

## 2.0 INTRODUCTION

This Environmental Impact Report (EIR) has been prepared to evaluate environmental impacts associated with the proposed Nakase Nursery/Toll Brothers Project (Project) in Lake Forest, California. The City of Lake Forest (City) is the “public agency which has the principal responsibility for carrying out or approving the project”<sup>1</sup> and, as such, is the “Lead Agency” for the proposed Project under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.). CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action on the proposed Project. This EIR is intended to serve as an informational document to be considered by the City and any Responsible Agencies during deliberations on the proposed Project. PRC Section 21069 defines a “Responsible Agency” as a public agency other than the Lead Agency that has responsibility for carrying out or approving a project. The approvals and permits associated with the proposed Project are described in Chapter 3.0, Project Description.

Based upon the Initial Study prepared for the proposed Project, the City, as Lead Agency, determined that the proposed Project may have a significant effect on the environment and that an EIR would be required to more fully evaluate potential adverse environmental impacts that may result from development of the proposed Project. As a result, this EIR has been prepared in accordance with CEQA and the *State CEQA Guidelines* (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). This EIR also complies with the procedures established by the City for the implementation of CEQA.

Questions regarding the preparation of this document and City review of the proposed Project should be referred to the following person:

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### 2.1 PURPOSE AND TYPE OF EIR/INTENDED USES OF THE EIR

This EIR has been prepared to evaluate potential environmental impacts that could result from implementation of the proposed Project. As the Lead Agency, the City has the principal responsibility for approving the proposed Project. In that capacity, the City has decided to prepare this EIR and, after the public review process, will decide whether to certify the Final EIR.

The City and any Responsible Agencies have the authority to make decisions on discretionary actions relating to development of the proposed Project. As stated previously, this EIR is intended to serve as an informational document to be considered by the City and Responsible Agencies during

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<sup>1</sup> As defined in PRC Section 21067.

deliberations on the proposed Project. This EIR evaluates a reasonable worst-case scenario of potential impacts associated with the proposed Project and identifies feasible mitigation and alternatives for any identified potentially significant impacts.

This EIR will serve as a Project EIR pursuant to *State CEQA Guidelines* Section 15161. According to Section 15161 of the *State CEQA Guidelines*, a Project EIR is appropriate for specific development projects and should examine the environmental impacts that could result from all phases of the project, including planning, construction, and operation.

As the Lead Agency for the proposed Project under CEQA, the City must consider the information contained in the Final EIR prior to taking any discretionary action with respect to the proposed Project. This EIR provides information to the Lead Agency and other public agencies, the general public, and decision-makers regarding the potential environmental impacts from construction and operation of the proposed Project. The purpose of the public review of this EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. *State CEQA Guidelines* Section 15151 states the following regarding standards from which adequacy is judged:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

PRC Section 21002.1(a) states:

“The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.”

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the *State CEQA Guidelines* and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

## 2.2 PUBLIC REVIEW PROCESS

In compliance with CEQA and the *State CEQA Guidelines*, the City has taken steps to promote opportunities for the public and other public agencies to participate in the environmental review process. The City conducted the scoping process, issued a Notice of Preparation (NOP), prepared an Initial Study for the proposed Project, and determined that an EIR was required to evaluate the potentially significant environmental effects of the proposed Project and related actions. Additionally, a public scoping session was conducted, as discussed below.

### 2.2.1 Notice of Preparation

On July 16, 2018, an NOP for the proposed Project was distributed by the City via the State Clearinghouse (SCH). The SCH issued a project number for this EIR (SCH No. 2018071035). In accordance with *State CEQA Guidelines* Section 15082, the NOP was circulated to the agencies and individuals listed in Appendix A and was posted at the Orange County Clerk's Office for a period of 30 days, during which time written comments were solicited pertaining to environmental issues/topics that this EIR should evaluate. The NOP was also made available for public review at the City's Planning Department and on the City's website during the review period. Responses to the NOP were received from the following agencies:

- Governor's Office of Planning and Research, State Clearinghouse
- South Coast Air Quality Management District (SCAQMD)
- Southern California Association of Governments (SCAG)
- Southern California Edison (SCE)
- Santa Ana Regional Water Quality Control Board (RWQCB)
- Saddleback Valley Unified School District (SVUSD)
- California Department of Fish and Wildlife (CDFW)
- California Department of Transportation (Caltrans)
- City of Irvine
- Irvine Ranch Water District (IRWD)
- Native American Heritage Commission (NAHC)
- Natural Communities Coalition
- Orange County Public Works
- Orange County Fire Authority (OCFA)
- Transportation Corridor Agencies (TCA)

In addition, the following organizations and interested parties submitted written comments on the NOP:

- Autumnwood Homeowners Association
- Andrea Alexander
- Bob Holtzclaw
- Bob Stuart
- Charles Larson
- Judy Esposito
- Loretta Herrin
- Richard Sullivan
- Robert (Tim) and Melissa Leech
- Sima Soltani
- Sue Nath

## 2.2.2 Scoping Meeting and Areas of Controversy

The City held a public scoping meeting at Lake Forest City Hall on Wednesday, July 25, 2018, to present the proposed Project and to solicit input from interested parties regarding environmental issues that should be addressed in this EIR. The material environmental issues and concerns raised in response to the NOP or at the scoping meeting included:

- **Traffic:** Concerns about additional traffic on Bake Parkway and the appropriate number of traffic lanes on Bake Parkway, evaluation of a traffic signal coordination program along Bake Parkway, concern regarding traffic conditions during peak hours, pedestrian and bike safety, parking issues, traffic-related air and noise pollution, concern with vehicle queuing and parking on nearby roads, concern about school-related traffic impacts, and concern about truck and motorcycle traffic on Bake Parkway.
- **Noise:** Concerns about traffic-related increases in noise pollution, suggestions of noise mitigation, including special pavement, triple-paned windows, or a noise barrier along Bake Parkway, concern with noise level along Bake and Rancho Parkways, concern about existing truck and motorcycle noise along Bake Parkway, concern about lack of enforcement of the City's noise ordinance, and concern about elevated backyard noise levels.
- **Air Quality:** Concern about additional vehicle emissions, concern about worsening air quality in adjacent neighborhoods, concern about particulate matter and carcinogens along Bake Parkway, suggestion to conduct sampling for particulate matter in neighborhoods along Bake Parkway between Trabuco Road and Portola Parkway, suggestion to prepare a health risk assessment for the project, suggestion to implement mitigation measures for the proposed project, and suggestion to adhere to guidelines from the SCAQMD and its *Air Quality Handbook*.
- **Alternatives:** Suggestion to evaluate the development of a park and/or garden on the Nakase site, suggestion to make the site into a community garden or forest, suggestion to more clearly define the Project's scope and evaluate a range of alternatives, and suggestion to pursue alternatives that would substantially lessen the project's air quality impacts.
- **Biological Resources:** Concern about potential impacts to coastal sage scrub and associated species, suggestion to include mitigation measures for potential impacts to riparian corridors and wetlands, suggestion to complete jurisdictional delineation, apply for Lake and Streambed Alteration Agreement, and to satisfy the California Endangered Species Act Incidental Take Permit requirements, suggestion to avoid impacts where feasible and to mitigate for impacts to rare natural communities and sensitive plants, animals, or habitats, and concern to avoid impacts to nesting or migratory birds.
- **Hazards and Hazardous Materials:** Suggestion to complete a Water Pipeline Risk Assessment and Electromagnetic Field (EMF) study for the proposed school site, suggestion that the significance conclusion related to wildland fire hazards be revised to reflect a Fuel Modification Conceptual Plan and a Fire Protection Plan with an Ember Mitigation have been approved for the project, and suggestion to ensure that floodplains are identified and structures conform to

Federal Emergency Management Agency (FEMA) regulations with regard to placement adjacent to flood hazards.

- **Hydrology:** Suggestion to review all local hydrology and hydraulic analyses to confirm the Project is protected from erosion and flooding, concern about increased runoff caused by the project, suggestion to incorporate mitigation measures to reduce impacts to hydrology, erosion, and flooding, and concerns about impacts to water quality and storm water runoff.
- **Land Use/Planning:** Opposition to zoning change for the nursery, concern about the Project's consistency with the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and suggestion to include a direct comparison with the plan, suggestion to incorporate practices and policies that would reduce greenhouse gas (GHG) emissions in accordance with Assembly Bill (AB) 32 and Senate Bill (SB) 375 into the Area Plan, and suggestion to ensure consistency with applicable general plan and regional plans.
- **Public Services:** Suggestion to implement mitigation measures to public services, including fire services, and concern about potential increase in demand for public services.

Please note that this is not an exhaustive list of areas of controversy, but rather key issues that were raised during the scoping process. This EIR addresses each of these areas of concern or controversy in detail, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures and/or alternatives designed to reduce or eliminate potentially significant impacts. Appendix A to this EIR includes the NOP and copies of written comments received in response to the NOP, comments received via Facebook Live at the Public Scoping Meeting, as well as written comment cards received in response to the public scoping meeting. Appendix A also includes a comment summary.

### 2.2.3 EIR Public Review Period

This EIR is being distributed to numerous public agencies and other interested parties for review and comment. This EIR is also available at the following locations and on the City's website for the proposed Project (<https://www.lakeforestca.gov/924/Nakase-Property>):

City of Lake Forest  
Community Development Department  
Planning Division  
25550 Commercentre Drive, Suite 100  
Lake Forest, CA 92630

Foothill Ranch Branch Library  
27002 Cabriole  
Foothill Ranch, CA 92610

El Toro Public Library  
24672 Raymond Way  
Lake Forest, CA 92630

All comments received from agencies and individuals on this EIR will be accepted during the public comment period, which will not be less than 45 days, in compliance with CEQA and the *State CEQA Guidelines*. All comments on this EIR should be sent to the following City contact person:

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Email: mluna@lakeforestca.gov  
Phone: (949) 461-3466

Following the close of the public comment period, the City will prepare written responses to all written comments received during the public comment period and will compile these comments and responses, together with any text changes to this EIR, into a Final EIR that includes all of the information required pursuant to *State CEQA Guidelines* Section 15132. The Final EIR will be provided to all public agencies that submitted comments on this EIR at least 10 days prior to certification of the Final EIR. The Final EIR shall consist of the EIR or a revision of the draft; comments and recommendations received on the EIR either verbatim or in summary; a list of persons, organizations, and public agencies commenting on the EIR; the response of the City to significant environmental points raised in the review and consultation process and in comments submitted on the Draft EIR; and any other information added by the City.

The City will make findings regarding the extent and nature of the impacts as presented in the Final EIR. The Final EIR must be certified as complete by the City Council prior to making a decision on the requested entitlements for the proposed Project. Public input is encouraged at all public hearings regarding the proposed Project.

### 2.3 SCOPE OF THIS EIR

As required by *State CEQA Guidelines* Section 15128, this EIR must identify the effects of the proposed Project that are determined to be significant. Environmental topics addressed in this EIR include: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Paleontological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, Tribal Cultural Resources, Utilities, and Wildfire.

As discussed in Section 2.2 above, the scoping process for this EIR included the preparation of an Initial Study. Per *State CEQA Guidelines* Section 15063, the City conducted an Initial Study to determine whether the proposed Project could have a significant effect on the environment. The City determined that the proposed Project may have a significant impact on the environment and issued an NOP soliciting comments from Responsible and Trustee Agencies and other interested parties, including members of the public. In addition to identifying potentially significant impacts of the proposed Project that required additional study, the Initial Study also identified effects determined not to be significant consistent with *State CEQA Guidelines* Section 15063(c)(3)(B). Impacts that were determined to be less than significant are discussed and evaluated in the Initial Study, which is included in Appendix A of this EIR. The analysis determined that the proposed Project would not have the potential to cause significant impacts in the following areas:

- Aesthetics (related to daytime glare, unscreened outdoor uses, building massing, contrasting architectural styles)
- Agriculture and Forestry (related to conflicts with existing zoning for forest land and the loss or conversion of forest land)
- Air Quality (odors)
- Geology and Soils (Alquist-Priolo Earthquake Fault Zones, landslides, and soils capability to support the use of septic tanks or other alternative wastewater disposal systems)
- Hazards and Hazardous Materials (wildland fires)
- Hydrology and Water Quality (flooding, flood hazard areas, and inundation)
- Land Use and Planning (division of an established community)
- Mineral Resources
- Population and Housing (displacement of housing and people)
- Transportation (parking)
- Utilities and Service Systems (wastewater treatment requirements of the applicable RWQCB)

Topics that would not have the potential to cause significant impacts are discussed solely in the Initial Study and can be found in Appendix A of this EIR. The City's Initial Study and Environmental Checklist Form are discussed in Chapter 4.0 of this document, and a copy of the Initial Study and Environmental Checklist for the proposed Project is included in Appendix A of this EIR.

## 2.4 FORMAT OF THE EIR

This EIR contains the information and analysis required by CEQA and the *State CEQA Guidelines*, including Section 15122–15131, and is generally organized as follows:

- **Chapter 1.0: Executive Summary.** Chapter 1.0 contains the Executive Summary of this EIR, which lists all significant project impacts, feasible mitigation measures that have been recommended to reduce any significant impacts of the proposed Project, and the level of significance of each impact following feasible mitigation. The summary is presented in a table format.
- **Chapter 2.0: Introduction.** Chapter 2.0 contains a discussion of the purpose and intended use of this EIR.
- **Chapter 3.0: Project Description.** Chapter 3.0 includes a discussion of the proposed Project's geographical setting, the project site's previous uses, and the proposed Project's objectives, characteristics, components, and construction phases, as well as the anticipated discretionary and ministerial permits and approvals for the proposed Project.

- **Chapter 4.0: Environmental Impact Analysis.** Chapter 4.0 includes an analysis of the proposed Project's environmental impacts. It is organized into the following topical sections: aesthetics, agricultural resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service system, and wildfire. The environmental setting discussions describe the "existing conditions" of the environment on the Project site and in the vicinity of the site as they pertain to the environmental issues being analyzed (*State CEQA Guidelines* Section 15125).

The impact discussions identify and focus on the potentially significant environmental effects of the proposed Project. The direct and indirect effects of the proposed Project on the environment are identified and described, giving due consideration to both the short-term and long-term effects, as necessary (*State CEQA Guidelines* Section 15126.2[a]).

Chapter 4.0 also includes within the analysis of each environmental topic a discussion of the cumulative effects of the proposed Project when considered in combination with other projects causing related impacts, as required by *State CEQA Guidelines* Section 15130. Cumulative impacts are based on the build out of the proposed Project and the known relevant approved and proposed projects in the surrounding area.

The discussions of mitigation measures identify and describe feasible measures that could minimize or lessen potentially significant impacts for each significant environmental effect identified in this EIR (*State CEQA Guidelines* Section 15126[e]). The levels of significance before and after mitigation are provided. Significant unavoidable adverse effects are identified where mitigation is not expected to reduce the effects to less than significant levels.

- **Chapter 5.0: Alternatives to the Proposed Project.** In accordance with CEQA, the alternatives discussion in Chapter 5.0 describes a reasonable range of alternatives that could feasibly attain the basic objectives of the proposed Project and are capable of eliminating or substantially reducing any of the proposed Project's significant unavoidable adverse environmental effects or reducing them to a less than significant level. The alternatives analyzed in Chapter 5.0 include a No Project/Business Park Alternative (existing General Plan), Urban Industrial/Residential, No School Alternative, and a Reduced Project Alternative.
- **Chapter 6.0: Other CEQA Considerations.** Chapter 6.0 contains discussions on the following topics as required by *State CEQA Guidelines* Section 15126: (1) growth-inducing impacts of the proposed Project; and (2) whether there are any significant adverse environmental impacts associated with the proposed Project for which either no mitigation or only partial mitigation is feasible.



- **Chapter 7.0: List of Preparers.** Chapter 7.0 provides the organizations and persons contacted during preparation of this EIR, the EIR preparers and technical report authors, and other experts involved in the preparation of this EIR.
- **Chapter 8.0: References.** Chapter 8.0 provides the references used in this EIR.

## 2.5 INCORPORATION BY REFERENCE

An EIR may incorporate by reference all or portions of another document that is a matter of public record or is generally available to the public, consistent with *State CEQA Guidelines* Section 15150. Informational details from the documents that have been incorporated by reference are summarized in the appropriate sections of this EIR, along with descriptions regarding how the public may review these documents. All documents are available for review at the City of Lake Forest, Planning Division. These documents include:

- City of Lake Forest General Plan (available online at: <https://www.lakeforestca.gov/292/Planning-Documents>)
- City of Lake Forest Municipal Code (available online at: <https://qcode.us/codes/lakeforest/>)

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