPORT  
Orange General Plan Update  
(State Clearinghouse #2006031117)  

In the space provided below, please state the issues or concerns you feel need to be addressed by the Environmental Impact Report (EIR). Please be as specific and detailed as possible so that the EIR may address all of your issues and/or concerns (additional pages may be attached). Once completed, please submit to a City of Orange representative at the Scoping Meeting or mail to Anna Pehoushek, Principal Planner, City of Orange, 300 E Chapman Avenue, Orange, California 92866 or send your comments via email to apehoushek@cityoforange.org.  

RESPONSES ARE DUE NO LATER THAN April 26, 2006.  

CONCERN HAS BEEN STATED IN WRITING  
AS OF 4-12-06 @ SCOPING MEETING.  

LEO M. CASTRO  
Name (please print)  

347 E. BARKLEY AVE.  
ORANGE, CA. 92867  
Street Address  

714-538-3758  
Phone Number  

Business (if applicable)  

City  State  Zip Code  

4-12-06  
Date
April 12, 2006

Orange Barrio Historical Society (OBHS)
PO Box 802
Orange CA 92856

We have been working with the City of Orange Planning Department in protecting our Community, but an unforeseen situation has come up. We have seen a recent copy of the Master Plan for the Community, 500 block of Lemon and Cypress north of Walnut. OBHS is very concerned to see that the zoning may be drastically altered, without our input or cooperation in the planning.

This zoning is going to be altered to a Public Facility, from R-2-6, which is the current zoning. Once the zoning is altered, only public entities can have access to this property.

The following items are areas of concern;

1. An area of interest means the zoning can be changed at a later date
2. The community does not want mixed zoning
3. Remove all zoning except R-2-6.
4. We had an understanding; all zoning will revert to R-2-6.
5. No multi-story buildings in or around our community
6. Remove R-3 zoning on the Park next to the Friendly Center
7. Park should be designated as only a Park

Orange Barrio Historical Society (OBHS)

President,

[Signature]
Augie H. Morales
April 24, 2006

Ms. Anna Pehoushek, Principal Planner
City of Orange
300 E. Chapman Ave.
Orange, CA 92866

Re: General Plan Update Notice of Preparation and Initial Study

Dear Ms. Pehoushek;

We want to take this opportunity to comment on the City of Orange’s Initial Study/Notice of Preparation of a Draft Environmental Impact Report For The Proposed Orange General Plan.

The Kennedy Commission has submitted public comments on the proposed General Plan Update during the current two-year project period. Our comments to the City and its Consultant (P&D Consultants) have focused on the General Plan’s impact on land use, housing and related policies and goals. Based on our analysis and review of the General Plan Update and the proposed changes, we continue to request that the City consider our comments and implement the following recommendations:

**Impacts on Land Use and Housing**

The current initial study and proposed changes to the General Plan Update fail to consider the significant impacts of not providing adequate land use and housing opportunities for the City’s low and very-low income households. The City should strive to create land zoned appropriately to create a balanced housing production to meet the City’s Regional Housing Needs Assessment in the upcoming planning period and any remaining low and very low unmet need from the current planning period (approximately 1,000 units). To do so, the City should plan to create appropriately zoned land in the Medium Density Residential category for current and future development of affordable housing. Most sites identified in the City’s 2000 Housing Element for low and very low-income categories have been approved or entitled for the development of market-rate housing. With a current deficiency in the production of low and very low family housing units in the current planning period and without adequate sites to meet that need, special attention should be placed to adequately zone land to meet the current and upcoming housing obligations in these categories.

- In particular, we are concerned that the proposed General Plan Amendment does not clearly identify the number of acreage that corresponds to each zoning area identified in the Draft Land Use Plan (Figure 3). The current proposal only states a cumulative acreage for all land use designations per categories (Table 1). In particular we request that the document identify a corresponding individual acreage or size to the identified zoning designations of the Medium Density Residential zoned sites (MDR).
Additionally, the City should identify the acreage increase and/or loss in land supply for each zoning category as a result of the proposed General Plan zoning change recommendations.

- The General Plan Land Use recommendations fail to identify diverse MDR development opportunities on which affordable housing could be developed throughout the City. Only the Lemon Corridor area, one of the 10 areas targeted by the General Plan identifies new MDR development opportunities. (See staff recommended land use plans.) In fact, a decrease in MDR zoning is proposed in the remaining target areas of Old Town and Chapman/Main.

- Furthermore, the total projected MDR zoning capacity projected in Table 1 needs to be recalculated to adequately reflect that the acreage identified in East Orange as MDR has been entitled in its majority to be developed as part of Santiago Hills II at a lower density of 11 units to the acre, Low Medium Density Residential. Only 3.9 acres in Santiago Hills II have been approved at MDR with a conditional use permit to allow for higher densities (See City of Orange, Santiago Hills II/ East Orange approvals, December 2005).

Housing Element
We are concerned that the City is not updating its Housing Element as part of the General Plan Update. The Housing Element is a critical component of the General Plan and should be updated in concert with the current update to assure that future planning and housing development is balanced and achieved for all income segments.

General Plan Goals and Policies
The proposed General Plan Update fails to implement Land Use policies and goals that ensure diverse and balanced housing development that would produce housing for all income segments of the community. The City should implement land use policies and goals that incorporate affordable housing units in potential developments throughout the City. While higher density opportunities are being proposed throughout the City by creating Neighborhood Mixed Use and Urban Mixed Use zoning, the General Plan proposals fail to incorporate adequate policies and goals that will ensure that affordable housing units will be developed on these sites (As exemplified by the developments approved in Uptown, higher density alone does not produce affordable units). In particular, the City should create policies and tools that incorporate affordable rental housing for low and very low-income families in Multi-Family, Neighborhood Mixed Use and Urban Mixed Use zoning designations and in Commercial and Industrial reuse areas..

- The City should incorporate affordable housing developments in the high density Mixed Use envisioned in the areas of The Block, Uptown, Town and Country and in the City’s transportation corridors that will implement higher mixed use densities.

- As part of the current General Plan Update the City should create and implement an Affordable Family Housing Ordinance that provides by-right development of qualified affordable family rental housing. The ordinance should create objective development standards that have been pre-analyzed to incentivize affordable family housing. The
ordinance should reduce the development barriers to affordable family housing by offering flexible development standards, such as
1) Increased building height, 2) Reduced parking requirements
3) Reduced setback requirements, 4) Increased lot coverage, etc.
(See attached Kennedy Commission Affordable Family Housing Model Ordinance)

- The City should formally adopt as part of the General Plan Update a policy that establishes 20% of new residential housing production as affordable to Extremely Low, Very Low, Low and Moderate-Income households. (5% Extremely Low, 5% Very Low, 5% Low and 5% Moderate)

- The City should formally adopt an In Lieu Fee policy that adequately mitigates affordable housing not being developed on site. Since the cost to develop affordable housing off site is greater than developing the units within a proposed development (considering land cost and development), an In Lieu Fee should be calculated appropriately considering the total cost to purchase and develop a replacement site. As an example, the City of Irvine has recently approved a new In Lieu Fee that is calculated based on the cost of providing an affordable unit within the same planning area.

- The City should create an Affordable Housing Trust Fund to help finance affordable rental housing for low and very low-income rental families. The In Lieu Fees obtained from the Block and Uptown, along with any future In Lieu Fees should be dedicated to this Trust Fund. Additional housing funds should be leveraged to finance affordable housing developments.

We remain committed to working with the City of Orange to help create a balanced community and increase the supply of affordable housing in our communities. We look forward to your feedback and cooperation on implementing these positive solutions into the General Plan Update.

Thank you for your consideration,

Cesar Covarrubias
Project Manager

cc: Mayor Mark Murphy
    Mayor Pro Tem Carolyn Cavecche
    Councilmember Steven F. Ambriz
    Councilmember Teresa Smith
    Councilmember Jon Dumitru
    Mr. John Sibley, City Manager
    Ms. Eileen McCarthy, The Public Law Center
    Ms. Cathy Creswell, California Department of Housing and Community Development
    P&D Consultants
KENNEDY COMMISSION
MODEL AFFORDABLE FAMILY HOUSING ORDINANCE

The model Affordable Family Housing Ordinance is a land use tool aimed at stimulating the development of large family Affordable Housing units in multifamily and/or commercial zones by offering by-right development standards as incentives in exchange for a minimum dedication of 20% of the units in the development as affordable to Very-Low Income households. *The model Affordable Family Housing Ordinance should be modified to conform to your local government needs.*

I. PURPOSE

The purpose of this chapter is to encourage the construction of housing for Very Low Income Households. In return for providing Affordable Units, the Applicant may obtain certain incentives to develop Qualified Housing Developments as a matter of right. The standards and incentives for Qualified Housing Developments are intended to provide a quality and supportive living environment for Very Low Income Households that is compatible with surrounding land uses and neighborhoods.

II. DEFINITIONS

For purposes of this chapter, the following words, terms and phrases shall have the following meanings:

“Affordable Housing Agreement” means an unsubordinated legally binding agreement between the applicant and the City to be recorded against the property on which the Qualified Housing Development is to be constructed to ensure that the requirements of this chapter are satisfied. The Affordable Housing Agreement should, among other things, establish occupancy limits, the number, size, location and management of the Affordable Units, and the terms and conditions of affordability.

*Note: Refer to Affordable Housing Agreement.*

“Affordable Rent” means the amount of monthly housing expenses, including a reasonable allowance for utilities as determined by the ___________(City/County) Housing Authority, paid by a tenant for an Affordable Unit which amount shall not exceed thirty percent of fifty percent of the area median income for Orange County, adjusted for household size and divided by twelve.

“Affordable Unit” means a two or more bedroom dwelling unit within a Qualified Housing Development subject to the provisions of this ordinance, which is occupied by or available for occupancy by a Very Low Income Household at an Affordable Rent.

“Density Bonus” means a density increase of twenty-five percent, unless otherwise provided in this chapter or unless a lesser percentage is elected by the applicant, over the otherwise Maximum Allowable Residential Density for the Development Site upon which the Qualified Housing Development is to be constructed as of the date the application is filed with the City.

“Density Bonus Units” means those residential units granted pursuant to the provisions of this chapter that exceed the otherwise Maximum Allowable Residential Density for the Development Site.

“Development Incentive” means an incentive designed to encourage the development of Qualified Housing Developments.

“Development Site” means the site on which the Qualified Housing Development will be constructed.

“Development Standard” means any ordinance, General Plan element, specific plan, or other local condition, law, policy, resolution, or regulation of the City.

“Market-Rate Unit” means a unit that is not an Affordable Unit.

“Maximum Allowable Residential Density” means the maximum density allowed at the time of application under the applicable zoning code, excluding the provisions of this chapter for the Development Site.

“Parking Incentive” means a reduction in the number of parking spaces otherwise required for the Qualified Housing Development.

*Note: See recommended parking reductions under the Parking Incentives section of this Model ordinance.*
IV. AFFORDABILITY AND OCCUPANCY STANDARDS

Affordable Units shall be constructed concurrently with other units unless both the City and the applicant agree to an alternative schedule for development.

Affordable Units shall remain restricted and affordable to Very Low Income Households for a period of not less than fifty-five years.

In determining the maximum Affordable Rent for Affordable Units, the following household and unit size assumptions shall be used:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Household Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>3 persons</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>4 persons</td>
</tr>
<tr>
<td>4 bedrooms</td>
<td>5 persons</td>
</tr>
</tbody>
</table>

The design and appearance of the Affordable Units shall be compatible with the design of the Qualified Housing Development. The Qualified Housing Development shall comply with all applicable Development Standards, except those that may be modified as provided by this chapter.

V. BY RIGHT INCENTIVES

1. Parking Incentive: The following incentive is intended to allow a development to maximize density and make an efficient use of surface parking.

<table>
<thead>
<tr>
<th>MARKET-RATE EXAMPLE</th>
<th>AFFORDABLE UNITS RECOMMENDED</th>
<th>*MARKET-RATE UNITS IN AN AH PROJECT RECOMMENDED PARKING REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1BR - 2.0 SPACE PER UNIT</td>
<td>N/A</td>
<td>1 BR - 1.5 SPACE PER UNIT * TO USE PARKING INCENTIVES FOR MARKET-RATE PORTION UNITS IN AN AH DEV., MARKET-RATE UNITS MUST ADHERE TO 2+1 OCCUPANCY</td>
</tr>
<tr>
<td>2BR - 2.25 SPACES PER UNIT</td>
<td>2 BR - 1.5 SPACES PER UNIT</td>
<td>2 BR - 2.0 SPACE PER UNIT</td>
</tr>
<tr>
<td>3BR - 3.0 SPACES PER UNIT</td>
<td>3 BR - 2.0 SPACES PER UNIT</td>
<td>3 BR - 2.5 SPACE PER UNIT</td>
</tr>
<tr>
<td>4BR - 3.5 SPACES PER UNIT</td>
<td>4 BR - 2.0 SPACES PER UNIT</td>
<td>4 BR - 3.5 SPACE PER UNIT</td>
</tr>
</tbody>
</table>

Note: To maximize surface parking, covered parking should not be required.

Note: If the development proposes other below market units with rents restricted between 50% -80% of the median area income and adheres to the “2+1” occupancy restriction, then they should get the Affordable Units recommended parking ratios.

Note: In some cases you may have to mitigate the offering of parking incentives by using one or some of the factors listed below.

a. Requirement of professional onsite management, occupancy restriction enforcement and parking space assignment and monitoring.

b. The Qualified Housing Development is to be constructed on or within one-half mile of a Transportation Corridor or within a one-half mile or provides on-site a social service facility (such as a daycare center) or service amenity (such as a grocery store or pharmacy).

2. Setbacks: Allow for reduced minimum lot setbacks.

Note: It is recommended that performance based setback standards be used to make development compatible with surrounding uses.

3. Lot Coverage: Allow for an increase in maximum lot coverage allowance to sixty-five percent.

Note: Compare to local standards. Encourage creative use of deck space for recreation (such as balconies and above parking structures).

4. Building Height: Increased maximum building height and/or stories to four stories.

Note: At least three or four stories should be allowed to accomplish appropriate densities. The Zoning Administrator or the Planning Commission can consider additional stories with a limited discretionary review.

5. Fee Waiver: Fee waivers for administrative and processing fees can be offered as incentives. Note: Allow for waiver of permit and processing fees.

6. Expedited Filing and Processing: Allow for expedited filing and processing of Qualified Housing Developments.

7. Minimum Unit Size: The following minimum unit sizes are recommended.

Two-bedroom units - 800 sq. ft.
Three-bedroom units – 1,000 sq. ft.
Four-bedroom units – 1,200 sq. ft.

Note: The recommended minimum unit sizes are based on considerations of quality of life and economic feasibility of development.

8. **Density Bonus:** Provided the applicant agrees to construct and restrict an additional ten percent of the units as Affordable Units in excess of the number of Affordable Units required for the development to qualify as a Qualified Housing Development, the Qualified Housing Development shall receive upon request from the applicant a Density Bonus of twenty-five percent.

   All calculations, including, without limitation, calculations with respect to number of units, resulting in fractional units shall be rounded up to the next whole number.

   The Density Bonus Units shall be included in the calculation of the total units in the Qualified Housing Development for the purpose of determining whether the total number of Affordable Units proposed to be constructed meets the requirements of this chapter.

   In cases where a Density Bonus of less than twenty five percent is requested, no reduction will be allowed in the number of Affordable Units required.

   The provisions of this chapter shall not apply to, and the Density Bonus permitted by this chapter shall not be available for any Qualified Housing Development applying for a density bonus pursuant to Chapter _______. Note: Refer to state required Density Bonus Program.

VI. **FILING**

Note: It is recommended that the City develop an Application Submittal process that explains the application and reviewed process for a Qualified Housing Development. The regulations, requirements, procedures and filing should be set forth in this process.

Note: The filing process should streamline the application review of the various City departments, and encourage communication between the developer and the City departments. A pre-file process can be designed to identify issues of concern related to the Development application, to review preliminary plans for compliance with City ordinances and standards and to determine the adequacy of the application. This pre-file process can also allow for preliminary approvals after review of the Community Development Department with respect to compliance with the affordability requirements. Applicants can also be required to schedule a conference with the Community Development Department to discuss and identify potential application issues prior to submission of a formal application.

Note: It is recommended that City generated applications include maps that specifically identify the Transportation Corridors that qualify for development under the Ordinance.

1. **Review:** It is the intent of the Ordinance to give by right incentives by streamlining the development review to an administrative level. A Qualified Housing Development should be reviewed by either or both the Planning Department and the Community Development Department for compliance with the provisions of this Ordinance, including affordability and design requirements. Note: The Administrative review shall include a review of compliance with this Ordinance and other City codes, and a review of compliance with the following standards: that the Qualified Housing Development be compatible with the scale and character of the existing neighborhood and nearby land uses, preserve the integrity and character of the zoning district and the General Plan and that it be consistent with design guidelines established for affordable housing and comply with all affordability requirements. The review process should have set periods or timelines for review, processing and decisions.

2. **Notice of Approval or Denial:** Not later than ten days after the completion of the review, the City shall inform the applicant that the application has been approved or denied. Notification of any decision made by the Planning Director with respect to an application shall be given in writing to the applicant. Notwithstanding the foregoing approval shall not be effective until applicant executes an affordable Housing Agreement.

3. **Application Appeal:** Note: It is recommended that a process be instituted to appeal denied applications. It is recommended that a decision of the Planning Director shall be filed with the Planning Commission. The appeal process should describe the process, timeframes and fees.

4. **Time to Exercise Entitlement:** Note: It is recommended that the time to exercise entitlement be specified in the Ordinance.
"Professional On-Site Management" means an apartment management company that has sufficient experience, organizational stability and capacity to manage the Qualified Housing Development. The management company shall employ a full-time resident manager exclusively employed to manage the Qualified Housing Development.

"Qualified Housing Development" means a multiple family rental housing project consisting of one, two, three and/or four bedroom units, which meets each of the requirements under Section III.

"Transportation Corridor" means bus, rail travel or other corridors with fixed routes that have peak period service headways of twenty-five minutes or less during the 6:00 a.m. to 9:00 a.m. peak period. Note: A City could also designate specific streets that meet the criteria.

"Very Low Income Household" is defined in Section 50105 of the California Health and Safety Code. Note: A household of three or more persons with an annual income of fifty percent of the area median income or less, as adjusted for household size.

III. QUALIFIED HOUSING DEVELOPMENT

A Qualified Housing Development is defined as a multiple family rental housing project consisting of one, two, three and/or four bedroom units, which meets each of the following requirements:

1. The Development Site shall not be less than one acre; Note: It is recommended that the City designate a minimum development parcel size that makes a Qualified Housing Development financially feasible in your city and ensures quality management. See notes below for more detail.

2. The Development Site shall be in a multi-family and/or commercial zone and comply with the standards of the respective zone unless otherwise set forth. Note: It is recommended that the City designate appropriate land use zoning that allow for the implementation of the ordinance.

3. The Qualified Housing Development shall consist of not less thirty-six units, provided that, notwithstanding the foregoing, the Planning Director, in his or her discretion, may permit a project with fewer units to qualify as a Qualified Housing Development upon a finding that the project is financially capable of supporting the cost of Professional On-Site Management; Note: It is recommended that a minimum unit number be set for a development. In identifying a minimum number of units the City should consider financial feasibility. (The suggested 36-unit development is derived from a desirable density of 36 dwelling units per acre and a minimum lot size of one acre.)

4. Not less than the greater of (a) twenty percent of the total units in the Qualified Housing Development or (b) seven units, shall be restricted as Affordable Units for not less than fifty-five years;

5. The ratio of each of the two, three, four or more bedroom Affordable Units as a percentage of the total units shall not be less than the ratio of each of the one, two, three and four or more bedroom dwelling units in the Qualified Housing Development as a percentage of the total units; however, when calculating the ratio of Affordable Units as a percentage of total units, an Affordable Unit with a greater number of bedrooms may be substituted for a unit with fewer bedrooms and this requirement shall be considered met; provided however, an Affordable Unit with fewer bedrooms may not be substituted for one with more bedrooms. For example, if the ratios for non-affordable units would require that the Qualified Housing Development provide two one-bedroom, two two-bedroom and one three-bedroom Affordable Units, then the applicant may instead provide one one-bedroom, one two-bedroom, and three three-bedroom Affordable Units;

6. The Affordable Units shall be interspersed throughout the Qualified Housing Development;

7. Occupancy of each unit in the Qualified Housing Development shall not exceed two persons per bedroom plus one;

8. Not more than thirty percent of the total units in the Qualified Housing Development shall be one-bedroom units;

9. Upon completion of the Qualified Housing Development and prior to occupancy, the owner of the Qualified Housing Development shall provide for Professional On-Site Management of all of the units in the Qualified Housing Development; and

10. The design of the proposed development shall comply with the guidelines set forth in the Residential Design Guidelines for Affordable Housing Development produced by the City of _________ and any other applicable guidelines adopted by the City from time to time. Note: It is recommended that the City adopt such Design guidelines.
VII. AFFORDABLE HOUSING AGREEMENT

Note: It is recommended that this section of the ordinance describe the Affordable Housing Agreement, or memorandum thereof, shall be recorded against the Development Site prior to issuance of building permits for the Qualified Housing Development. The Affordable Housing Agreement shall be binding on all future owners and successors in interest. The Affordable Housing Agreement shall include, but not be limited to, the following:

1. The total number of units approved for the Qualified Housing Development, including the number of Affordable Units, the location, unit sizes (square feet), and number of bedrooms of each of the Affordable Units;

2. The standards for determining the Affordable Rent for each Affordable Unit;

3. A term of at least fifty-five years;

4. A description of the Density Bonus, Parking Incentive and Development Incentive(s), if any, being provided by the City;

5. If the Qualified Housing Development has received a Parking Incentive, a plan for parking management, which shall include a map depicting which parking spaces are reserved and which are not and shall include procedures for removal of inoperable vehicles and a limitation on the aggregate number of vehicles permitted in the Qualified Housing Development;

6. The obligation of the owner to provide for Professional On-Site Management of the Qualified Housing Development including maintenance thereof. On-Site Management shall also monitor the use of parking spaces within the Development to assure that the parking spaces are provided, maintained and used in accordance with the terms of the Affordable Housing Agreement;

7. A limitation on occupancy of each unit in the Qualified Housing Development not to exceed more than such number of persons as is equal to the sum of the number of bedrooms in the unit, multiplied by two, plus one;

8. The obligation of the owner to comply with an acceptable written management plan to the Community Development Director setting forth the owner’s policies and procedures for renting, managing, maintaining and operating the Qualified Housing Development to assure a healthy and secure living environment for the residents; which is consistent with reasonable business practices and property management standards established in Orange County, California, which shall be attached to the affordable Housing Agreement;

9. A description of remedies for breach of the agreement by either party (the City may identify tenants as third party beneficiaries under the agreement); and

10. Other provisions to ensure implementation and compliance with this chapter, matters addressed in the application, and the Affordable Housing Agreement.

For more information please contact the Kennedy Commission
(949) 259-0909 or www.kennedycommission.org

Kennedy Commission Affordable Family Housing Ordinance April 5, 2005 Version
2022 West Spruce
Orange, CA 92868
April 25, 2006

Anna Pehoushek
City of Orange
300 East Chapman
Orange, CA 92868

RE: EIR General Plan Update  (State Clearinghouse #2006031117)

Dear Ms. Pehoushek,

There are several areas of concern regarding the proposed general plan update. You have doubled the size of the City of Orange but you are putting the responsibility for the highest density in one end of the city. Therefore, the congestion, air quality control, circulation of traffic, and lifestyle for the existing area is all compromised to say the least.

We have thousands of units being built currently in Anaheim, Orange, and Santa Ana. For each unit being proposed and built in Orange you are receiving hundred of dollars (totaling millions). Yet you have not proposed any new open space zoning sites/locations or acquisition for all of these thousands of units in this area where you are hoping people can walk to shopping, homes, etc. How can you have it both ways saying people will be able to live close and walk to work and shopping. Yet you collect all the money for open space but you do not acquire or propose property so residents can walk to that recreation for which the developer is being charged by the unit?

The planners are proposing thousands of units to accommodate the employees at the two major hospitals in West Orange. Planners are currently in this mode so people will be able to work close to their homes (and walk to work). Yet, the only new dwelling units being proposed within that walking distance are in the “high density” mixed used development. What makes anyone think everyone who lives and walks to the hospitals wants to live in units that can be sixty units to an acre?!!!!!! Many of the new proposals are not much larger than a garage. Where are the proposals for some single-family homes for these employees? There is no proposal, with all these grandiose plans, for any single family new zoning in the area. The only land use focus area that is being taken down in zoning is in Old Town. What about people that want to live and work in West Orange? You absolutely cannot concentrate all of these people into one area of the city without creating ghettos. Nor can you assume that all people that work at the hospitals and want to walk to work will be able to live in tiny units. You know developers will build to the maximum density allowed and that is all you are proposing! People that can afford it will not chose to live close to the hospitals but will travel to find homes that will accommodate families. There should not be neighborhood mixed use maximum on Main Street. There should be some general plan provisions for new single family homes in West Orange.
Re: Notice of Preparation of A Draft Environmental Impact Report

Dear Anna:

Thank you for the opportunity to comment as a resident on the above referenced draft Environmental Impact Report. I shall be brief since my reply is submitted late.

First of all, the General Plan update should be more contiguous with the city's revised Depot Specific Plan covering specifically, land use, noise, population, housing and toxic air contaminant impacts on adults and children, requiring a CEQA study and analysis.

Secondly, my brief comments cover only diesel engine exhaust and excessive noise levels, both of which affect adults and children who live near the railroad tracks throughout the city of Orange.

.Toxic Air Contaminants-Since October, 1990, particulate emissions from engine exhaust from trains and trucks have been listed by the State of California EPA and OEHHA agencies, known to cause cancer or reproductive toxicity.

.Prolonged exposure to excessive noise can cause hearing damage and cause stress when awakened from a sedate state and be a contributing factor to heart disease.

As you may know, there are some 64 trains (Metrolink, Amtrack and freight) currently coming through Orange, day and night. We understand that Metrolink plans to expand service by some 36 trains, every 30 minutes, by the year 2009. Commencing in early June, 2006, the first increase will add some 12-14 additional trips on weekends. Their goal is to have trains running every 30 minutes in both directions, 7 days a week from 5:00 am to midnight by 2009.

Thus, the current number of some 64 trains may well increase to some 100 trains, and does not include any additions of Amtrack or freight.

Moreover, the effect of the Santa Ana second main track
April 20, 2006

Ms. Anna Pehoushek
City of Orange Planning Department
300 East Chapman Avenue
Orange, CA 92866

File: IGR/CEQA
SCH#: 2006031117
Log #: 1717
SR: I-5, SR-22, 55, 57, 91, 241

Subject: NOP of the City of Orange General Plan Update Draft Environmental Impact Report (DEIR)

Dear Ms. Pehoushek:

Thank you for the opportunity to review and comment on the Notice of Preparation of the City of Orange General Plan Update Draft Environmental Impact Report (DEIR). The project consists of the adoption and implementation of an update to the Orange General Plan.

Caltrans District 12 status is a review agency on this project, and has the following comments:

1. The scope of the City's General Plan Update will have potentially significant and major impact on the City streets as well as the State transportation facilities surrounding the General Plan development areas that are I-5 and SR-22, 55, 57, 91 and 241. Please specify any changes related to this update on the Master Plan of Arterial Highways (MPAH).

2. New developments may require State highway improvements to accommodate an increase in traffic demands. The draft environmental document needs to examine how the update will impact State transportation facilities, as well as planned changes to State facilities. What measures will be included in the plans to guide the development and provide measures to avoid, mitigate, and minimize transportation impacts?

3. Mitigation measures and programs concerning improvements to the State facilities may require an in-lieu fee program to be established to fund such improvements. An in-lieu program may require the coordination of the City of Orange, State, adjacent cities and private developers.

4. Please include policy in the General Plan to require the City to coordinate with Caltrans on all plans, activities and projects which may affect State facilities. No work may occur on State routes without coordination and prior approval by Caltrans.

5. The land use and the traffic circulation element of the General Plan should be based on future balanced regional transportation network. The elements of the General Plan should protect "Caltrans improves mobility across California"
the various transportation systems and promote alternative modes of transportation such as transit, railways, and multi-use trails, a comprehensive pedestrian and bicycle network.

6. The detailed traffic analysis should include existing conditions and future conditions, traffic generation and distribution rates and their impacts. Existing versus future traffic volumes and Levels of Service (LOS) impacted by the various developments need to be backed by an existing and recent (not older than two years) 7/24 AM & PM Peak Hour traffic volumes/counts on the affected State facilities mentioned above.

7. For any project that impinges on Caltrans Right of Way, the applicant will be required to apply for an Encroachment Permit. As a condition of the application process, the City will be required to submit either a Storm Water Pollution Prevention Plan (SWPPP) or a Water Pollution Control Program (WPDP) pursuant to the Caltrans Storm Water Quality Handbook. In addition, biological and cultural impacts will have to be assessed to meet Caltrans standards.

8. According to Executive Order 13112, Invasive Species, it is the policy of Caltrans to limit the use of invasive species within the State Right of Way. Environmental Planning recommends the limited use and Best Management Practices to control the spread of invasive species within the general plan area affiliated with the State Right of Way.

9. Any future developments, anticipated to impact wildlife crossings, should involve coordination with Caltrans District 12 in addition to the resource agencies.

10. Post-development runoff should be less than or equal to the pre-development conditions with respect to the State transportation drainage facilities. No surface runoff is allowed to cross Caltrans right-of-way lines.

We are very willing to work with the City of Orange to achieve our mutual goals for transportation and other interrelated elements. Please continue to keep us informed of this report, and other future developments, which could potentially impact the transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Lan Zhou at (949) 756-7827.

Sincerely,

Robert F. Joseph
Chief of IGR/Community Planning Branch
District 12

c: Terry Roberts, Office of Planning and Research
    Terri Pencovic, Caltrans HQ IGR/Community Planning
    Gale McIntyre, Deputy District Director for Planning and Local Assistance
    Isaac Alonso Rice, Traffic Operations

"Caltrans improves mobility across California"