



## **2.0 Introduction and Purpose**

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## 2.0 INTRODUCTION AND PURPOSE

### 2.1 PURPOSE AND AUTHORITY

The California Environmental Quality Act (CEQA) requires that all State and local agencies consider the potential environmental impacts of projects over which they have discretionary authority. An Environmental Impact Report (EIR) is intended to provide decision-makers and the public with information concerning the potential environmental impacts of a proposed project, possible ways to reduce or avoid the possible significant environmental impacts and identify alternatives to the project. An EIR must also disclose significant impacts that cannot be avoided; growth inducing impacts; effects found not to be significant; as well as significant cumulative impacts of all past, present and reasonably anticipated future projects.

The City of Rancho Santa Margarita is the Lead Agency under CEQA and is responsible for preparing this Program EIR for the General Plan Update (State Clearinghouse No. 2018041075). This Program EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the rules, regulations, and procedures for implementation of CEQA, as adopted by the City of Rancho Santa Margarita. The principal CEQA Guidelines sections governing content of this document are Sections 15120 through 15132 (Contents of Environmental Impact Reports), and Section 15168 (Program EIR).

The purpose of this Program EIR is to review the existing conditions, analyze potential environmental impacts, identify General Plan policies and programs that serve as mitigation, and identify additional mitigation measures to reduce potentially significant effects of the proposed *Rancho Santa Margarita General Plan Update* (General Plan Update). For more detailed information regarding the proposed project, refer to Section 3.0, Project Description.

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

This document analyzes the environmental effects of the General Plan Update to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the CEQA Guidelines. The analysis considers the activities associated with the project to determine the short-term and long-term effects associated with their



implementation. This Program EIR discusses both the direct and indirect impacts of this project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects at a programmatic level.

This EIR has been prepared as a Program EIR in accordance with CEQA Guidelines Section 15168, which states the following:

*(a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:*

- (1) Geographically,*
- (2) As logical parts in the chain of contemplated actions,*
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

*(b) Advantages. Use of a program EIR can provide the following advantages. The program EIR can:*

- (1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,*
- (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,*
- (3) Avoid duplicative reconsideration of basic policy considerations,*
- (4) Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and*
- (5) Allow reduction in paperwork.*

*(c) Use with Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.*

- (1) If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.*
- (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*



- (3) *An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
  - (4) *Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operations were covered in the program EIR.*
  - (5) *A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.*
- (d) *Use with Subsequent EIRs and Negative Declarations. A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:*
- (1) *Provide the basis in an Initial Study for determining whether the later activity may have any significant impacts.*
  - (2) *Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.*
  - (3) *Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.*

## **2.2 INTENDED USES OF THIS PROGRAM EIR**

### **TIERING**

The City of Rancho Santa Margarita will use this Program EIR analysis to focus later CEQA documents prepared for future projects through the use of tiering. PRC Section 21068.5 defines "tiering" as "the coverage of general matters and environmental impacts in an environmental impact report [EIR] prepared for a policy, plan, program, or ordinance followed by narrower or site-specific environmental impact reports [EIRs] which incorporate by reference the discussion in any prior environmental impact report [EIR] and which concentrate on the environmental impacts which (a) are capable of being mitigated, or (b) were not analyzed as a significant impact on the environment in the prior environmental impact report [EIR]." CEQA Guidelines Section 15152(c) states that when a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, such as a general plan or component thereof (e.g., an area plan or community plan), the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, to a project-specific CEQA document. For future projects, the City of Rancho Santa Margarita will determine the appropriate CEQA document (e.g., EIR or Negative Declaration) that would evaluate the environmental impacts of the project being proposed at that time. Future



environmental documents analyzing the project being proposed will incorporate this Program EIR by reference and will concentrate on the site-specific issues related to the particular project (CEQA Guidelines Section 15152).

This Program EIR identifies General Plan goals and policies and mitigation measures and related performance standards that the City would apply to future proposed projects if the Program EIR is certified. In future site-specific review, the City would apply the performance standards set forth in this Program EIR to confirm that one or more mitigation measures proposed in the Program EIR would effectively avoid or reduce particular environmental impacts of the future project (CEQA Guidelines Section 15126.4(a)(1)(b)).

## **2.3 APPROACH**

State law specifies the basic contents of the General Plan; however, it permits each jurisdiction to use any format deemed appropriate or convenient. General Plans are traditionally organized into a collection of required and optional elements. These elements contain a policy component and supporting documentation. The City of Rancho Santa Margarita intends for the General Plan Update to be used primarily as a policy document and has elected to include supporting documentation for the General Plan Update, both in the Program EIR and the Technical Appendices.

## **2.4 COMPLIANCE WITH CEQA**

### **PUBLIC REVIEW OF THE DRAFT EIR**

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

Comment letters should be sent to:

City of Rancho Santa Margarita  
22112 El Paseo  
Rancho Santa Margarita, CA 92688  
Attn: Wendy Starks, AICP, Principal Planner  
wstarks@cityofrsm.org

### **FINAL EIR**

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR (if any), and responses to all written comments addressing significant environmental points raised in the comments of responsible agencies, the public, and any other reviewing parties (CEQA Guidelines Section 15132). After the Final EIR is completed, and at least ten days prior to the certification hearing, a copy of the response to comments made by public agencies on



the Draft EIR will be provided to the commenting agencies (Public Resources Code Section 21092.5).

## PROJECT CONSIDERATION

After Final EIR certification, the City Council may consider approval of the proposed project. A decision to approve the project would be accompanied by specific, written findings, in accordance with CEQA Guidelines Section 15091, and if required, a specific written statement of overriding considerations, in accordance with CEQA Guidelines Section 15093.

## 2.5 NOTICE OF PREPARATION/EIR SCOPING PROCESS

In compliance with the CEQA Guidelines, the City of Rancho Santa Margarita provided opportunities for agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties.

Pursuant to CEQA Guidelines Section 15082, the City of Rancho Santa Margarita circulated a NOP to public agencies (including the State Clearinghouse Office of Planning and Research), special districts, and members of the public who requested such notice. The NOP was distributed and received by these parties on April 30, 2018 for a 30-day public review period, which concluded on May 29, 2018.

The purpose of the NOP was to formally announce the preparation of a Draft EIR for the proposed project, and that, as the Lead Agency, the City was soliciting input regarding the scope and content of the environmental information to be included in the Program EIR. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR.

The NOP is provided in Appendix A, Notice of Preparation, and the NOP comment letters are provided in Appendix B, Notice of Preparation Comments. Table 2-1, Summary of NOP Comment Letters, summarizes the primary issues raised in the NOP comment letters and identifies the EIR section where they are addressed.



**Table 2-1  
Summary of NOP Comment Letters**

Commenter	Date	Comment Summary
Office of Planning and Research, State Clearinghouse	April 30, 2018	Provides transmittal of the NOP to responsible agencies. No comment on the scope of the EIR.
Native American Heritage Commission	May 3, 2018	Provides information pertaining to historical resources, Assembly Bill 52, and Senate Bill 18. The commenter also recommends preparation of a Cultural Resources Assessment for the project; refer to <u>Section 5.11, Tribal and Cultural Resources</u> , and <u>Appendix F, Cultural/Paleontological Resources Assessment</u> .
Department of Toxic Substance Control	May 16, 2018	Requests that the Draft EIR analyzes any current or historic hazardous materials use; recognized environmental conditions; discharge of hazardous wastewater; lead-based paints or products, mercury, asbestos containing materials; polychlorinated biphenyls (PCBs); agricultural pesticides; current or historic PCB-containing transformers; and contaminated soils and groundwater; refer to <u>Section 5.10, Hazards and Hazardous Materials</u> .
Saddleback Valley Unified School District	May 22, 2018	The letter provides current enrollment and capacity information for schools within the Saddleback Valley Unified School District (SVUSD) that would serve the proposed project. SVUSD requests the Draft EIR analyze all direct and indirect impacts on schools related to traffic, noise, air pollution, and health and safety, as well as student generation impacts from new residential development; refer to <u>Section 5.15, School Facilities</u> , <u>Section 5.4, Traffic and Circulation</u> , <u>Section 5.5, Air Quality</u> , <u>Section 5.6, Noise</u> , and <u>Section 5.10, Hazards and Hazardous Materials</u> .
South Coast Air Quality Management District	May 22, 2018	The letter provides information regarding air quality analysis methodology, recommended mitigation measures, alternatives to consider, and permit requirements. SCAQMD also requests all Draft EIR appendices and technical documents related to air quality, health risk, and greenhouse gas analyses and electronic versions of all modeling files; refer to <u>Section 5.5, Air Quality</u> .
City of Lake Forest Development Services	May 23, 2018	This letter acknowledges receipt of the NOP and has no additional comments.
Santa Margarita Water District	May 24, 2018	This letter requests a water supply assessment be prepared for the proposed project as it would introduce more than 500 dwelling units. SMWD also encourages and appreciates the City's coordination with SMWD on water-related matters as the City prepares the Draft EIR; refer to <u>Section 5.17, Water Supply</u> .
Department of Transportation District 12	May 29, 2018	This letter requests the Draft EIR take into consideration the Office of Planning and Research's 2017 General Plan Guidelines, traffic impact study methodology, multimodal planning, climate change reduction, and encroachment permits; refer to <u>Section 5.4, Traffic and Circulation</u> .
The Kennedy Commission	May 29, 2018	This letter requests effective land use alternatives for balanced growth in the General Plan Update that will allow residential development at a density of 25 dwelling units per acre and increase affordable housing opportunities for seniors, veterans, and lower income working households. These comments are not related to the scope of the Draft EIR; however, these comments have been forwarded to the City for consideration in the planning process.
Southern California Association of Governments	May 29, 2018	This letter provides information regarding the Southern California Association of Governments' (SCAG) roles and responsibilities, its 2016 Regional Transportation Plan/Sustainable Communities Strategies goals, demographics and growth forecasts for Rancho Santa Margarita, and mitigation measures that may be considered for the proposed project; refer to <u>Section 5.1, Land Use and Planning</u> .
Transportation Corridor Agencies	May 29, 2018	The Transportation Corridor Agencies (TCA) requests that the General Plan Update considers TCA's plans to widen the toll roads, including State Route 241 (SR-241) through Rancho Santa Margarita; refer to <u>Section 5.4, Traffic and Circulation</u> , and <u>Appendix C</u> .



## 2.6 FORMAT OF THE PROGRAM EIR

The Draft EIR is organized into the following sections:

- Section 1.0, *Executive Summary*, provides a summary of the project, environmental analysis, and alternatives.
- Section 2.0, *Introduction and Purpose*, provides an overview of the General Plan Update and the scope, use and approach of the Program EIR.
- Section 3.0, *Project Description*, includes a detailed description of the General Plan Update. This section describes the environmental setting and defines the project. Assumptions used during the preparation of this document are also identified.
- Section 4.0, *Basis of Cumulative Analysis*, describes the approach and methodology for the cumulative environmental analysis.
- Section 5.0, *Approach to Environmental Analysis*, evaluates the impacts associated with implementation of the General Plan Update. This section is organized according to issue area. Each area includes a description of the environmental setting relative to that issue; the environmental effects of the proposed project; mitigation measures; and determination of significance after mitigation. Mitigation measures that are incorporated into the General Plan Update in the form of goals and policies are described in the Environmental Impacts and Mitigation Measures subsection and additional mitigation measures, which may be required to mitigate project impacts, are recommended.

Impacts and mitigation measures are generally organized according to the topical areas. However, an impact or mitigation measure's location within the document should not restrict it from being considered under another issue topic, even though omitted from that section. Many of the impacts relating to the General Plan Update are multi-faceted. Similarly, the goals, policies, and actions that serve as mitigation measures and additional mitigation measures recommended, may accomplish several objectives and mitigate more than one impact. It is important that decision-makers be cognizant of this fact in their consideration and use of this document. If mitigation measures are altered, the affect that would have on other issues should be evaluated.

- Section 6.0, *Other CEQA Considerations*, discusses the long-term implications of the proposed action. Irreversible environmental changes that would be involved in the proposed action, should it be implemented, are considered. The project's growth-inducing impacts, including the potential for population growth, and energy conservation impacts are also discussed.
- Section 7.0, *Significant Unavoidable Environmental Effects if the Proposed Action is Implemented*, summarizes the environmental effects that remain significant and unavoidable with implementation of General Plan policies and mitigation measures.



- Section 8.0, *Alternatives to the Proposed Action*, is a discussion of the alternatives to the proposed project and related impacts and evaluation. An environmentally superior option is discussed in this section.
- Section 9.0, *Effects Found Not To Be Significant*, includes those impacts found to be less than significant, because the proposed project's scope could not create such impacts. This section provides a brief description of effects found not to be significant or less than significant, based on the NOP comments or more detailed analysis conducted as part of the EIR preparation process.
- Section 10.0, *Organizations and Persons Consulted*, identifies all Federal, State, or local agencies, other organizations, and individuals consulted.
- Appendices, contains technical documentation for the project.

## 2.7 RESPONSIBLE AND TRUSTEE AGENCIES

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

- “Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (§15381)
- “Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; the California Department of Fish and Game, the State Lands Commission; the State Department of Parks and Recreation and the University of California with regard to sites within the Natural Land and Water Reserves System. (§15386)

The following are a list of Responsible and Trustee Agencies and other entities that may use this EIR for informational purposes or in their decision-making process, such as the issuance of regulatory permits, use permits, utility will-serve letters, etc. It should be noted that the purpose of the General Plan Update is to accommodate future projected growth and does not itself propose any new development. As projects come in, they will be evaluated at the project-level by applicable agencies/entities to determine which permits would be required.

- California Air Resources Board (CARB);
- California Department of Conservation;
- California Department of Fish and Wildlife;
- California Department of Toxic Substances Control;
- California Department of Transportation (Caltrans);



- California Emergency Management Agency;
- California Energy Commission;
- California Environmental Protection Agency (CalEPA);
- California Office of Emergency Services;
- Capistrano Unified School District;
- City of Lake Forest;
- City of Mission Viejo;
- Metropolitan Water District of Southern California;
- Orange County Fire Authority;
- Orange County Health Department;
- Orange County Public Library;
- Orange County Public Works Department;
- Orange County Planning & Development;
- Orange County Sanitation District;
- Orange County Transportation Authority;
- Saddleback Valley School District;
- San Diego Regional Water Quality Control Board (RWQCB);
- Santa Margarita Water District;
- South Coast Air Quality Management District (SCAQMD);
- Southern California Association of Governments (SCAG);
- Trabuco Canyon Water District; and
- U.S. Environmental Protection Agency.

## 2.8 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines Section 15148, which encourages "incorporation by reference" as a means of reducing redundancy and length of environmental reports. The documents listed below, which are available for public review at the City of Rancho Santa Margarita, Planning Department, at 22112 El Paseo, Rancho Santa Margarita, CA, 92688 are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. A brief synopsis of the scope and content of these documents is provided below.

- Rancho Santa Margarita General Plan (adopted December 19, 2002). The *Rancho Santa Margarita General Plan (2002 General Plan)*, which was adopted in 2002, serves as a blueprint for directing the City's future growth and presents comprehensive policies and programs designed to accommodate the City's growing needs. The 2002 General Plan consists of the following State mandated and optional elements: Land Use; Economic Development; Circulation; Housing; Conservation/Open Space; Safety; and Noise. The Housing Element was updated in September 2013 in compliance with the 2013-2021 planning cycle for cities within the SCAG region. The Circulation Element was adopted in January 2014. The General Plan Update (project) does not propose changes to the Housing Element or Circulation Element. Data contained within the 2002 General Plan, 2013-2021 Housing Element, and 2014 Circulation Element have been utilized within this EIR where applicable.



- Housing Element. The 2013-2021 Housing Element is a guide for housing within Rancho Santa Margarita. The Housing Element provides a strategy to address housing needs and identifies a series of specific housing programs to meet community needs. This element covers an eight-year planning period from October 15, 2013 through October 15, 2021. It identifies strategies and programs that focus on: 1) providing diverse housing sites and opportunities; 2) conserving and improving the existing affordable housing stock; 3) removing governmental and other constraints to housing development; and 4) promoting equal housing opportunities.
- Circulation Element. The intent of the Circulation Element is to provide a safe, efficient, and adequate circulation system for the City. The Circulation Element addresses the circulation improvements needed to provide adequate capacity for future land uses. The element establishes a hierarchy of transportation routes with typical development standards described for each roadway category.
- Rancho Santa Margarita Municipal Code. The *Rancho Santa Margarita Municipal Code* (Municipal Code) consists of all the regulatory and penal ordinances and administrative ordinances of the City of Rancho Santa Margarita. The Municipal Code is one of the City's primary tools to control land uses, in accordance with the General Plan programs and policies. The City's Zoning Ordinance, included in Municipal Code Title 9, *Planning and Zoning*, is an implementing tool to: 1) achieve the goals and policies established in the General Plan; 2) serve the public health, safety, and general welfare of the City of Rancho Santa Margarita; and 3) provide the economic and social advantages resulting from an orderly planned use of land and resources. Municipal Code Title 10, *Buildings and Construction*, adopts the 2016 California Building Standards Code, with amendments in consideration of the City's local climactic, geological, and topographical considerations. Other relevant Municipal Code regulations include the following, among others: Title 5, *Health and Sanitation*; Title 7, *Recreation, Parks and Facilities*; and Title 11, *Streets and Sidewalks*.