

April 2020 | Initial Study

# CREEKSIDE SPECIFIC PLAN

City of San Juan Capistrano

*Prepared for:*

**City of San Juan Capistrano**

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## Abbreviations and Acronyms

AB	Assembly Bill
afy	acre-feet per year
AQMP	air quality management plan
BMP	best management practices
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CBC	California Building Code
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CFS	cubic feet per second
CGS	California Geologic Survey
CUSD	Capistrano Unified School District
DDE	dichlorodiphenyldichloroethylene
DMA	drainage management area
EIR	environmental impact report
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gases
HAS	hydrologic sub-area
HCOC	hydrologic conditions of concern
HOA	homeowners association
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MRZ	mineral resource zone
MS4	Municipal Separate Storm Sewer System
MWS	modular wetland system
NCCP/HCP	natural community conservation plan / habitat conservation plan
NPDES	National Pollution Discharge Elimination System
NOP	notice of preparation
OCFA	Orange County Fire Authority
OCSD	Orange County Sheriff's Department
RCP	reinforced concrete pipe
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy

## Abbreviations and Acronyms

SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SJBA	San Juan Basin Authority
SJCMC	San Juan Capistrano Municipal Code
SoCAB	South Coast Air Basin
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	California State Water Resources Control Board
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
VHFHSZ	very high fire hazard severity zone
VOC	volatile organic compound
WQMP	water quality management plan

# 1. Introduction

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Integral Communities, the project applicant (Applicant), proposes to demolish an existing one-story vacant industrial building (approximately 123,000 square feet) and associated parking and develop a 188-unit residential community and provide necessary roadway improvements on a site totaling 16.9 acres through implementation of the Creekside Specific Plan (proposed project), in the City of San Juan Capistrano, Orange County.

This Initial Study presents information on the project and an evaluation of the probable environmental effects anticipated by the project. Together with the Notice of Preparation (NOP) and the Environmental Checklist Form, the Initial Study has been distributed to all responsible agencies as required by the California Environmental Quality Act (CEQA). A notice has also been sent to all responsible and trustee agencies, and interested parties indicating that these documents are available for a 30-day public review on the project's website (<http://sanjuancapistrano.org/Departments/Development-Services/Planning-Zoning/Environmental-Documents>).

## 1.1 PROJECT LOCATION

The 16.9-acre project site consists of a 15.3-acre parcel at 30700 Rancho Viejo Road (Assessor's Parcel Number [APN] 650-111-15) and the adjacent 1.6-acre parcel (APN 650-112-07) west of Rancho Viejo Road in the City of San Juan Capistrano, Orange County. San Juan Capistrano is surrounded by the cities of San Clemente, Dana Point, Laguna Niguel, and Mission Viejo and unincorporated Orange County. (See Figures 1, *Regional Location*, and 2, *Local Vicinity*.) The project site is bordered by vacant area and I-5 freeway to the west, sloped open space to the east, Malaspina Road to the north, an existing industrial use (i.e., Fluidmaster) to the south. The off-site sloped open space area bordering the eastern property line is owned by the Marbella Homeowners Association (HOA), and is identified as the "extent of impact" area. A shared-driveway with Fluidmaster divides the project site and the industrial property. The project site is currently accessed via two driveways from Rancho Viejo Road and a driveway from Malaspina Road. (See Figure 3, *Aerial Photograph*.)

## 1.2 ENVIRONMENTAL SETTING

### 1.2.1 Existing Land Use

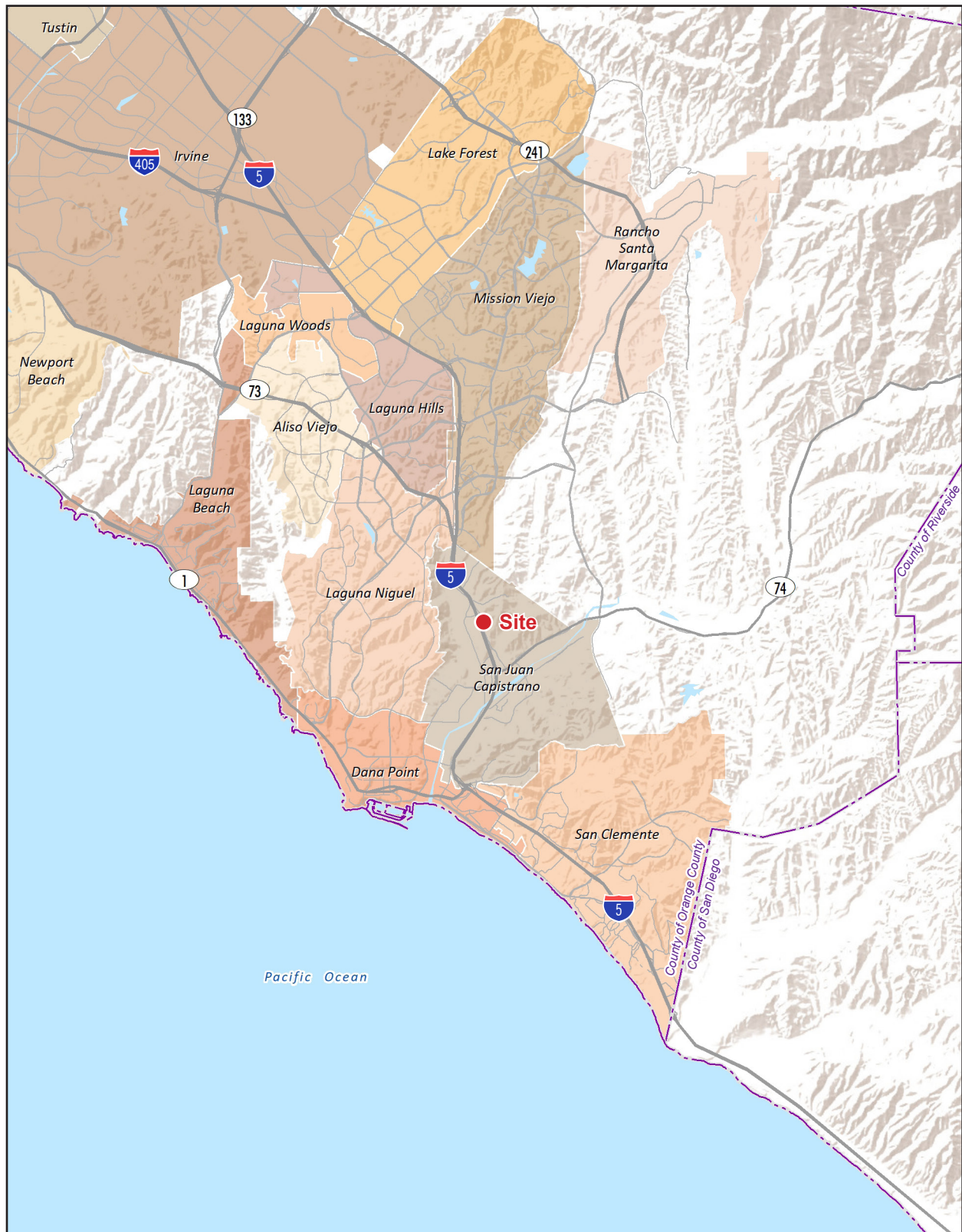
The 15.3-acre portion of the project site is developed with a vacant, one-level, 123,000-square-foot industrial building and associated surface parking lot, driveways, and walkways. The building was previously used by the Endevco Corporation and later Meggitt Inc. for manufacturing measurement instruments. The building has been vacant since 2013 and has been an ongoing source of code enforcement issues related to graffiti, poorly maintained vegetation, illegal dumping, and unauthorized entry. The 1.6-acre portion of the project site is undeveloped with trees and shrubs, serving as a buffer between the I-5 freeway and Rancho Viejo Road.

## 1. Introduction

### 1.2.2 Surrounding Land Use

The project site is surrounded by office/research park to the north and general open space to the north and northeast; industrial park to the north; single-family detached residential to the east and southeast with a medium density (LU 2.3 MD) and medium low density (LU 2.2 MLD); and office/industrial use to the south (i.e., Fluidmaster Inc.). The east medium density and the southeast medium low-density residential areas are zoned PC (CDP86-4) with a density of 3.6 to 5.0 units per acre and 2.1 to 3.5 units per acre, respectively. Beyond the medium density and medium low-density residential uses is a golf course designated as open space recreation. Interstate 5 is west of Rancho Viejo Road. Beyond open space area to the north and northeast is Malaspina Estates, a very low density residential (LU 2.0 VLD) area with a maximum density of 0.4 unit per acre and minimum lot area of 2.5 acres.

Figure 1 - Regional Location  
1. Introduction



Note: Unincorporated county areas are shown in white.

Source: ESRI, 2019

0 3  
Scale (Miles)



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## 1. Introduction

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Figure 2 - Local Vicinity  
1. Introduction



- Project Boundary
- ..... Extent of Impact Boundary

0 2,000  
Scale (Feet)



Source: ESRI, 2020

## 1. Introduction

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Figure 3 - Aerial Photograph  
1. Introduction



- Project Boundary
- Extent of Impact Boundary

0 500  
Scale (Feet)



Source: Nearmap, 2019



## 1. Introduction

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## 1. Introduction

## 1.3 PROJECT DESCRIPTION

## 1.3.1 Proposed Land Use

The Project Applicant proposes to demolish the existing 123,000-square-foot building formerly used for manufacturing to construct 188 residential units on 15.3 acres through implementation of the Creekside Specific Plan (proposed project or Creekside SP). The proposed project would also require realignment of Rancho Viejo Road adjacent to the project site, impacting the 1.6-acre portion of the project site west of Rancho Viejo Road. The 188 units would consist of 107 detached single-family units and 81 multi-family attached units (townhomes). (See Figure 4, *Proposed Site Plan*.) Development would follow the design guidelines chapter of the Specific Plan, which provides a design framework for streetscape, landscape, and buildings to convey a unified community character. Any development plan under the Specific Plan would be submitted to the City of San Juan Capistrano for architectural review and approval.

The portion of the project site that would be developed with two types of single-family detached product, a conventionally loaded type with a maximum density of 9 dwelling units per acre (du/ac) and an alley loaded product with a maximum density of 12 du/ac both with a minimum lot area of 2,000 square feet. The portion with multifamily attached product would have a maximum density of 16 du/ac for duplexes and triplexes product and 19 du/ac for four attached units or more. Multifamily attached products would have a minimum lot area of 1 acre. A development summary is presented in Table 1, *Single-Family Detached and Multifamily Attached Site Development Standards Summary*.

**Table 1 Single-Family Detached and Multifamily Attached Site Development Standards Summary**

Element <sup>1</sup>	SF Detached (Conventionally Loaded)	SF Detached (Alley Loaded)	MF Attached (Duplexes & Triplexes)	MF Attached (4 Attached Units or More)
Max Density	9 du/ac	12 du/ac	16 du/ac	19 du/ac
Min Lot Area	2,000 sq. ft.	2,000 sq. ft.	1 ac	1 ac
Min Public Street Frontage (as defined by SJCMC)	35 ft	35 ft	150 ft	150 ft
<b>Building Separations</b>				
Min Front Door to Front Door	n/a	n/a	15 ft	15 ft
Min Front Door to Side Living Space	n/a	n/a	15 ft	15 ft
Min Side Living Space to Side Living Space	n/a	n/a	15 ft	15 ft
Min Rear Living Space to Rear Living Space	n/a	n/a	10 ft	15 ft
Min Garage Face to Garage Face	n/a	n/a	25 ft	25 ft
<b>Building Setbacks (From Private Street/Alley)</b>				
Min Front Yard to Living Space or Porch	5 ft (from back of sidewalk)	8 ft (from back of sidewalk)	8 ft (from back of sidewalk)	8 ft (from back of sidewalk)
Min Front Yard to Garage Face	5 ft (18 ft if using full driveway) (from back of sidewalk)	n/a	n/a	n/a
Min Front Yard to Porch/Low-Wall	n/a	3 ft (from back of sidewalk)	3 ft (from back of sidewalk)	3 ft (from back of sidewalk)

# 1. Introduction

**Table 1 Single-Family Detached and Multifamily Attached Site Development Standards Summary**

Element <sup>1</sup>	SF Detached (Conventionally Loaded)	SF Detached (Alley Loaded)	MF Attached (Duplexes & Triplexes)	MF Attached (4 Attached Units or More)
Min Interior Side Yard to Living Space	3 ft	3 ft	n/a	n/a
Min Side Yard on Corner Lot	8 ft (from back of sidewalk) / 5 ft (if curb only)	8' (from back of sidewalk) / 5 ft (if curb only)	n/a	n/a
Min Rear Yard to Living Space	5 ft	n/a	8 ft (from back of sidewalk)	8 ft (from back of sidewalk)
Side Yard Setbacks - To Living Space	n/a	n/a	8 ft (from back of sidewalk) / 5 ft (if curb only)	5 ft (from back of curb)
Min Drive/Driveway Apron	n/a	3 ft (18 ft if using full driveway) (from back of curb)	3 ft (must be 18 ft if used for parking)	0 ft (must be 18 ft if used for parking)
Min Building Setback from Project Boundary	15 ft (12 ft if along southern boundary)	20 ft (12 ft if along southern boundary)	15 ft (12 ft if along southern boundary)	15 ft (12 ft if along southern boundary)
Min Building Setback to Public Street	20 ft	20 ft	20 ft	20 ft
<b>Other Requirements</b>				
Max Lot Coverage Ratio	65%	65%	n/a	n/a
Max 2nd Floor/1st Floor Ratio	115% <sup>2, 3</sup>	115% <sup>2, 3</sup>	100% <sup>7</sup>	100% <sup>7</sup>
Max Building Height	35 ft	35 ft	35 ft	35 ft
Min Common Open Space Per Unit	400 sq. ft. <sup>4</sup>	400 sq. ft. <sup>4</sup>	300 sq. ft. <sup>8</sup>	300 sq. ft. <sup>8</sup>
Min Private Open Space Per Unit	100 sq. ft. <sup>5</sup>	100 sq. ft. <sup>5</sup>	50 sq. ft. <sup>9</sup>	50 sq. ft. <sup>9</sup>
Min Garage Face to Garage Face Separation	n/a	30 ft	n/a	n/a
Max Architectural Encroachment into Setback Area <sup>6</sup>	1 ft (side and rear yard only)	1 ft (side and rear yard only)	1 ft (side and rear yard only)	1 ft (side and rear yard only)

<sup>1</sup> All homes may be two-stories.

<sup>2</sup> Plane breaks are mandatory in the elevations to break up the wall plane.

<sup>3</sup> Single-story element required on all elevations visible from street or open space.

<sup>4</sup> Common Open Space calculation may include all HOA-maintained open space areas.

<sup>5</sup> Private open space can be aggregate of all levels (including patios, balconies and roof decks).

<sup>6</sup> These include eaves, cornices, chimneys, and similar minor projections)

<sup>7</sup> Plane breaks are mandatory in the elevations to break up the wall plane.

<sup>8</sup> Common Open Space calculation may include all HOA-maintained open space areas.

<sup>9</sup> Private open space can be aggregate of all levels (including patios, balconies and roof decks).



## 1. Introduction

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## 1. Introduction

The Project Applicant would be responsible for provision of all necessary infrastructure improvements associated with the Specific Plan, including but not limited to sewer facilities, storm drainage, on- and off-site water facilities, residential streetscape, and common area improvements. Maintenance of the mainline sewer and on- and offsite water facilities would be the responsibility of the City of San Juan Capistrano or the City's utilities successor agency, once the improvements are constructed. A homeowners association (HOA) would be established to protect, maintain, and enhance the community for perpetuity, managing the long-term maintenance of items on-site not maintained by the City, such as stormwater and private area improvements. The HOA would be responsible for operating and maintaining the residential streetscape, common area improvements such as lighting, and irrigation systems.

### On-Site Amenities

The proposed project would provide its own HOA-maintained swimming pool and recreational area. The proposed project would provide a minimum of 400 square feet per dwelling unit of common open space and 100 square feet of private open space for the 107 single-family products; and a minimum of 300 square feet of common open space per unit and 50 square feet of private open space per unit for the townhome products. Refer to Table 1, above.

### Landscape Standards

The landscape design would include drought-tolerant, low- to moderate-water-use plants that meet the City of San Juan Capistrano's Water Efficient Landscape Guidelines (Ordinance 1054) and the City of San Juan Capistrano Municipal Code (SJCMC) Section 8-20.01.

### Lighting Standards

The Specific Plan would incorporate energy efficient lighting technologies, and lighting would be used along streets, homes, and in recreation areas. Pedestrian walkways would be provided for the enhancement of safety and visibility. Landscape accent lighting would also be used to highlight landscape focal points and onsite monument signs. All lighting would be shielded, recessed, or directed downward so that light is contained within Creekside to the greatest extent possible. Light fixtures would be selected to prevent glare and spillover onto adjacent properties and to minimize lighting of the night sky. Locations of exterior lights would comply with the City of San Juan Capistrano's safety standards and the SJCMC Sec. 9-3.529.

### Access and Roadway Improvement

The main entrance, gated with keypad, would be provided from Rancho Viejo Road. Rancho Viejo Road would be realigned and improved to two lanes each way within the project vicinity as shown in Figure 5, *Rancho Viejo Road Street Improvement Plan*. The realignment of Rancho Viejo Road and necessary easement provision would require disturbance of the existing Rancho Viejo Road right-of-way and the 1.6-acre portion of the project site. A secondary access would be provided from the 25-foot easement road along the southern boundary. This easement would also provide access to the adjacent property to the south (i.e., Fluidmaster). The entire Specific Plan community would be gated, but the individual product neighborhoods within the project site would be

## 1. Introduction

non-gated. The internal circulation network would consist of all private streets with on-street parking where feasible. Alleys for the townhomes would be for garage access only and would not contain guest parking spaces.

### Parking

The Specific Plan would require that all residential units have attached garage with two enclosed parking spaces per home, and have 0.5 guest space per home that does not have to be covered. Therefore, at a minimum, 376 garage spaces, and 94 uncovered guest spaces would be provided. On-street parking would be allowed where feasible. Alleys for the townhomes would be for garage access only and would not contain guest parking spaces. The SJCMC Section 9-3.535, *Parking*, requires both single-family and multi-family residences to provide two off-street parking spaces and 0.8 guest space per dwelling unit, and two spaces have to be in a garage for single-family residences and only one has to be enclosed or covered. Guest spaces do not have to be covered.

### Utilities

#### *Water<sup>1</sup>*

The proposed project would connect to the City's existing water infrastructure and would be serviced by the City's Utilities Department or the City's utilities successor agency. The proposed project would connect to the existing 10-inch water line in Malaspina Road with a proposed 10-inch line at the northeast corner of the project site. A second point of connection would be at the southeast corner of the project site with a proposed eight-inch water line, into an existing ten-inch water line in the driveway/parking lot of the adjacent property (i.e., Fluidmaster). Fluidmaster has existing water service running in the access road at the southern boundary of the project site, and this water service will remain as is. Within the Specific Plan, 8-inch and 10-inch water lines are proposed throughout the private streets.

#### *Wastewater<sup>2</sup>*

The proposed project would connect to the City's existing wastewater infrastructure and would be serviced by the City's Utilities Department or the City's utilities successor agency. Existing sewer pipelines run adjacent to the project site, and the proposed project would take its points of connection at three points along Rancho Viejo Road, one at the main entry and two other points toward Malaspina Road. All existing sewer lines are eight inches, and the proposed project proposes to use eight-inch lines.

#### *Solid Waste*

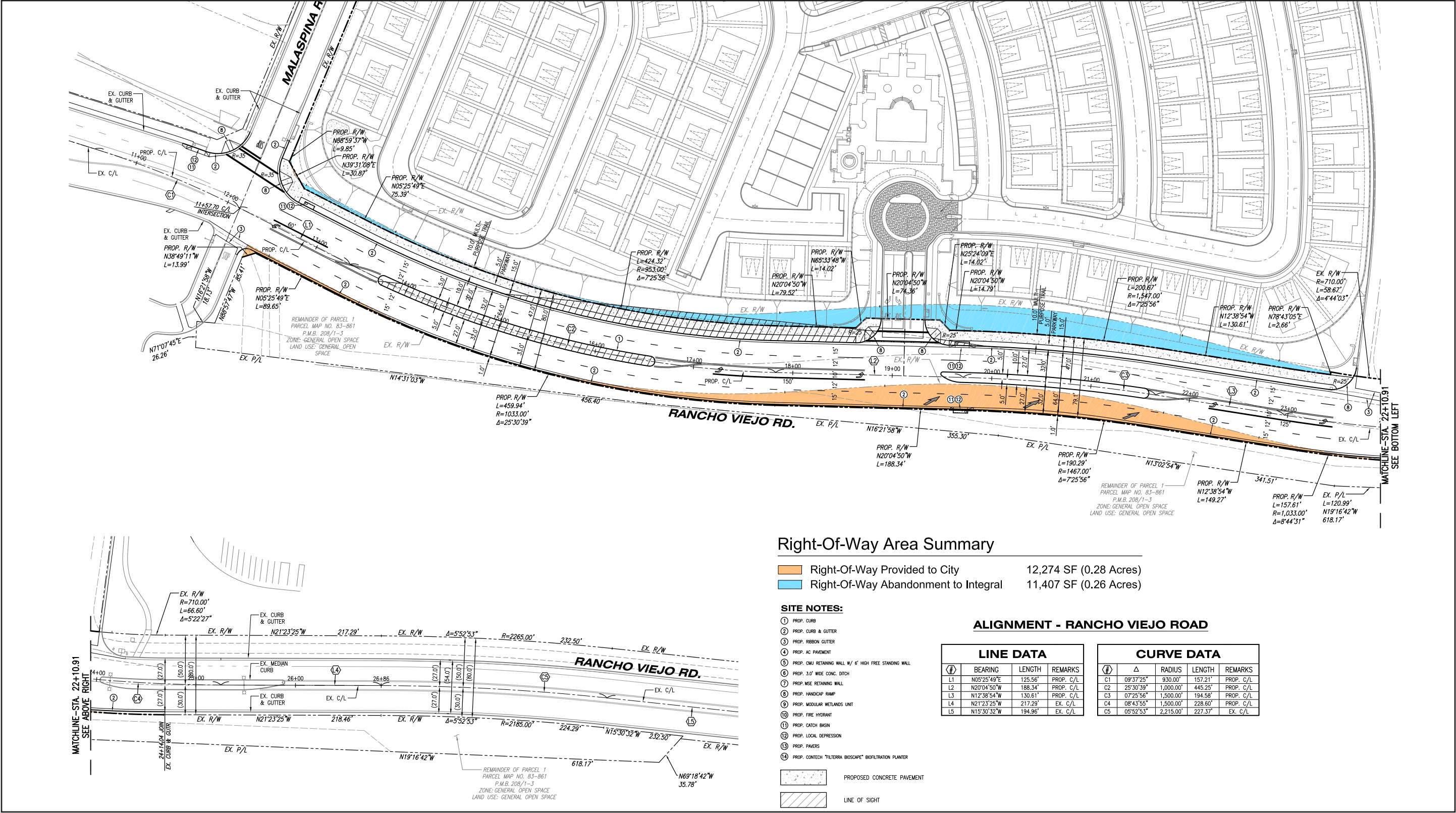
CR&R Incorporated provides solid waste hauling services for the City of San Juan Capistrano. Each of the proposed project's residences would have separate cans for recycled and nonrecycled trash. Cans are emptied once a week on regularly scheduled pick-ups with the local provider using standard trash trucks.

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<sup>1</sup> The City of San Juan Capistrano is in the process of selling its water and wastewater facilities to the Santa Margarita Water District. However, the change in ownership in the future would not interrupt or otherwise affect on-site water and wastewater utilities.

<sup>2</sup> Ibid.

Figure 5 - Rancho Viejo Road Street Improvement Plan  
1. Introduction



Source: KHR Associates, Inc., 2020

## 1. Introduction

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## 1. Introduction

### *Electrical and Natural Gas Utilities*

San Diego Gas & Electric provides energy services to the City of San Juan Capistrano. All on-site dry utilities would be provided through underground infrastructure except the above-ground transformers.

### *Storm Drains*

The proposed project would provide drainage systems on-site that would connect to the City of San Juan Capistrano storm drain network, and all storm drain facilities would be designed to conform to Orange County standards. Stormwater on the project site would flow westerly toward Rancho Viejo Road and would be collected by multiple catch basins throughout the site. These catch basins would be connected to a City storm drain line by a 42-inch storm drainpipe that will increase to a 48-inch storm drainpipe.

To manage project site runoff, the proposed stormwater facilities would follow water quality treatment control best management practices—specifically, modular wetlands. These modular wetlands, which would be located throughout the project site, would collect water from the catch basins and treat it before it goes into the City storm drains.

### 1.3.2 Project Phasing

Construction within the project boundary would be completed in one phase (e.g., demolition, grading, installation of storm drain, water, wastewater, and dry utilities, building construction, and street improvements). The proposed project is tentatively scheduled to start in February 2021 and end in May 2024.

## 1.4 EXISTING ZONING AND GENERAL PLAN

The project site is designated Industrial Park by the City's General Plan land use plan, and zoned IP (Industrial Park District) by the zoning map.

## 1.5 CITY ACTION REQUESTED

The City of San Juan Capistrano is the lead agency under CEQA and has the principal approval authority over the proposed project. As part of the proposed project, the following discretionary actions and approvals are required by the City:

- **General Plan Amendment** to change the General Plan land use designation from Industrial Park to Specific Plan/Precise Plan.
- **Zone Change** from Industrial Park District to Specific Plan that allows the Applicant to create a land use plan for the project site.
- **Architectural Control** for construction of the proposed project.
- **Tentative Map Approval** for all subdivision creating five or more lots.

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- **Grading Plan Modification** to change ground elevation for primary structures of two feet or greater from what was previously approved.
- **Tree Removal Permit** for the removal of any tree with a trunk diameter of six inches or greater measured at three feet above grade.

## 2. Environmental Checklist

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### 2.1 PROJECT INFORMATION

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1. **Project Title:** Creekside Specific Plan

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2. **Lead Agency Name and Address:**

City of San Juan Capistrano  
Development Services  
32400 Paseo Adelanto  
San Juan Capistrano, California 92675

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3. **Contact Person and Phone Number:**

Joel Rojas, Director of Development Services  
949-234-4410

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4. **Project Location:** 30700 Rancho Viejo Road in the City of San Juan Capistrano, Orange County (Assessor's Parcel Numbers 650-111-15 and 650-112-07).

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5. **Project Sponsor's Name and Address:**

Integral Communities  
Peter Vanek, Vice President of Forward Planning  
888 San Clemente, Suite 100  
Newport Beach, California 92660

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6. **General Plan Designation:** Industrial Park

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7. **Zoning:** Industrial Park (IP) District.

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8. **Description of Project:**

The proposed project would demolish the existing 123,000-square-foot building formerly used for manufacturing to construct 188 resident units on 15.3 acres. The 188 units would consist of 107 detached single-family units, and 81 multi-family attached units (townhomes). The proposed project would also realign Rancho Viejo Road and provide necessary easements for utilities on the 1.6-acre portion of the project site. Creekside would be developed following the design guidelines chapter of the Specific Plan, which provide a design framework for streetscape, landscape, and buildings to convey a unified community character. The proposed project would include the following discretionary actions: (1) General Plan Amendment to change the General Plan land use designation from Industrial Park to Specific Plan/Precise Plan; (2) Zone Change from Industrial Park District to Specific Plan that allows the Applicant to create a land use plan for the project site; (3) Architectural Control for construction of the proposed project; (4) Tentative Map Approval for all subdivision creating five or more lots; (5) Grading

## 2. Environmental Checklist

Plan Modification to change ground elevation for primary structures of two feet or greater from what was previously approved; and (6) Tree Removal Permit for the removal of any tree with a trunk diameter of six inches or greater measured at three feet above grade.

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### 9. Surrounding Land Uses and Setting:

The project site is surrounded by office/research park to the north and general open space to the north and northeast; industrial park to the north; single-family detached residential to the east and southeast with a medium density (LU 2.3 MD) and medium low density (LU 2.2 MLD); and office/industrial use to the south (i.e., Fluidmaster Inc.). The east medium density and the southeast medium low-density residential areas are zoned PC (CDP86-4) with a density of 3.6 to 5.0 units per acre and 2.1 to 3.5 units per acre, respectively. Beyond the medium density and medium low-density residential uses is a golf course designated as open space recreation. Interstate 5 is west of Rancho Viejo Road. Beyond the open space area to the north and northeast is Malaspina Estates, a very low density residential (LU 2.0 VLD) area with a maximum density of 0.4 unit per acre and minimum lot area of 2.5 acres.

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### 10. Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participating agreement):

South Coast Air Quality Management District  
San Diego Regional Water Quality Control Board

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### 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.94 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The City of San Juan Capistrano has notified the following tribal groups as identified by the California Native American Heritage Commission (NAHC) on January 7, 2020 via letter and email in compliance with AB 52 and SB 18 noticing requirements. On March 19, 2020, Joyce Perry, Tribal Manager, Cultural Resource Director and Matias Belardes, Chairperson, of Juaneño Band of Mission Indians Acjachemen Nation – Belardes responded via email and requested native and archaeological monitoring all ground disturbing activities and to be consulted and kept informed of the proposed project.

- Jeff Grubbe, Chairperson, Agua Caliente Band of Cahuilla Indians
- Patricia Garcia-Plotkin, Director, Agua Caliente Band of Cahuilla Indians
- Sonia Johnston, Chairperson, Juaneno Band of Mission Indians
- Joyce Perry, Tribal Manager, Juaneno Band of Mission Indians Acjachemen Nation – Belardes
- Matias Belardes, Chairperson, Juaneno Band of Mission Indians Acjachemen Nation – Belardes
- Teresa Romero, Chairperson, Juaneno Band of Mission Indians Acjachemen Nation – Romero
- Fred Nelson, Chairperson, La Jolla Band of Luiseno Indians



## 2. Environmental Checklist

- Shasta Gaughen, Tribal Historic Preservation Officer, Pala Band of Mission Indians
- Temet Aguilar, Chairperson, Pauma Band of Luiseno Indians
- Mark Macarro, Chairperson, Pechanga Band of Luiseno Indians
- Paul Macarro, Cultural Resources Coordinator, Pechanga Band of Luiseno Indians
- Cheryl Madrigal, Tribal Historic Preservation Officer, Rincon Band of Luiseno Indians
- Bo Mazzetti, Chairperson, Rincon Band of Luiseno Indians
- San Luis Rey, Tribal Council, San Luis Rey Band of Mission Indians
- Joseph Ontiveros, Cultural Resource Department, San Luis Rey Band of Mission Indians Soboba Band of Luiseno Indians
- Scott Cozart, Chairperson, Soboba Band of Luiseno Indians

## 2. Environmental Checklist

### 2.2 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.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture / Forestry Resources    | <input checked="" type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources                   | <input checked="" type="checkbox"/> Cultural Resources       | <input checked="" type="checkbox"/> Energy                             |
| <input checked="" type="checkbox"/> Geology/Soils               | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology/Water Quality                | <input checked="" type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                       | <input checked="" type="checkbox"/> Population / Housing     | <input checked="" type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                             | <input checked="" type="checkbox"/> Transportation           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                            | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### 2.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ 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.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ 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.

☐ 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.

*Paul M. Garcia*

*Signature*

04/10/2020

*Date*

Paul M. Garcia

*Print Name*

City of San Juan Capistrano

*Agency*

## 2. Environmental Checklist

### 2.4 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 would 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.
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 identify the following:
  - a) **Earlier Analyses 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.

## 2. Environmental Checklist

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:
- the significance criteria or threshold, if any, used to evaluate each question; and
  - the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			<b>X</b>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				<b>X</b>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<b>X</b>			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<b>X</b>			
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				<b>X</b>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				<b>X</b>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				<b>X</b>
d) Result in the loss of forest land or conversion of forest land to non-forest use?				<b>X</b>

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				<b>X</b>
<b>III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<b>X</b>			
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<b>X</b>			
c) Expose sensitive receptors to substantial pollutant concentrations?	<b>X</b>			
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			<b>X</b>	
<b>IV. BIOLOGICAL RESOURCES. Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				<b>X</b>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				<b>X</b>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				<b>X</b>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			<b>X</b>	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			<b>X</b>	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<b>X</b>
<b>V. CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?			<b>X</b>	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<b>X</b>			
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			<b>X</b>	

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. ENERGY. Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<b>X</b>			
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			<b>X</b>	
<b>VII. GEOLOGY AND SOILS. Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				<b>X</b>
ii) Strong seismic ground shaking?			<b>X</b>	
iii) Seismic-related ground failure, including liquefaction?			<b>X</b>	
iv) Landslides?			<b>X</b>	
b) Result in substantial soil erosion or the loss of topsoil?			<b>X</b>	
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?			<b>X</b>	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<b>X</b>			
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?				<b>X</b>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<b>X</b>			
<b>VIII. GREENHOUSE GAS EMISSIONS. Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<b>X</b>			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<b>X</b>			
<b>IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			<b>X</b>	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<b>X</b>			

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<b>X</b>			
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<b>X</b>			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				<b>X</b>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<b>X</b>			
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			<b>X</b>	
<b>X. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			<b>X</b>	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			<b>X</b>	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			<b>X</b>	
i) result in a substantial erosion or siltation on- or off-site;			<b>X</b>	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			<b>X</b>	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			<b>X</b>	
iv) impede or redirect flood flows?			<b>X</b>	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			<b>X</b>	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			<b>X</b>	
<b>XI. LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?				<b>X</b>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<b>X</b>			

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?			X	
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?				X
<b>XIII. NOISE. Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Generation of excessive groundborne vibration or groundborne noise levels?	X			
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
<b>XIV. POPULATION AND HOUSING. Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	X			
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
<b>XV. PUBLIC SERVICES. Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	X			
Fire protection?	X			
Police protection?	X			
Schools?	X			
Parks?			X	
Other public facilities?	X			
<b>XVI. RECREATION.</b>				
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?			X	



## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			X	
<b>XVII. TRANSPORTATION. Would the project:</b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	X			
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	X			
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X			
d) Result in inadequate emergency access?	X			
<b>XVIII. TRIBAL CULTURAL RESOURCES.</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	X			
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	X			
<b>XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	X			
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	X			
c) Result in a determination by the waste water 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?	X			

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<b>X</b>			
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			<b>X</b>	
<b>XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				<b>X</b>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				<b>X</b>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				<b>X</b>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				<b>X</b>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<b>X</b>			
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<b>X</b>			
c) 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.)	<b>X</b>			
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<b>X</b>			

## 3. Environmental Analysis

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Section 2.4 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

### 3.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

**a) Have a substantial adverse effect on a scenic vista?**

**Less Than Significant Impact.** A scenic vista generally refers to a view that possesses visual and aesthetic qualities of high value to the community, aesthetic value is not limited to natural and rural viewsheds but can also be held in historic structures and districts, architectural design, streetscapes, etc. According to the City of San Juan Capistrano Community Design Element, the City's three major community design issues involves: 1) preserving and promoting those characteristics of the community which create a sense of place; 2) preserving the historical character of San Juan Capistrano; and 3) preserving and enhancing the natural features which contribute to the visual character of the City. The project site borders undeveloped open space designated as General Open Space by the General Plan Land Use Map to the north and to the east. The closest major ridgelines to the project site is near the Malspina Trail the ridgeline between Paseo Cardero and Via Ventana to the east (San Juan Capistrano 1999). The natural open space to the north and east are visible from the project site, and the ridgelines are partially visible from the project site due to intervening trees and topography. However, the project site is currently developed with an industrial building, and does not possess visual and aesthetic qualities that warrant preservation due to its natural features or historic value. The project site is also not part of important natural characteristics such as major ridgelines, or unique hillside features and creeks, as identified in the General Plan. Views from the project site to these natural resources are not protected, and implementation of the proposed project would not modify, encroach upon, or otherwise adversely impact visual quality of ridgelines or open space designed for preservation. The nearest major ridgeline's elevation would generally start at 350 feet and would continue up to over 450 feet, while the proposed project's maximum building height would not exceed 35 feet on graded pad elevation of approximately 270 feet or less. Therefore, the proposed project would not block views to the west beyond the project site. The Community Design Element also states that scenic corridors include designated arterials in the Circulation Element and the railroad corridor that passes through the City. While the Community Design Element identifies I-5 and the railroad as scenic transportation corridors, no roadways in the Circulation Element are designated as scenic corridors. The project site is approximately 180 feet east from the I-5 freeway and 1,940 feet east from the railroad. There's a minimum of 80-foot landscaped buffer between the I-5 freeway and the project site, and the view of the project site is limited due to the topography and intervening landscape. Additionally, the project site is not part of any natural viewshed or significant architectural or historic resources. The project site does not provide high aesthetic value, and implementation of the proposed project would not have a significant adverse effect on a

### 3. Environmental Analysis

scenic vista. Less than significant impact is anticipated, and this issue would not be addressed further in the EIR.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** The closest officially designated state scenic highways in Orange County is in the City of Anaheim, over 24 miles to the north. The nearest eligible state scenic highways are I-5 and SR-74 approximately one mile south of the project site. The I-5 from Coronado in San Diego to SR-74, and the entire stretch of SR-74 from I-5 to SR-111 are identified as eligible state scenic highways. The project site is not visible from these officially designated or eligible state scenic highways. And the project site is developed with an industrial use and does not contain any scenic resources, including but not limited to trees, rock outcroppings, and historic buildings. No impact would occur, and this issue will not be addressed in the EIR.

**c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Potentially Significant Impact.** Development of the proposed project would necessitate a general plan amendment (to change the General Plan land use designation from Industrial Park to Specific Plan/Precise Plan) and a zone change (from Industrial Park to Specific Plan/Precise Plan). These discretionary actions would affect the existing character of the project site and the existing zoning and land use designation, which govern scenic quality. As such, the EIR will discuss this issue in further detail.

**d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

**Potentially Significant Impact.** The project site is currently vacant, and existing light on the project site is limited to parking lot lighting. Implementation of the proposed project would allow for intensification of existing land uses and new development with associated lighting. Therefore, new sources of light and glare could increase levels of light and glare above existing conditions, potentially resulting in adverse impacts to daytime or nighttime views. The EIR will discuss this issue in further detail, and mitigation measures will be recommended as needed.

## 3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest

### 3. Environmental Analysis

Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact.** The project site is designated as urban and built-up land by the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency (DOC 2019a). The project site is developed with an industrial park, and the proposed Specific Plan would not convert any special status farmland to nonagricultural use. No impact would occur, and no mitigation measures are required. This issue will not be further addressed in the EIR.

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** The project site is within the IP (Industrial Park District) zone and would not conflict with any agricultural use or a Williamson Act contract. No impact would occur, and no mitigation measures are required. This issue will not be further addressed in the EIR.

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

**No Impact.** The project site is within the IP (Industrial Park District) zone, and no rezoning of forest land or timberland would result from project implementation. No impact would occur, and no mitigation measures are required. This issue will not be further addressed in the EIR.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** The project site is built-up urban land, and no forest land would be lost due to project implementation. No impact would occur, and no mitigation measures are required. This issue will not be further addressed in the EIR.

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** The project site is urban, built-up land that was previously developed with industrial uses. Therefore, the proposed project would not result in the conversion of farmland to nonagricultural or forest land to non-forest use. No impact would occur, and no mitigation measures are required. This issue will not be further addressed in the EIR.

### 3. Environmental Analysis

#### 3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**Potentially Significant Impact.** The project site is in the South Coast Air Basin (SoCAB) and is subject to the air quality management plan (AQMP) prepared by the South Coast Air Quality Management District (SCAQMD). Construction activities would generate exhaust from construction equipment and vehicle trips, fugitive dust from demolition and ground-disturbing activities, and off-gas emissions from architectural coatings and paving. Implementation of the proposed project would convert a vacant industrial building to residential uses, resulting in a change in development intensity and associated increase in criteria air pollutants. The EIR will evaluate the proposed project's consistency with regional growth forecasts and any impacts the planning program may have on the attainment of regional air quality objectives. Mitigation measures will be identified as necessary.

**b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?**

**Potentially Significant Impact.** Construction and operation activities associated with the proposed project have the potential to generate fugitive dust, stationary-source emissions, and mobile-source emissions. Air pollutant emissions associated with the proposed project could occur over the short term for site preparation and construction activities. In addition, emissions could result from the long-term operation. An air quality analysis will be conducted for the proposed project to determine if the short- and/or long-term emissions would exceed SCAQMD's regional significance thresholds. This topic will be addressed in the EIR, and mitigation measures will be recommended as needed.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Potentially Significant Impact.** An air quality analysis is required to determine if the potential mobile and stationary air emissions associated with the project could result in exposure of sensitive receptors to significant concentrations of air pollutants. This evaluation will need to address potential impacts to sensitive receptors that would be exposed on a recurring basis to substantial air emissions associated with the proposed project. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if required.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less Than Significant Impact.** The proposed project would not result in objectionable odors. The threshold for odor is if a project creates an odor nuisance pursuant to SCAQMD Rule 402, Nuisance, which states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable

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number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The proposed 188-unit residential project does not fall within the aforementioned land uses. Emissions from construction equipment, such as diesel exhaust and volatile organic compounds (VOCs) from architectural coatings, may generate odors. However, these odors would be low in concentration, temporary, and are not expected to affect a substantial number of people. Therefore, implementation of the proposed project would result in less than significant odor impacts, and no mitigation measures are required. This issue will not be further addressed in the EIR.

#### 3.4 BIOLOGICAL RESOURCES

This section is partially based on the following technical reports:

- Biological Resources Technical Report, Creekside Specific Plan, San Juan Capistrano, Orange County California. Cadre Environmental, March 2020. (Appendix A)
- Creekside: Tree Reconfiguration Report, 30700 Rancho Viejo Rd, San Juan Capistrano, CA. Dave Matias, Plant and Pest Consultant, March 21, 2020. (Appendix B)

Complete copies of these studies are included in Appendix A and B of the Initial Study.

Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

**No Impact.** Sensitive biological resources are habitats or species that have been recognized by federal, state, and/or local agencies as being endangered, threatened, rare, or in decline throughout all or part of their historical distribution. The project site is currently developed with an approximately 123,000-square-foot vacant industrial building and associated parking areas that were previously used for manufacturing measurement instrumentation. The project site and the extent of impact area are dominated by developed, ornamental landscaping and ruderal/nonnative vegetation communities including black mustard (*Brassica nigra*), London rockets (*Sisymbrium irio*), tocalote (*Centaurea melitensis*), Russian thistle, horseweed, wild oat (*Avena fatua*), and ripgut grass (*Bromus diandrus*), and no special status species or sensitive natural habitat exists on site (USFWS 2019a; Cadre 2020). Further, the project site is not located within a Natural Community Conservation Plan and Habitat Conservation Plan area. No impact would occur, and this issue will not be addressed further in the EIR.

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- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

**No Impact.** Sensitive natural communities are communities that are considered rare in the region by regulatory agencies; known to provide habitat for sensitive animal or plant species; or known to be important wildlife corridors. Riparian habitats are those occurring along the banks of rivers and streams. The project site is currently developed with a vacant industrial building and parking areas that were used for manufacturing. The extent of impact and the area west of Rancho Viejo Road area also dominated by non-native vegetation communities and scattered mature trees. No watercourse runs through or adjacent to the project site. No riparian habitat or critical habitat exist on-site (Cadre 2020; USFWS 2019a, 2019b). No impact would occur, and this issue will not be addressed further in the EIR.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. The project site is developed with an industrial building with paved parking areas and linear landscaped area west of Rancho Viejo Road, and there are no wetlands on-site. The closest wetlands to the project site are just north of Malaspina Road and run in an east-west direction. The U.S. Fish and Wildlife Service (USFWS) characterizes this wetland resource as freshwater pond and freshwater forested/shrub wetland (Cadre 2019; USFWS 2019b). No wetlands occur on-site. This issue will not be further addressed in the EIR.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant Impact.** Wildlife movement corridors facilitate movement of species between large patches of natural habitat. The project site is fully developed except for nonnative landscaping materials and native shrubs on the eastern slopes within the extent of impact area and within the area west of Rancho Viejo Road, and therefore lacks suitable habitat for wildlife species and is not a native wildlife nursery site. The closest significant wildlife movement corridors to the project site include Trabuco Canyon, approximately 0.7 miles to the northwest and San Juan Creek, approximately 1.3 miles southeast, both of which would not be directly or indirectly impacted as a result of the proposed project. Based on the existing developed condition of the Project Site, the property does not meet the definition or is expected to serve or contribute to a wildlife movement corridor for ground dwelling species, and impacts would be less than significant.

However, there are several ornamental trees and other vegetation on-site that require removal, and these may be used for nesting by migratory birds. When removing trees or vegetation, in compliance with California Fish and Game Code (CFG) Sections 3503, 3503.5, 3513, and 3800, the proposed project is required to avoid the



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incidental loss of fertile eggs or nestlings or nest abandonment. Therefore, if removal of the vegetation occurs during nesting season (typically between February 1 and September 1), the Applicant is required to conduct preconstruction nesting bird surveys in accordance with the California Department of Fish and Wildlife requirements prior to removal of the trees. Compliance with the existing regulation would ensure that the proposed project does not interfere substantially with the movement of any native resident or wildlife species or with established native resident or migratory wildlife corridors. Impacts would not be significant.

The Migratory Bird Treaty Act (MBTA) (US Code, Title 16, §§ 703–712) governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. It prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations. USFWS administers permits to take migratory birds in accordance with the MBTA. In December 2017, the Department of the Interior issued a memorandum concluding that “consistent with the text, history, and purpose of the MBTA, [the statute’s prohibitions on take apply] *only to affirmative actions that have as their purpose the taking or killing of migratory birds, their nests, or their eggs*” (emphasis added) (DOI 2017). Therefore, take of a migratory bird or its active nest (i.e., with eggs or young) that is incidental to, and not the purpose of, a lawful activity does not violate the MBTA. To provide guidance in implementing and enforcing this new direction, the USFWS issued a memorandum in April 2018 to clarify what does and does not constitute prohibited take (USFWS 2018).

Compliance with the existing California Fish and Wildlife regulations would ensure that no significant impacts to migratory birds occur. This issue will not be addressed further in the EIR.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less Than Significant Impact.** Section 9-2.349 of the San Juan Capistrano Municipal Code (SJCMC) provides provisions for tree removal and obtaining a tree removal permit. The purpose of SJCMC Section 9-2.349 is to realize the benefits of an urban forest, maintain tree health, preserve heritage trees, encourage native and drought-resistant trees, provide a functional process for permitting tree removal, and encourage the planting of new trees. Trees with a trunk diameter less than six inches measured at three feet above grade are exempted from the provisions of the section. Pursuant to SJCMC Section 9-2.349(f), Heritage Tree Provisions, a tree is deemed a heritage tree and is protected from removal when such tree has a trunk diameter at breast height of 36 inches or greater and includes the following species: California pepper (*Schinus molle*); oak (*Quercus* spp.); cedar (*Cedrus* spp.); blue gum eucalyptus (*Eucalyptus globulus*); walnut (*Juglans* spp.); olive (*Olea europaea*); sycamore (*Platanus* spp.); cottonwood (*Populus* spp.); or as otherwise designated by the Planning Commission based on the tree’s unique and intrinsic value to the community because of its size, age, historic association, or ecological value.

A Tree Reconfiguration Report was prepared for the project site and the extent of impact area (Appendix B), and it identifies 289 trees with a trunk diameter of six inches or greater measured at 54 inches above grade. The 289 trees consisted of lemon scented gum (*Eucalyptus citrodora*), California pepper (*Schinus molle*), coral tree (*Erythrina caffra*), coral gum (*Eucalyptus torquata*), Italian stone pine (*Pinus pinea*), cajeput tree (*Melaleuca Quinquenervia*), and Canary Island pine (*Pinus Canariensis*), which are considered common landscape trees.

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Because the trunk diameter of California pepper (*Schinus molle*) measures less than 36 inches, the tree is not considered “heritage” or protected as defined by the City of San Juan Capistrano. No on-site trees meet the minimum size requirement to be considered “heritage” by the City of San Juan Capistrano. Additional trees could be removed within the extent of impact area due to over excavation of the slope to the east.

Development of the proposed project would require the removal of on-site trees, and no trees on-site are heritage trees. As part of the proposed project, the Applicant would be required to obtain a tree removal permit prior to the removal of any tree with a trunk of six inches or greater. The proposed project would not conflict with the City’s tree removal code, and a less than significant impact would occur. This issue will not be addressed further in the EIR.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** According to the San Juan Capistrano General Plan, Conservation and Open Space Element, a portion of City of San Juan Capistrano lies within both the coastal and southern subregions of the County of Orange Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP). According to the NCCP/HCP map, the NCCP/HCP area is bounded by I-5 to the north and east in the vicinity of the project site (CDFW 1996). The project site is north and east of I-5; therefore, the project site is not in the NCCP/HCP conservation area. Further, the proposed project is currently developed with a vacant industrial building of approximately 123,000 square feet and paved surface parking areas. As such, the project site does not support habitat. The proposed project would result in no impact associated with an adopted NCCP/HCP or local conservation plan. This issue will not be addressed further in the EIR.

### 3.5 CULTURAL RESOURCES

Would the project:

**a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?**

**Less Than Significant Impact.** Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered “historically significant” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.

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The main building and parking areas on site were constructed in 1973 by the Endevco Corporation (Ramboll Environ 2015). In 1982, the northern portion of the main building was constructed. The San Juan Capistrano Cultural Resources Element does not identify the project site nor the building on-site as historic buildings or structures. The project site is not listed on the City's Inventory of Historic and Cultural Landmarks, nor is it on the City's Buildings and Sites of Distinction list. Additionally, neither the project site nor the building on-site is listed in the California Historical Resources or the National Register of Historic Places lists (OHP 2019; NPS 2019). This issue will not be addressed further in the EIR.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?**

**Potentially Significant Impact.** The existing building on site was constructed in 1973. Prior to the construction of the building, the site primarily consisted of undeveloped agricultural land. Figure CR-2 of the San Juan Capistrano Cultural Resources Element, "Locations of Prehistoric and Historic Archaeological Resources," shows that the project site is adjacent to areas identified as "locations of prehistoric and historic archaeological resources." Development of the proposed project would involve excavation, grading, and other earthwork activities across the entire site to ensure the proper base and slope for the proposed buildings. Based on the project site's proximity to the "locations of prehistoric and historic archaeological resources," the proposed project's potential impact on archaeological resources will be further addressed in the EIR.

**c) Disturb any human remains, including those interred outside of dedicated cemeteries?**

**Less Than Significant Impact.** California Health and Safety Code, Section 7050.5, requires that in the event that human remains are discovered within a project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The proposed project would comply with existing law, and potential impacts to human remains would be less than significant. This issue will not be addressed further in the EIR.

## 3.6 ENERGY

Would the project:

**a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Potentially Significant Impact.** Construction of the proposed project would result in temporary energy use. Construction of the proposed project would require electricity use to power the construction equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered, such as interior construction and architectural coatings.

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The use of electricity would be temporary and would fluctuate according to the phase of construction. However, the electrically-powered construction equipment would be used only when necessary, and would be turned off when not in use. The proposed project would not result in wasteful or unnecessary electricity demands. Therefore, the proposed project would not result in a significant impact related to electricity use during the construction phase.

However, operation of the proposed project would result in an increase in energy demand on the project site compared to the existing vacant industrial facility. The proposed project's operational energy demand will be analyzed in the EIR to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if required.

#### **b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less Than Significant Impact.** The proposed project would be required to comply with local and state renewable energy and energy efficiency measures. The proposed project would be constructed in accordance with the California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). Title 24 Parts 6 and 11 are updated every three years to reduce wasteful and unnecessary energy consumption. Both the 2019 CALGreen Code and the Building and Energy Efficiency Standards (Title 24, Parts 6 and 11) became effective January 1, 2020. The SJCMC Section 8-16.01 codifies the 2019 CALGreen Code standards at a local level. The proposed project would comply with the latest version of the CALGreen Code and the Building and Energy Efficiency Standards. Further, the proposed project would be consistent with the City's General Plan's policies regarding energy conservation including:

- Conservation and Open Space Element, Policy 6.6: Promote energy conservation and recycling by the public and private sectors.

Each of the 188 residential units would have a recycling bin that would be collected by CR&R services.

- Public Services and Utilities Element, Policy 7.2: Encourage energy efficient development.

The proposed project would be designed and developed to meet the 2019 Building and Energy Efficiency Standards, and incorporate energy-efficient lighting technologies.

Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and a less than significant impact would occur. This issue will not be addressed further in the EIR.

### 3.7 GEOLOGY AND SOILS

This section is partially based on the following technical report:

- Preliminary Geotechnical Review of Proposed Creekside Residential Development, Southeast of Rancho Viejo Road and Malaspina Road, Vesting Tentative Map No. 19009, San Juan Capistrano, California, LGC Geotechnical, Inc., July 30, 2019

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Would the project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**No Impact.** The project site is not delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map (LGC 2019; DOC 2019b). The closest significant fault to the site is the active San Joaquin Thrust Fault, approximately 5.5 miles north of the project site. This issue will not be addressed in the EIR.

- ii) **Strong seismic ground shaking?**

**Less Than Significant Impact.** The project site is in a seismically active region, as is all of Southern California. However, the project site is not in a mapped State of California Earthquake Fault-Rupture Hazard Zone (DOC 2019b), and no known active faults cross the project site. The closest significant fault to the site is the active San Joaquin Thrust Fault, approximately 5.5 miles north of the project site. The proposed project is required to be constructed in compliance with the 2019 California Building Standards Code (CBC), which would minimize the impacts from ground shaking. Secondary effects of seismic shaking resulting from large earthquakes, such as liquefaction, landslide, lateral spreading, and subsidence, are addressed in elsewhere in this section and are determined to have less than significant impact. Therefore, impacts from strong ground shaking would be considered less than significant, and this issue will not be addressed further in the EIR.

- iii) **Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** The project site is not within a liquefaction zone as identified by the California Department of Conservation's online California Earthquake Hazards Zone Application (DOC 2019b). Additionally, the project site is underlain by primarily fine-grained compacted fill, competent alluvium, and very stiff to hard bedrock, and the potential for liquefaction is considered very low (LGC 2019). A less than significant impact related to liquefaction is anticipated, and this issue will not be addressed further in the EIR.

- iv) **Landslides?**

**Less Than Significant Impact.** The northern portion of the project site is identified as being in a landslide zone by the California Earthquake Hazards Zone Application (DOC 2019b). However, the majority of hillsides in Southern California within similar geologic settings are also mapped for potential earthquake-induced landslide. The proposed project would be required to implement site earthwork, grading, and cut-and-fill measures as identified in the Geotechnical Investigation, which was developed in compliance with the City of San Juan Capistrano and the 2019 CBC requirements. The geotechnical

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recommendations in the Geotechnical Investigation would provide adequate protection for the proposed development to the extent required to reduce seismic risk to an “acceptable level.” The “acceptable level” of risk is defined by the California Code of Regulations as “that level that provides reasonable protection of the public safety, though it does not necessarily ensure continued structural integrity and functionality of the project” (Section 3721[a]). The proposed project would be designed and constructed to protect structural integrity and infrastructure against geologic hazards per the recommendations in the Geotechnical Investigation prepared in accordance with CBC requirements and reviewed and approved by the City of San Juan Capistrano. Therefore, compliance with the measures identified in the Geotechnical Investigation would ensure that impacts are reduced to a less than significant level. This issue will not be addressed further in the EIR.

#### **b) Result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** Construction of the proposed project would involve site grading and construction, and thus could cause erosion if effective erosion control measures were not used. Erosion control measures would be specified in Stormwater Pollution Prevention Plans (SWPPP) required under the National Pollutant Discharge Elimination System (NPDE) General Construction Permit, and the proposed project would be required to implement the best management practices contained therein. (See Section 3.10(a), *Hydrology and Water Quality*.) Erosion impacts would be less than significant, and this issue will not be further addressed in the EIR.

#### **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?**

**Less Than Significant Impact.** The existing bedrock geologic unit mapped on the project site is the Tertiary-aged Capistrano Formation, and compacted artificial fill was placed in 1973 during original rough grading of the site over bedrock or competent alluvium across the majority of the project site. It is anticipated that the project-related excavation and earthwork—i.e., rough grading, including design cuts and fills, excavation of one large buttress keyway along the easterly edge of the project site, shallow remedial grading of near surface soils, installation of a subdrain system, and construction of retaining walls—would occur based on the recommendations in the Geotechnical Investigation .

Provided that the proposed project is designed and constructed to protect structural integrity and infrastructure against geologic hazards per the recommendations in the Geotechnical Investigation, which was prepared in accordance with CBC requirements and required to be approved by the City of San Juan Capistrano, impacts related to the following conditions would be reduced to a less than significant level.

**Landslide.** See Section 3.7(a)(iv). This impact will not be addressed further in the EIR.

**Lateral spreading.** Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. When liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move downslope toward a free face (such as a river channel or an embankment). Due to the very low potential

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for liquefaction, the potential for lateral spreading is also considered very low. Therefore, this impact will not be addressed further in the EIR.

**Subsidence and Collapse.** The phenomenon of widespread land sinking, or subsidence, is generally related to substantial overdraft of groundwater or petroleum reserves from underground reservoirs. Collapsible soils may appear strong and stable in their natural (dry) state, but they rapidly consolidate under wetting, generating large and often unexpected settlements. Such volumetric changes in earth quantities could occur when excavated on-site earth materials are replaced as properly compacted fill.

Subsidence due to earthwork equipment is expected to be on the order of 0.1 feet. However, it should be noted that the actual shrinkage factors are extremely difficult to predict, and the effective shrinkage of on-site soils will depend primarily on the type of compaction equipment and method of compaction used on-site by the contractor. The shrinkage estimates in the Geotechnical Investigation are intended as an aid for others in determining preliminary earthwork quantities only, and the actual earthwork quantities and values would be determined by the geotechnical consultant at the time of earthwork based on subsurface conditions encountered during grading. Provided that all earthwork activities are conducted in accordance with the recommendations in the Geotechnical Investigation, the City of San Juan Capistrano/2019 CBC requirements, and the Orange County Grading and Excavation Code, impacts from volumetric changes in earth quantities such as subsidence and collapse would be minimized to a less than significant level. This impact will not be addressed further in the EIR.

**Liquefaction.** See Section 3.7(a)(iii). This impact will not be addressed further in the EIR.

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

**Potentially Significant Impact.** The Geotechnical Investigation concluded that the project site soils have high expansion potential based on the results of laboratory testing conducted during original grading of the project site in 1973 as well as local experience. Therefore, the Geotechnical Investigation provided recommendations for the planned foundations and site improvements, such as concrete flatwork, to minimize the impacts of expansive soil. The Geotechnical Investigation indicated that the project site may be considered suitable for the support of the proposed residential structures using a post-tensioned slab-on-grade foundation system. However, at the completion of grading, if soils with “Very High” expansion potential are encountered, supplemental geotechnical foundation recommendations will be required and additional mitigation may be necessary. This issue will be addressed further in the EIR.

**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?**

**No Impact.** The project site is in a developed area within the City of San Juan Capistrano. The proposed project would connect to the City’s existing sewer system. Although the City is in the process of selling its water and wastewater facilities to SMWD, it is anticipated that the SMWD would simply acquire the City’s facilities, and there are no plans to change the systems. Therefore, the change in ownership of water and wastewater facilities would not interrupt or otherwise affect the existing or future service. No septic tanks or alternative



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wastewater disposal systems are proposed as part of the proposed project. As such, no impact would occur, and no further discussion is necessary.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Potentially Significant Impact.** Unique paleontological resources may be present at the project site. Although the project site is currently developed, redevelopment and earthwork activities have the potential to encounter paleontological resources. Therefore, the EIR will evaluate potential impacts of the proposed project on unique paleontological resources and geological features.

### 3.8 GREENHOUSE GAS EMISSIONS

Would the project:

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Potentially Significant Impact.** Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas (GHG) emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact. The State of California, through its governor and legislature, has established a comprehensive framework for the substantial reduction of GHG emissions over the next 40-plus years. This will occur primarily through the implementation of Assembly Bill 32 (AB 32, 2006), Senate Bill 375 (SB 375, 2008), and SB 32 (2016), which address GHG emissions on a statewide, cumulative basis.

Implementation of the proposed project could increase GHG emissions through new construction and increase in vehicle miles traveled due to converting a vacant industrial building to residential uses. Further evaluation in the EIR is required to determine the increase and effect on GHG emissions. The EIR will evaluate the potential for the proposed project to generate a substantial increase in GHG emissions, and mitigation measures will be recommended as needed.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Potentially Significant Impact.** The California Air Resources Board's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32 of 1990 emission levels by year 2020. The Southern California Association of Governments' 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) sets forth a development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement) in accordance with the region's per capita GHG reduction goals under SB 375.

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The EIR will evaluate the project's consistency with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Further evaluation in the EIR is required to determine the increase and effect on GHG emissions. Mitigation measures will be recommended as needed.

#### 3.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

**Less Than Significant Impact.** Construction of the proposed project would require the use of hazardous materials, such as vehicle fuels, lubricants, grease, and transmission fluids in construction equipment, and paints and coatings in building construction. Operation of the proposed project would transport, use, store, and dispose of small amounts of typical residential cleaning and maintenance supplies, such as cleaners, gasoline, chlorine (for the swimming pool), paint, and pesticides. The use, storage, transport, and disposal of hazardous materials by construction workers and tenants and residents of the proposed project would be required to comply with existing regulations of several agencies, including the California Department of Toxic Substances Control, US Environmental Protection Agency, US Occupational Safety and Health Administration, California Department of Transportation, and the Orange County Fire Authority. Implementation of the proposed project would not involve the routine transport, use, or disposal of hazardous materials other than materials commonly found in residential communities. Impacts would be less than significant, and this issue will not be addressed further in the EIR.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Potentially Significant Impact.** The project site is developed with a 123,000-square-foot main building in the center of the site. Prior to being vacated in September 2013, the project site was used to manufacture measurement instrumentation. The single-story building housed production, storage, and office operations, and other, smaller structures on the site consisted of a hazardous materials storage structure and an outdoor storage area. A closure letter was prepared by Ramboll Environ on December 15, 2015, to document the regulatory closure for the permit-by-rule treatment unit at the project site of the former industrial operations. The closure letter determines that the closure of the permit-by-rule unit has been completed, and concentrations of hazardous materials on-site are acceptable for commercial/industrial uses (Ramboll Environ 2015). Further investigation of the conditions of the hazardous materials on-site will be investigated as part of the EIR, and applicable mitigation measures will be identified and incorporated as necessary.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Potentially Significant Impact.** JSerra Catholic High School is located beyond I-5, approximately 0.1 miles to the west of the project site. The next closest school to the project site is Saddleback Valley Christian School

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at 26333 Oso Road (approximately 0.4 mile west of the project site) (CUSD 2019a). Hazardous emission impacts to sensitive receptors, including schools, will be addressed in the EIR.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**Potentially Significant Impact.** As discussed under 3.9(b), the proposed project site was formerly used as an industrial facility for manufacturing measurement instruments. Based on the historical use of the site, the project site may contain hazardous materials that exceed the concentration thresholds for residential development. Further investigation of the conditions of the hazardous materials on-site will be investigated as part of the EIR, and applicable mitigation measures will be identified and incorporated as necessary.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** John Wayne Airport is the closest airport to the project site and is approximately 16 miles northwest from the project site. The project site is not within two miles of a public airport. The proposed project would not result in a safety hazard or excessive noise for people residing on the project site. No impact would occur, and no further analysis is required.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Potentially Significant Impact.** Rancho Viejo Road is identified in the City's Emergency Management Program as an evacuation route (San Juan Capistrano 2017). The proposed project has the potential to interfere with an adopted emergency response plan or emergency evacuation plan during its construction and operational phases. The proposed project's effect on emergency response will be analyzed in the EIR.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**Less Than Significant Impact.** Based on the City's Safety Element, the northern portion of the project site adjoining Malaspina Road is in a wildland fire area that may contain substantial fire risk. Malaspina Road is approximately 40 feet wide, and this roadway would separate the project site from the wildland fire area per the Safety Element. Therefore, no significant wildfire impact is anticipated. The Safety Element was prepared in 2002, and according to the California Department of Forestry & Fire Protection's (CAL FIRE) 2011 Fire and Resource Assessment Program and the map of Very High Fire Hazard Severity Zones in Local Responsibility Area (LRA) for the City of San Juan Capistrano, the project site is not in a Very High Fire Hazard Severity Zone (CAL FIRE 2011). Although the area east of the project site would remain as open space, this area is not designated as wildfire area, and the proposed project would be required to comply with the SJC MC Section 9-3.519, Fuel Modification Standards, where necessary. SJC MC Section 9-3.519 requires that any development where property is immediately adjacent to mature flammable vegetation to obtain a fuel modification program

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approval from the Orange County Fire Authority prior to issuance of a building permit. The project site was been previously developed as an industrial use, and the proposed development as a residential use would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. This impact would be less than significant, and this issue will not be addressed in the EIR.

#### 3.10 HYDROLOGY AND WATER QUALITY

This section is completed in part based on the following reports:

- Preliminary Drainage Study: Creekside San Juan Capistrano, California, KHR Associates, January 10, 2020. (Appendix C)
- Conceptual Water Quality Management Plan (WQMP, Creekside, KHR Associates, June 25, 2019 (prepared), April 8, 2020 (revised). (Appendix D)

Complete copies of these studies are included in Appendix C and D of the Initial Study.

Would the project:

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

**Less Than Significant Impact.**

##### Existing Conditions

The overall residential development would occur on approximately 15.57 acres of the project site after street vacation and property dedication as an easement, so the total project area analyzed for water quality is 15.57 acres. The receiving water directly affected by the proposed project includes the Arroyo Trabuco Creek. The site elevation rises by 76 feet from the east boundary to the northwest portion. Rancho Viejo Road slopes from south to north and Malaspina Road slopes from east to west. Figure 6, *Existing Drainage Plan*, illustrates the existing drainage condition of the project site. Runoff on the property flows westerly toward Rancho Viejo Road and along the curb and gutter until it is collected by one of the six catch basins near the western property line. All catch basins connect to the City's storm drain line, which varies in size from 15 inches, 18 inches, 21 inches, 36 inches, 42 inches, and 48 inches. The City storm drain runs from the southeast corner of the project site and traverses the southern portion of the project site in a westerly direction, passing through I-5 and residential areas on Camino Capistrano Street to the west. Furthermore, the collected runoff drains to Arroyo Trabuco Creek, then travels into the San Juan Creek, and ultimately disperses into the Pacific Ocean at Doheny State Beach.

The project site receives run-on from the hillside to the east. The northerly portion of the hillside run-on is collected within a storm drain system that discharges to the curb face on Malaspina Road via a parkway culvert. The southerly portion of the hillside run-on is collected in a storm drain system that discharges to the curb face on Rancho Viejo Road via a parkway culvert.

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#### Construction Impact

The project site is in the San Juan Creek Watershed and discharges to an existing Municipal Separate Storm Sewer System (MS4), which drains to Arroyo Trabuco Creek, then to San Juan Creek, and ultimately to the Pacific Ocean. The project site does not discharge directly to an environmentally sensitive area. The Clean Water Act Section 303(d) lists Arroyo Trabuco Creek as impaired for benthic community effects, indicator bacteria, malathion, nitrogen, phosphorus, and toxicity. San Juan Creek is impaired for benthic community effects, DDE (dichlorodiphenyl-dichloroethylene), indicator bacteria, nitrogen, oxygen (dissolved), phosphorus, selenium, and toxicity. The Pacific Ocean Shoreline, Lower San Juan hydrologic sub-area (HAS), at surfzone outfall at Doheny State Beach is impaired for indicator bacteria.

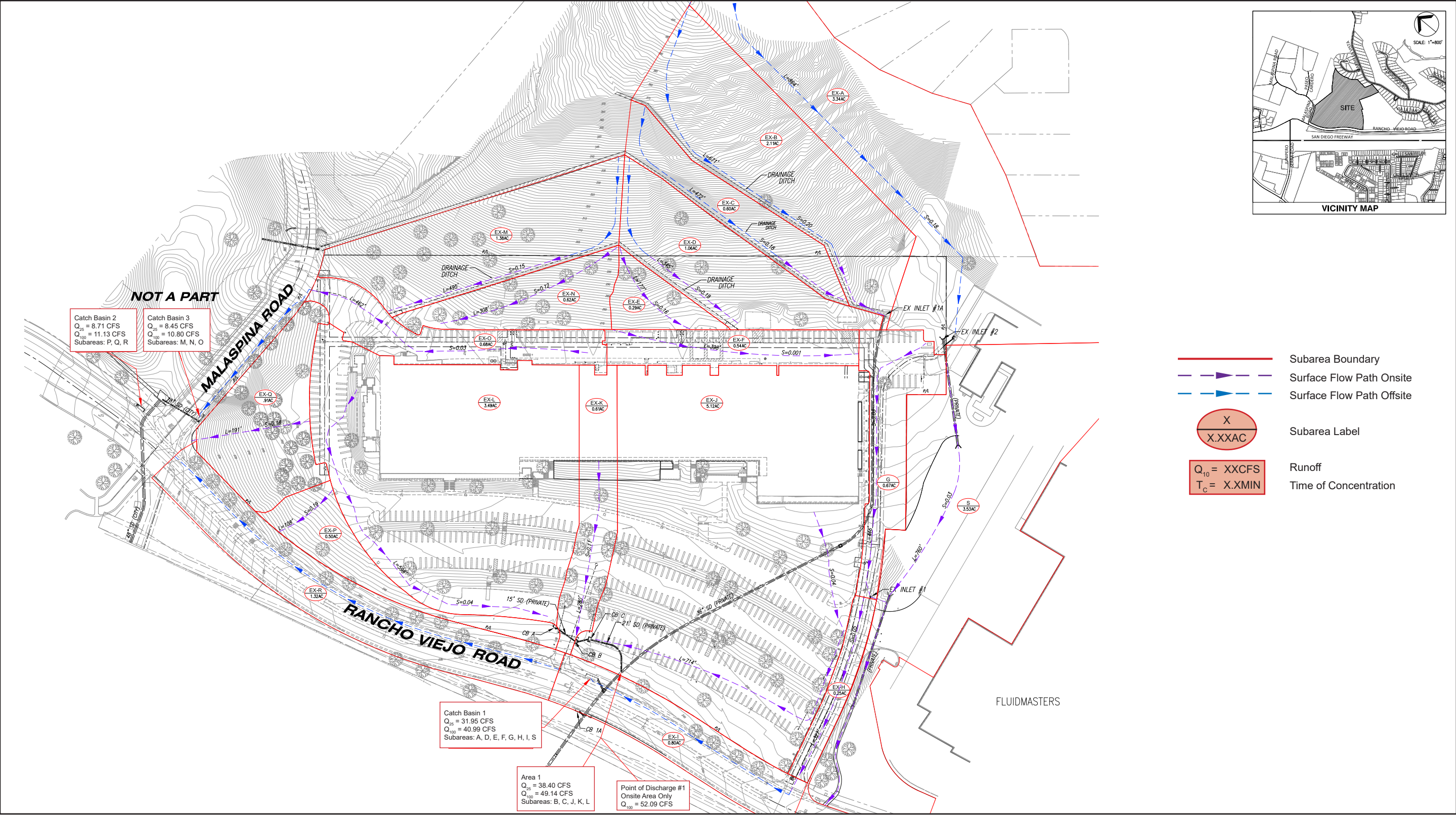
The proposed project would be required to obtain a NPDES General Construction permit from the State Water Resources Control Board and prepare a SWPPP. The SWPPP includes best management practices to reduce water quality impacts, including various measures to control on-site erosion, reduce sediment flows into stormwater, wind erosion; to reduce tracking of soil and debris into adjacent roadways and off-site areas; and to manage wastes, materials, wastewater, liquids, hazardous materials, stockpiles, equipment, and other site conditions to prevent pollutants from entering the storm drain system. Inspections, reporting, and stormwater sampling and analysis are also required to ensure that visible and non-visible pollutants are not discharged off-site. Implementation of the provisions of the NPDES permit and compliance with City grading requirements would minimize construction impacts through the implementation of best management practices (BMPs) that reduce construction-related pollutants. This would ensure that any impacts to downstream waters resulting from construction activities would be less than significant.

#### Operational Impact

Activities typical of residential developments are anticipated for the proposed project during operation. These include day-to-day activities such as recreation, lounging, commuting, exercising, car washing, and other residential related activities. And typical household wastes from residential uses are anticipated to be generated daily from the proposed project. These include food wastes, paper products, and recyclable materials. These materials would be disposed to on-site trash enclosures and removed for disposal by the local private waste management company. Considering these typical residential activities, potential pollutants that could be generated by maximum buildout of the proposed project would include bacteria/viruses/pathogens, heavy metals, nutrients, pesticides, organic compounds, sediment, trash and debris, oxygen-demanding substances, and oil and grease. The potential pollutants of concern anticipated by the proposed project are summarized in Table 2, *Pollutants or Conditions of Concern*, and the table also shows if the receiving water body is considered impaired for those pollutants.



Figure 6 - Existing Drainage Plan  
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Source: KHR Associates, Inc., 2020

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**Table 2 Pollutants or Conditions of Concern**

Pollutants	Expected from Proposed Land Uses/Activities (Yes or No)	Receiving Waterbody Impaired (Yes or No)	Pollutant of Concern (Primary, Other, or No)
Suspended Solids	Yes	No	Other
Nutrients	Yes	Yes	Primary
Heavy Metals	No	No	No
Bacteria/Virus/Pathogens	Yes	Yes	Primary
Pesticides	Yes	Yes	Primary
Oil and Grease	Yes	No	Other
Toxic Organic Compounds	No	Yes	Primary
Trash and Debris	Yes	No	Other
Dry Weather Runoff	Yes	No	Primary

According to the South Orange County Engineered Channel Exemption Areas, San Juan Capistrano Exemption Map, streams downstream from the project site are engineered channels/large rivers and are exempt from hydromodification concerns. Although the catch basins and associated storm drain system that collect runoff at the intersection of Malaspina Road and Rancho Viejo Road are within an area with hydrologic conditions of concern (HCOC), the proposed project's storm drain system would be directed to a storm drain system within Rancho Viejo Road that is exempt from hydromodification requirements; therefore, no HCOC exists for the proposed project.

Table 3, *Net Increase in Impervious Area*, shows the existing and post-project condition of the project site. As shown, the proposed project would increase the impervious surface area by 5.01 acres, from 8.39 acres to 13.40 acres. Therefore, the proposed project would result in increased runoff water and increased urban pollutants. However, the proposed project would include on-site storm drain facilities and implement BMPs listed in the water quality management plan in Appendix D to this Initial Study to ensure that the proposed project does not increase the existing site's storm water flow rate at the discharge point.

**Table 3 Net Increase in Pervious Area**

Project Site	Pervious Area (acres)	Percentage	Impervious Area (acres)	Percentage	Total Acreage
Pre-Project Conditions	7.19	46%	8.39	54%	15.58
Post-Project Conditions	2.18	14%	13.40	86%	15.58
<b>Change</b>	5.01	32%	-5.01	<b>-32%</b>	<b>--</b>

Source: KHR Associates, 2020b

The proposed drainage plan for the project is shown in Figure 7, *Proposed Drainage Plan*, and the water quality management plan (WQMP) divides the site into eight drainage management areas (DMAs) to be treated as shown in Figure 8, *Proposed Drainage Management Areas and BMPs*. Table 4, *DMA Summary*, provides a summary of each DMA.

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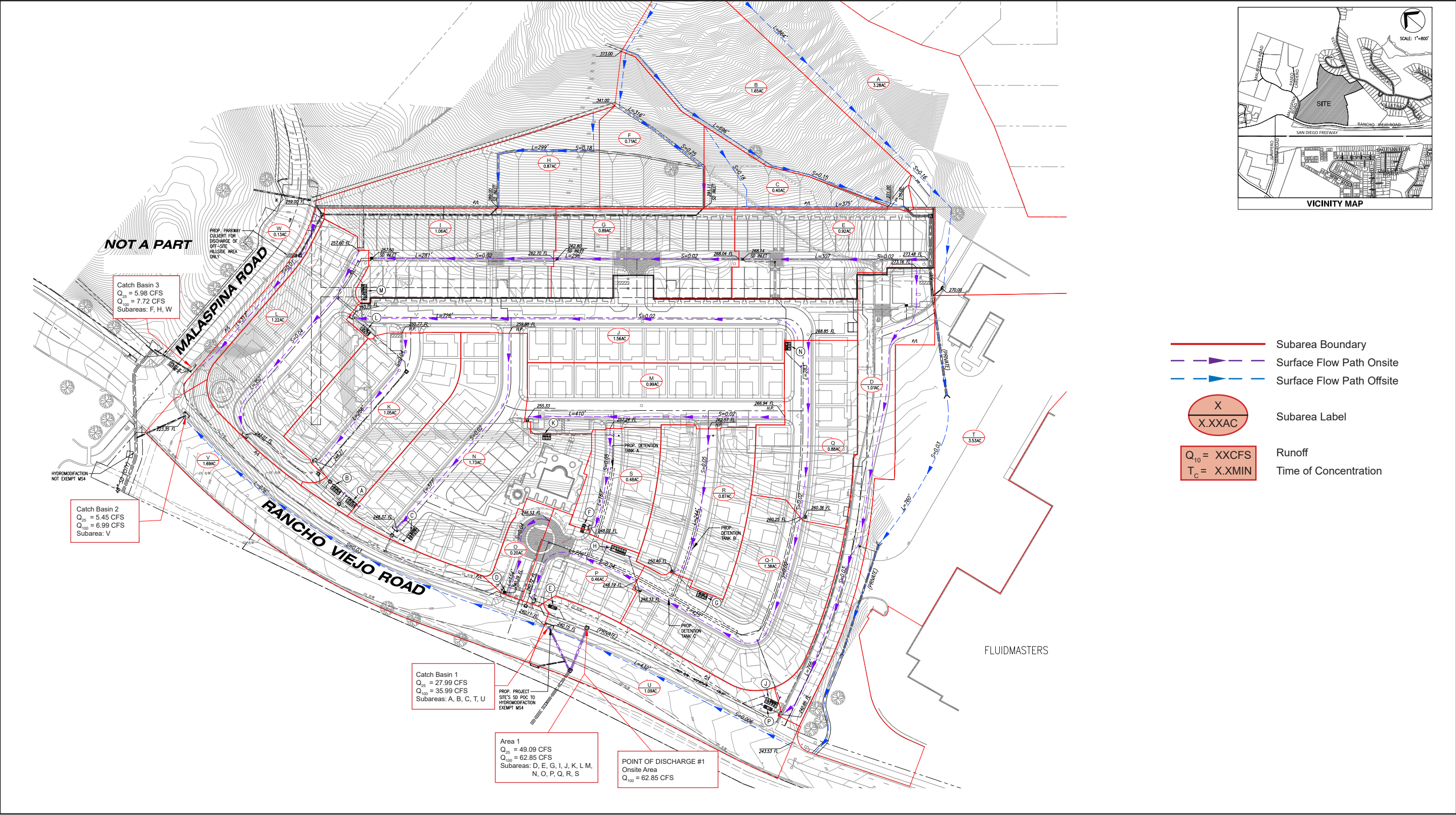
**Table 4 DMA Summary**

DMA	Total Area (ac) <sup>1</sup>	Impervious Area (ac)	Pervious Area (ac)	Percent Impervious
1	1.23	1.16	0.07	95%
2	1.05	0.99	0.06	95%
3	1.73	1.52	0.22	88%
4	0.20	0.11	0.09	54%
5	0.46	0.37	0.09	80%
6	0.48	0.46	0.03	95%
7	0.87	0.87	0.00	100%
8	1.38	1.35	0.03	98%
9	0.88	0.85	0.02	97%
10	0.99	0.96	0.03	97%
11	1.57	1.41	0.15	90%
12	1.96	1.76	0.20	90%
13	0.92	0.82	0.10	89%
14	1.01	0.66	0.35	65%
15	0.07	0.07	0	100%
16	0.01	0.01	0	100%
17	0.28	0	0.28	1%
18	0.49	0.03	0.46	5%
Total	15.58	13.4	2.18	86%

Source: KHR Associates, 2020b

DMA 1 and 2 generally consist of the northerly and northwesterly portions of the project site, and each contain single-family units, private streets, driveways and common areas. DMA 3 is centrally located on the northern portion of the project site, and contains single-family units, townhome units, private streets, driveways and common areas, including the pool and spa. DMAs 4 and 5 are centrally located along the westerly boundary of the project site, and each contain a portion of the entry/exit drive driveway, entry call box, and common areas, while DMA 5 also contains single-family units, private street, and driveways. DMAs 6 through 10 are located centrally and on the southerly portion of the project site, and each contain single-family units, private streets, driveways and common areas. DMAs 11 through 13 are located along the easterly portion of the project site. DMA 11 contain single-family units, private streets, driveways and common areas, while DMAs 12 and 13 each contain townhome units and the associated private street. DMA 14 generally consists of the southern boundary of the project site and contains a private street and common areas. DMA 15 is a concrete gutter along the easterly property line that collects run-on and routes it around the site. DMA 16 is a small portion of the southwesterly private drive at the intersection of Rancho Viejo Road that drains untreated into the roadway. DMAs 17 and 18 are self-mitigating landscaped areas along the westerly perimeter of the property and adjacent the right of way. The runoff from DMAs 1 through 14 would be collected by catch basins within each DMA and routed through modular wetland systems (MWS) for treatment prior to being discharged off-site to the existing 36-inch reinforced concrete pipe (RCP) in Rancho Viejo Road. In DMAs 6, 7, 8, 10, and 13, the stormwater is routed from the MWS to a detention tank prior to discharging off-site in order for the proposed site to match the existing site's flow rate at the discharge point. More detailed description of the MWS is provided in Attachment C to the WQMP, included as Appendix D to this Initial Study.

Figure 7 - Proposed Drainage Plan  
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Source: KHR Associates, Inc., 2020

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Table 5 DMA Flow Rate Summary

DMA	Total Area <sup>1</sup>	Q <sub>80</sub> (CFS)	Q <sub>design</sub> (CFS)	MWS Model	Biotreatment Flow (CFS)
1	1.23 ac	0.27	0.411	MWS-L-8-16	0.462
2	1.05 ac	0.23	0.352	MWS-L-8-16	0.462
3	1.73 ac	0.36	0.545	MWS-L-8-20	0.577
4	0.20 ac	0.03	0.043	MWS-L-4-4	0.052
5	0.46 ac	0.09	0.134	MWS-L-4-13	0.144
6	0.48 ac	0.11	0.162	MWS-L-4-15	0.175
7	0.87 ac	0.20	0.306	MWS-L-8-12	0.364
8	1.38 ac	0.32	0.476	MWS-L-8-20	0.577
9	0.88 ac	0.20	0.301	MWS-L-8-12	0.346
10	0.99 ac	0.23	0.338	MWS-L-8-12	0.346
11	1.57 ac	0.34	0.505	MWS-L-8-20	0.577
12	1.96 ac	0.42	0.628	MWS-L-8-24	0.693
13	0.92 ac	0.20	0.294	MWS-L-8-12	0.346
14	1.01 ac	0.17	0.253	MWS-L-4-21	0.268
Subtotal	14.73 ac				
DMA	Total Area	Impervious Area	Impervious Surface Type	BMP Type	
15	0.07 ac (3,049 sf)	0.07 ac (3,049 sf)	Concrete gutter collecting run-on from hillside	De-minimus	
16	0.01 ac (341 sf)	0.01 ac (341 sf)	Portion of driveway	De-minimus	
17	0.28 ac (12,337 sf)	0 ac (110 sf)	Wall	Self mitigating	
18	0.49 ac (21,405 sf)	0.03 ac (1,131 sf)	Wall	Self mitigating	
Subtotal	0.85 ac				
Total	15.58 ac				

MWS = Modular Wetland System  
CFS = cubic feet per second  
ac = acre  
sf = square feet

In addition to the MWS, the proposed project would incorporate the following site design BMPs:

- **Minimize Impervious Area.** Landscaping will be provided throughout the site, within private lots and common area lots, and along the perimeter of the site.
- **Maximize Natural Infiltration Capacity.** Project consists of Type D soils, which are not favorable for infiltration. However, landscaping will be provided throughout the site, allowing some infiltration and evapotranspiration processes.
- **Preserve Existing Drainage Patterns and Time of Concentration.** The entire site will be developed for the proposed project, which will require some alterations to the existing drainage patterns and will include new storm drain systems.
- **Disconnect Impervious Areas.** Landscaping will be provided throughout the site, within private lots and common area lots, and around the perimeter of the site.
- **Protect Existing Vegetation and Sensitive Areas.** The entire project site will be developed for the proposed project.



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- **Revegetate Disturbed Areas.** The entire project site will be developed for the proposed project and will include landscaping throughout the site. Disturbed slope areas will be vegetated with native or drought-tolerant plants.
- **Soil Stockpiling and Site Generated Organics.** There are no proposed stockpiles.
- **Firescaping.** Will be incorporated into landscape design.
- **Water Efficient Landscaping.** Will be incorporated into landscape design.
- **Slopes and Channel Buffers.** Drainage will be conveyed safely so it does not overtop slopes or channels, thereby reducing the chance for erosion. Disturbed slope areas will be vegetated with native or drought-tolerant plants.

The proposed biotreatment BMPs and incorporation of the site design BMPs would reduce stormwater pollutants and water quality impacts associated with the operation of the proposed project to a less than significant level. Additionally, the proposed project would be required to comply with the Orange County MS4 Permit and with regulatory requirements of the San Diego Regional Water Quality Control Board. No further discussion in the EIR is required.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** The City receives approximately 62 percent of its water supply from groundwater from the San Juan Groundwater Basin (San Juan Basin) (56 percent from the City's Groundwater Recovery Plant and 6 percent from domestic wells), 22 percent from imported water, and 16 percent from recycled water. The San Juan Basin is located in the San Juan Creek Watershed and is comprised of four principal groundwater sub-basins: Lower Basin, Middle Basin, Upper Basin, and Arroyo Trabuco. San Juan Basin is managed by the San Juan Basin Authority (SJBA), and members of the SJBA are the City of San Juan Capistrano, Santa Margarita Water District, Moulton Niguel Water District, and South Coast Water District (SJBA 2019). The San Juan Basin is recharged through a variety of sources such as: 1) streambed infiltration in San Juan Creek, Horno Creek, Oso Creek, and Arroyo Trabuco; 2) subsurface inflows along boundaries at the head of the tributaries upstream and other minor subsurface inflows from other boundaries; 3) precipitation and applied water; and 4) flow from fractures and springs. The project site is adjacent to, but not within the San Juan Basin boundaries, and implementation of the proposed project would not impact any of the listed groundwater recharge sources.

During construction, water would be mainly used to control dust by water trucks. The sources of water for watering trucks are unknown at this time but the construction would be temporary, and such temporary increase in water demands is within the City's supply and demand forecast. Water used during construction could also be from the recycled water sources. Temporary water usage during construction would not substantially decrease groundwater supplies or interfere with groundwater recharge. Construction impact would be less than significant.

The proposed project would result in a net increase in total impervious area compared to the existing condition of the site. Currently, the project site is being occupied by an existing manufacturing building, paved surface parking areas, and landscaping, with a total impervious percentage of 55 percent and pervious of 45 percent. The proposed residential project increases the project site's overall imperviousness to 88 percent and decreases

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perviousness to 12 percent (KHR 2019a). However, the WQMP states that the project site has poor infiltration conditions based on the soil types on-site, which are predominately silts and clays. Two field infiltration tests indicate that the infiltration rates on-site are zero. Given the existing soil conditions that do not allow infiltration, development of the proposed project would not substantially interfere with groundwater recharge, and it would not impede sustainable groundwater management of the basin.

The San Juan Basin is considered a subterranean flowing stream and is therefore subjected to the State Water Resources Control Board's water rights purview. It is not an adjudicated groundwater basin and has not been identified by Department of Water Resources as overdrafted. Under Permit 21074 (Permit for Diversion and Use of Water) issued by the California State Water Resources Control Board (SWRCB), issued in October 2000 and amended in October 2011, the SJBA may extract up to 8,026 acre-feet per year (afy) of groundwater from the San Juan Basin (WEI 2016). Pursuant to the City's 2002 Implementation Agreement with the SJBA, the City has the right to produce 5,800 afy (Arcadis 2016). According to the City's 2015 Urban Water Management Plan (UWMP), the City is projected to supply approximately 5,300 afy from groundwater through its 2020-2040 planning period. The 2015 UWMP projected that the City has adequate water supply to accommodate a projected population growth of 41,991 by 2020 and 42,119 residents by 2040. Based on the Southern California Association of Governments' (SCAG) 2016 RTP/SCS growth forecast for the City, the City's population is projected to reach 39,400 residents by 2020 and 39,500 residents by 2040. Therefore, the 2015 UWMP overestimated the City's population by 2,591 residents for 2020 and 2,619 residents for 2040. Considering that the City's current population is 35,948 residents (ACS 2017), an increase of 581 residents by the proposed project would be within the growth forecasts by both the 2015 UWMP and the SCAG, and would not require additional groundwater extraction than already projected in the 2015 UWMP. The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. A less than significant impact would occur, and no further discussion in the EIR is required.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i) Result in a substantial erosion or siltation on- or off-site?**

**Less Than Significant Impact.** As discussed under Section 3.10(b), the proposed project would increase the total impervious area on-site compared to existing conditions from approximately 55 percent impervious to 88 percent impervious. During construction, the proposed project would be required to comply with the NPDES Construction General Permit, which would require the preparation of a SWPPP that includes BMPs to reduce erosion and siltation. Compliance with the NPDES permit and implementation of the SWPPP would ensure that the construction of the proposed project would not result in adverse water quality impacts while the existing drainage pattern of the site is being altered.

Operation of the proposed project would implement stormwater facilities, including treatment facilities and BMPs that would reduce erosion and siltation during operation. A stormwater flow rate analysis was conducted as part of the preliminary hydrology report and determined that the proposed project would result in higher flow rates compared to existing conditions due to the increase in imperviousness and the

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design of the storm drain system. The stormwater runoff generated by the proposed project would be collected by the on-site storm drain system and would flow into multiple modular wetlands and biofiltration planters for pre-treatment before being routed to the City storm drain network. The hydrology report concluded that the proposed project would not result in a negative impact to adjacent properties and the City's storm drain system, because there is little change in flow rate from the existing condition leaving the project site. As such, operation of the proposed project would not result in substantial erosion or siltation on- or off-site. No further analysis is required in the EIR.

**ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

**Less Than Significant Impact.** As discussed under Section 3.10(b), the proposed project would increase the total impervious area on-site compared to existing conditions. The proposed project's storm drain system would capture on-site stormwater and convey it to the existing City stormwater main in Rancho Viejo Road. As stated under Section 3.10(c)(i), above, the proposed project would not result in a negative impact to adjacent properties and the City's storm drain system, because there is little change in flow rate from the existing condition leaving the project site. Therefore, the proposed project would lead to a less than significant impact to on- or off-site flooding. No further analysis is required in the EIR.

**iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact.** As discussed in the hydrology report, the proposed project includes an on-site storm drain system that would capture on-site rainwater and pretreat it with multiple modular wetlands and biofiltration planters. The hydrology report concluded that the proposed project would not result in a negative impact to adjacent properties and the City's storm drain system, because there is little change in flow rate from the existing condition leaving the project site. As discussed under Section 3.10(a) above, the proposed project would comply with NPDES requirements and implement BMPs during the construction and operation of the proposed project.

Therefore, the proposed project would not exceed the capacity of existing and planned stormwater drain systems nor provide a substantial additional source of polluted runoff. As such, the proposed project would result in a less than significant impact, and no further discussion in the EIR is required.

**iv) Impede or redirect flood flows?**

**Less Than Significant Impact.** The City's Safety Element shows that the project site is not located in an area of potential flooding from a 100-year flood or from a dam failure. Furthermore, the project site has been previously developed. Therefore, the proposed project would result in a less than significant impact to impeding and redirecting flood flows. No further discussion in the EIR is required.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**Less Than Significant Impact.** Tsunami and seiches are large waves usually caused by an earthquake. Tsunamis occur in the ocean and seiches occur in an enclosed body of water. Seiches are of concern relative

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to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water.

The project site is approximately four miles from the ocean. For this reason, tsunamis are not a concern at the project site. Additionally, based on the City's Safety Element's 100-Year Flood Hazard Areas (Figure S-3) and Dam Inundation Areas (Figure S-4), the project site is not located in an area of potential flooding. Therefore, impacts related to flooding hazard are less than significant. No further discussion in the EIR is warranted.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** The Preliminary WQMP for the proposed project divided the project site into 14 DMAs. Within each DMA, stormwater sheet flows to a catch basin and is collected within the private storm drain system, which directs flows to a MWS for treatment. From the MWS, the stormwater is routed off-site, discharging into the existing 36-inch RCP in Rancho Viejo Road. Within DMAs 6 through 8, 10, and 13, stormwater is routed from the MWS to a detention tank prior to discharging off-site in order for the project site to match the existing site's flow rate at the discharge point. The proposed project would not infiltrate any runoff water into the ground as part of due to poor infiltration condition at the project site. The proposed project would further include nonstructural and structural source control BMPs. Table 6, *Nonstructural and Structural Source Control BMPs*, summarizes these source control BMPs.

**Table 6 Nonstructural and Structural Source Control BMPs**

ID	Name	Description
<b>Nonstructural Source Control BMPs</b>		
N1	Education for Property Owners, Tenants and Occupants	Educational materials for good housekeeping practices, the WQMP, as well as other applicable stormwater BMP materials will be distributed by the owner and/or HOA to all employees and contractors that will perform any task affiliated with the BMPs mentioned within the WQMP. Materials will be presented upon hire and materials review will be done annually.
N2	Activity Restrictions	No outdoor storage shall be permitted. No hosing down of any paved surfaces will occur where the result would be the flow of non-stormwater into the street or storm drains. No dumping of any waste into drop inlets or catch basins. No blowing or sweeping of debris such as leaf litter, grass clippings, miscellaneous litter, etc. into catch basins, area drains, or streets. These and any other restrictions shall be adhered to daily.
N3	Common Area Landscape Management	Maintenance shall include trimming, mowing, weeding, removal of litter, fertilizing, water conservation, and replacement of dead, diseased, or dying plants. Any plant materials shall be installed and maintained in a neat, vigorous, and healthy condition. Irrigation will be monitored to establish proper time of watering. Landscape waste will be properly disposed of. Any fertilizer or pesticides used will be done so sparingly, according to Federal, State, and County standards, and applied in accordance with the directions on the label. Landscape Management shall be performed on a monthly basis. Irrigation Management shall be done in accordance with the landscapes watering schedule.
N4	BMP Maintenance	BMP maintenance refers to the proper inspection and maintenance at specified frequencies of all Structural BMPs, Non-Structural BMPs, and Treatment Control BMPs mentioned within this report. Record of inspections and maintenances shall be made and kept on-site. BMP Maintenance shall be adhered to as required.
N11	Common Area Litter Control	Routine maintenance shall consist of litter control throughout entire site, closing trash can lids, cleaning area around trash can, emptying trash containers throughout the site and

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**Table 6 Nonstructural and Structural Source Control BMPs**

ID	Name	Description
		inspecting and implementing the Best Management Practices. Common Area Litter Control shall be adhered to on a weekly basis.
N14	Common Area Catch Basin Inspection	Inspection shall be performed monthly and after every rain event. Catch basins shall be cleaned when sump is 40% full but at a minimum annually before the rainy season. Repair any damage to catch basins or drop inlets.
N15	Street Sweeping Private Streets and Parking Lots	Surface inspection of the parking area shall be performed on a monthly basis at a minimum. The private streets and parking lots shall be swept and cleaned monthly to prevent potential debris and pollutants from entering into the storm drain system. Hosing off streets and parking areas is prohibited.
<b>Structural Source Control BMPs</b>		
S1	Provide storm drain system stenciling and signage	The on-site proposed drop inlets will use City markers that state "No Dumping – Drains to Ocean." Inspection of drop inlet markers shall be done annually. Re-stenciling shall be done as needed, with a minimum frequency of every five years, to ensure legibility.
S4	Use efficient irrigation systems & landscape design, water conservation, smart controllers, and source control	Landscaping will consist of drought tolerant or native plants, grouped by similar irrigation needs. Any plant materials shall be installed and maintained in a neat, vigorous, and healthy condition. Irrigation will be monitored to establish proper time of watering. Rain shutoff devices and shut off valves/flow reducers will be used to prevent erosion, over watering, and prolong plant life. The irrigation system shall minimize excess irrigation and irrigation runoff throughout the project site. Landscaping and irrigation systems will be inspected monthly and maintained as needed.
S5	Protect slopes and channels and provide energy dissipation; Incorporate requirements applicable to individual priority project categories (from SDRWQCB NPDES Permit)	Run-off descending toward the site from the eastern slope will be collected off-site by existing terrace drains and on-site at a new retaining wall within a new concrete ditch that flows to one of four drains. The drains connect to the storm drain system that directs the flows off-site. Retaining walls are located at the bottom of the 2:1 slope along the east property line, and at the top of 2:1 slopes along the north and west property lines. Disturbed slope areas will be vegetated with native or drought tolerant plants.
S12	Hillside landscaping	Vegetation planted along hillside areas will provide adequate soil cover and have limited irrigation needs. Planting material will consist of native or drought tolerant species.

Source: KHR Associates 2020b.

With the incorporation of the on-site stormwater system, including proposed stormwater treatment systems and BMPs, the proposed project would not adversely affect water quality or groundwater quality. Implementation of the proposed project would not conflict with or obstruct implementation of any water quality control plan. Impacts would be less than significant. No further discussion in the EIR is required.

### 3.11 LAND USE AND PLANNING

Would the project:

#### a) Physically divide an established community?

**No Impact.** The project site is developed with a former industrial building that is currently vacant and surrounded by industrial use to the south, and open space and residential uses to the north and east. The I-5 freeway is west of Rancho Viejo Road, and beyond I-5 are residential and school uses. Redevelopment of the

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project site does not physically divide any community. No impact would occur, and this issue will not be further addressed in the EIR.

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Potentially Significant Impact.** The project site is designated Industrial Park by the City's General Plan land use plan, and zoned IP (Industrial Park District) by the zoning map. Implementation of the proposed project would require a General Plan amendment and zone change to allow the proposed residential uses. Further evaluation in the EIR is required to address potential land use impacts due to implementation of the proposed project. Mitigation measures will be identified as necessary. This issue will be further addressed in the EIR.

#### 3.12 MINERAL RESOURCES

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?**

**Less Than Significant Impact.** The California Geological Survey Mineral Resources Project provides information about California's nonfuel mineral resources. The Mineral Resources Project classifies lands throughout the state that contain regionally significant mineral resources, as mandated by the Surface Mining and Reclamation Act of 1975. The state classifies land into one of four mineral resource zones (MRZs). MRZ-1 is an area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. MRZ-2 is an area where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood exists for their presence. MRZ-3 is an area containing mineral deposits whose significance cannot be evaluated from available data. MRZ-4 is an area where available information is inadequate for assignment to any other MRZ. The project site is identified as MRZ-1 and MRZ-3 by the Generalized Mineral Land Classification of Orange County, California map (Miller 1994). Additionally, the San Juan Capistrano General Plan Conservation and Open Space Element do not indicate any mineral resources within the plan boundaries (San Juan Capistrano 2002). No loss of availability of known resources would result from project implementation. Implementation of the proposed project would not preclude future identification and mining of aggregate deposits, if indicated in future investigation based on economic-geologic principles that the likelihood for occurrence of significant mineral deposits exists. The proposed project would not deplete or modify the availability of a known mineral resources that would be of value to the region and the residents of the state. Impacts would be considered less than significant. This issue will not be further addressed in the EIR.

- 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?**

**No Impact.** The City of San Juan Capistrano does not designate a locally important mineral resource recovery site in its General Plan or other land use plan. The project site is also not identified as a mineral resource area by the County of Orange General Plan's Figure VI-3, Orange County Mineral Resources. Implementation of

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the proposed project would require increased demands for aggregate deposits during construction. However, building materials would come from known sources, not a locally important mineral resource recovery site delineated on the City's General Plan or other applicable land use plan. No impact is anticipated, and this issue will not be addressed in the EIR.

#### 3.13 NOISE

Would the project result in:

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Potentially Significant Impact.** Future development of the proposed project would have the potential to increase noise levels in the project vicinity temporarily from demolition and construction activities and permanently from increased mobile source noise and stationary source noise such as mechanical systems and recreational area noise. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures which reduce impacts to below a level of significance, if required. This issue will be addressed in the EIR.

- b) **Generation of excessive groundborne vibration or groundborne noise levels?**

**Potentially Significant Impact.** Groundborne vibration or noise would primarily be associated with construction activities. These temporary increased levels of vibration could impact vibration-sensitive land uses in and surrounding the project site. This topic will be addressed in the EIR, and mitigation measures will be recommended as needed.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**Less Than Significant Impact.** The nearest airport to the project site is John Wayne Airport, approximately 16 miles to the northwest. There are no public airports within 2 miles, and the project site is not part of the Orange County Airport Land Use Commission's land use plan for John Wayne Airport or any other airports. The proposed project would not expose people residing or working in the project area to excessive noise levels. This topic will not be discussed in the EIR.

#### 3.14 POPULATION AND HOUSING

Would the project:

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- a) **Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Potentially Significant Impact.** The proposed project would result in direct population growth in the area by adding 581 people, based on the average household size of 3.09 persons for San Juan Capistrano and proposed 188 housing units (DOF 2019). The City of San Juan Capistrano adopted its 2014-2021 General Plan Housing Element in January 2014, anticipating an additional 3,400 new residents, an increase of 9.9 percent by 2035. The Housing Element has planned for 638 new housing units for the City during the 2014-2021 planning period as determined by the Regional Housing Needs Allocation conducted by the Southern California Association of Governments. The proposed 188 units would represent approximately 29 percent of the 638 units allocated for the City in the 2014-2021 cycle. Additionally, according to the California Department of Finance's E-5 Housing Estimates, San Juan Capistrano's 2019 population estimate is 36,821, an increase of 900 people from the beginning of the housing planning period in 2014. Therefore, an additional 1,071 people are projected by the end of the housing planning period in 2021, and the proposed project would represent approximately 54.2 percent of that anticipated growth. Therefore, the proposed project would induce population growth in the project area directly, and this impact will be addressed further in the EIR.

- b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The project site is developed with a vacant industrial building, and the proposed project would not displace any housing or people. Construction of replacement housing would not be required. No impact would occur, and this issue will not be addressed in the EIR.

#### 3.15 PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) **Fire protection?**

**Potentially Significant Impact.** The City of San Juan Capistrano is served by the Orange County Fire Authority (OCFA) for fire protection services. Implementation of the proposed project may increase the demand for public services, including fire protection, due to change in land use, and increase in development intensity. Consultation with OCFA will be conducted to estimate the level and type of demand associated with the proposed project. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if required. This issue will be addressed in the EIR.



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#### b) Police protection?

**Potentially Significant Impact.** The City of San Juan Capistrano is served by the Orange County Sheriff's Department (OCSO). Implementation of the proposed project may increase the demand for public services, including police protection through the change in land use and intensification of development. Consultation with OCSO will be conducted to estimate the level and type of demand associated with the proposed project. Further evaluation in the EIR is required to determine the level of significance and to identify mitigation measures that reduce impacts to below a level of significance, if required. This issue will be addressed in the EIR.

#### c) Schools?

**Potentially Significant Impact.** The proposed project is served by the Capistrano Unified School District (CUSD), and development of 188 residential units would increase the demands for K-12 school facilities. CUSD will be contacted to estimate the level and type of demand associated with the proposed project. Project impacts on schools will be analyzed in the EIR.

#### d) Parks?

**Less than Significant Impact.** The City's Community Services Department maintains and operates parks and recreational facilities in the City. There are several recreational trails throughout the City and in the vicinity of the project site. The proposed 188 residential units would lead to an increase in population and may lead to the increased use of parks and recreational facilities in the surrounding community.

The City's parks and recreational systems consists of neighborhood parks, community parks, joint use parks, private parks and recreational facilities, community services and facilities, and extensive trail system. According to the City's Parks & Recreation Element, the City provides 162.6 acres of parks and recreational facilities as of 2002. The closest parks to the project site are summarized in Table 7, *Parks Near Project Site*.

**Table 7 Parks Near Project Site**

Name	Distance	Size	Amenities
Junipero Serra Park	0.3 mile	3.75 acres	Bike paths, children's play area, drinking fountains, and open space
Rio Oso Park	0.5 mile	5.3 acres	Benches and bike trails
El Camino Park	0.8 mile	4.5 acres	Bike paths, drinking fountains, open space, picnic area, restrooms

Source: City of San Juan Capistrano. 2002. General Plan Parks & Recreation Element.

Based on the City's Parks & Recreation Element and SJCMC Section 9-4.519, the City has established a parkland standard of five acres per 1,000 residents. Provided that the current population estimate for the City is 36,821 residents, the City is not currently meeting its parkland standards by approximately 21.5 acres. SJCMC Section 9-4.519, Parkland, requires the Project Applicant to dedicate land, and/or improvements/amenities, and/or pay a fee for the purpose of developing new or rehabilitating existing parks or recreational facilities. The Quimby Act (California Government Code § 66477) authorizes dedication of parkland and/or payment of in-lieu fees as a condition of approval of certain types of residential development projects. Furthermore, AB 1359 allows

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cities and counties to use developer-paid Quimby Act fees to provide parks in neighborhoods other than the one in which the developer's subdivision is located.

Therefore, it is anticipated that the payment of fees would offset increased parkland demands created by the proposed project. While the proposed project would increase the demand for parks in the project site area, such demand would be adequately met by providing recreational amenities on site and compliance with SJCMC Section 9-4.519. As such, the project's impacts on parks would be less than significant and no additional mitigation measures are required. This issue will not be addressed in the EIR.

#### e) Other public facilities?

**Potentially Significant Impact.** The proposed project would add 188 residential units, which may increase the demand on other public facilities, such as libraries. The Orange County Public Library system provides library services to San Juan Capistrano residents. Project impacts on libraries will be analyzed in the EIR.

### 3.16 RECREATION

#### 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?

**Less than Significant Impact.** As discussed in Section 3.15(d), above, the proposed project would result in increased demands for neighborhood and regional parks. However, the proposed project would provide recreational facilities on-site and would comply with SJCMC Section 9-4.519, which would ensure that the proposed project's impact on existing parks and recreational facilities are less than significant. No additional mitigation measures are required, and this issue will not be addressed in the EIR.

#### 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?

**Less than Significant Impact.** As discussed in Section 1.3.1, above, the proposed project would provide an HOA-maintained common swimming pool and recreational area. In addition, common open space would be provided on-site at a minimum of 400 square feet per dwelling unit for the single-family products and 300 square feet per dwelling unit for the townhome products. Each of the proposed 188 dwelling units would also have private open space, a minimum of 100 square feet and 50 square feet for the single-family and townhome units, respectively. The environmental effects of the proposed project and the development of these facilities are analyzed as part of the overall project. Further, as discussed under Section 3.15(d), compliance with SJCMC Section 9-4.519 and providing recreational facilities on-site would ensure that the proposed project's impact on existing parks and recreational facilities are less than significant. No further discussion in the EIR is required.

### 3.17 TRANSPORTATION

Would the project:

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- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Potentially Significant Impact.** The proposed project would convert a former industrial site (currently vacant) to residential uses. The new residential use and increase in residents on-site is expected to result in new vehicle trips to and from the project site compared to current site conditions. Additionally, on-site residents are anticipated to utilize active transportation facilities, including transit, bicycle, and pedestrian facilities. As such, this topic will be further analyzed in the EIR, and mitigation measures will be identified as necessary.

- b) **Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?**

**Potentially Significant Impact.** As discussed in Section 3.17(a), the proposed project is expected to result in new vehicle trips to and from the project site. The proposed project would also add additional vehicles to the roadway network around the project site. The proposed project's contribution to vehicle miles traveled will be analyzed in the EIR, and mitigation measures will be identified if necessary.

- c) **Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Potentially Significant Impact.** The proposed project is anticipated to increase vehicular and nonvehicular traffic in the area due to development of the 188 residential units. The proposed project would change the existing access and circulation pattern in the area. Therefore, further analysis in the EIR is necessary to determine the potential for hazardous conditions due to modifications to existing roadways and intersections, new driveway approaches, etc. This topic will be evaluated in the EIR, and mitigation measures will be identified as necessary.

- d) **Result in inadequate emergency access?**

**Potentially Significant Impact.** Changes in land use and circulation patterns could affect the circulation system of emergency access routes. This topic will be further analyzed in the EIR, and mitigation measures will be identified as necessary.

### 3.18 TRIBAL CULTURAL RESOURCES

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

**Potentially Significant Impact.** In order to determine whether there are any tribal cultural resources that could be impacted by the proposed project, California Native American tribes that are traditionally and

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culturally affiliated with the project site will be contacted (Public Resources Code § 21080.3.1). The EIR will evaluate potential impacts of the proposed project on tribal cultural resources.

- ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Potentially Significant Impact.** See above response to Section 3.18(a)(i).

#### 3.19 UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Potentially Significant Impact.** The proposed project would develop 107 single-family attached units and 81 multifamily townhome units. The proposed project's new residents would increase the demand for water, electricity, natural gas, and telecommunication facilities and would increase wastewater generation and stormwater generation. The proposed project's potential impacts on these facilities will be reviewed in the EIR.

- b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Potentially Significant Impact.** The proposed project's new residents would increase the demand for water. The proposed project's potential impact on water supplies will be reviewed in the EIR.

- c) **Result in a determination by the waste water 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?**

**Potentially Significant Impact.** The proposed project's new residents would increase wastewater generation. The proposed project's potential impact on wastewater treatment will be reviewed in the EIR.

- d) **Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Potentially Significant Impact.** The proposed project's new residents would increase solid waste generation compared to the existing vacant facility on site. The proposed project's potential impact on solid waste will be reviewed in the EIR.

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**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**Less Than Significant Impact.** The proposed project would be required to comply with all federal, state, and local agency regulations regarding solid waste. Under AB 939, the Integrated Waste Management Act of 1989, the City is required to develop source reduction, reuse, recycling, and composting programs to reduce the amount of solid waste entering landfills. Local jurisdictions are mandated to divert at least 50 percent of their solid waste generation to recycling. The City implements municipal codes and ordinances that help to reduce the waste source and increase the diversion rate. The City of San Juan Capistrano contracts with CR&R Incorporated for solid waste services, including trash and recycling. The proposed project would be serviced by CR&R. Each home in the proposed project would have separate cans for recycling and nonrecyclable material. The cans would be emptied once per week on regularly scheduled pick-ups by the local provider using standard trash trucks.

The City currently exceeds the AB 939 diversion goal of 50 percent with a diversion rate of 65 percent. The proposed project is required to comply with the City's waste collection and diversion programs and would not conflict with any of the existing regulations or programs, and impacts would be less than significant. This issue will not be addressed further in the EIR.

#### 3.20 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** The project site is not in or near a very high fire hazard severity zone (VHFHSZ) as identified by CAL FIRE's Very High Fire Hazard Severity Zones in LRA map (CAL FIRE 2011). The nearest VHFHSZ is approximately 0.5 mile to the southeast, south of Golf Club Drive. No impact would occur, and this issue will not be addressed further in the EIR.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** The project site is not in or near any local or state responsibility areas or lands classified as very high fire hazard severity zones (CAL FIRE 2011). Additionally, the proposed project would be constructed in compliance with the Fire Code and CBC and would not expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire by exacerbating wildfire risks. No impact would occur, and this issue will not be addressed further in the EIR.

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- c) **Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** The project site is not in or near any local or state responsibility areas or lands classified as very high fire hazard severity zones (CAL FIRE 2011). No impact would occur, and this issue will not be addressed further in the EIR.

- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** The project site is not in or near any local or state responsibility areas or lands classified as very high fire hazard severity zones (CAL FIRE 2011). No impact would occur, and this issue will not be addressed further in the EIR.

#### 3.21 MANDATORY FINDINGS OF SIGNIFICANCE

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Potentially Significant Impact.** As discussed under Section 3.4, *Biological Resources*, the proposed project would result in a less than significant impact or no impact to biological resources. The project site is currently developed with a vacant 123,000-square-foot industrial building and paved parking areas. The proposed project would not 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed under Section 3.5, *Cultural Resources*, and Section 3.18, *Tribal Cultural Resources*, the proposed project would result in a potentially significant impact to archaeological resources and tribal cultural resources. Therefore, these topics will be further evaluated in the EIR, and mitigation measures will be identified as necessary.

- b) **Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?**

**Potentially Significant Impact.** The project site is currently developed with vacant industrial building. Therefore, the project site is being underutilized and is not generating any physical environmental impacts. Converting existing vacant industrial uses to residential development have potential to create potentially significant impacts related to aesthetics, air quality, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, land use and planning, noise, population and housing, public services, transportation, tribal cultural resources, and utilities and service systems during construction and operation of

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the proposed project. Therefore, the EIR will identify short-term and long-term environmental goals applicable to the proposed project, and evaluate how the proposed project would be consistent or inconsistent with the identified goals as appropriate. This issue will be further evaluated the EIR.

- c) **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.)**

**Potentially Significant Impact.** Implementation of the proposed project may result in cumulative impacts to aesthetics, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use, noise, population and housing, public services, transportation, tribal cultural resources, and utilities and service systems. Further analysis is needed to estimate the extent and significance of potential cumulative impacts resulting from the combined effects of the proposed project plus other past, present, and reasonably foreseeable future projects. Cumulative impacts will be evaluated in the EIR, and mitigation measures will be identified as necessary.

- d) **Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Potentially Significant Impact.** Potentially significant impacts that could substantially affect human beings, directly or indirectly, are identified in this Initial Study in the areas of aesthetics, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use, noise, population and housing, public services, transportation, tribal cultural resources, and utilities and service systems. Impacts in each of these areas will be discussed in the appropriate topical section of the EIR, and mitigation measures will be identified as necessary.

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## 4. References

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## Appendix

# Appendix A    Biological Resources Technical Report

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## Appendix

# Appendix B Tree Reconfiguration Report



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## Appendix

# Appendix C Preliminary Drainage Study

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## Appendix

# Appendix D    Conceptual Water Quality Management Plan

## Appendix

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