

1.0 INTRODUCTION

1. PURPOSE OF THE FINAL EIR

The County of Orange (“County”), as the Lead Agency under the California Environmental Quality Act (“CEQA”), has prepared this Final Environmental Impact Report (“Final EIR”) for the Cielo Vista Project (the “Project”). This document, in conjunction with the Draft EIR, collectively comprise the Final EIR.

As described in Sections 15089, 15090 and 15132 of the CEQA Guidelines, the Lead Agency must prepare and consider the information contained in a Final EIR before approving a project. Pursuant to CEQA Guidelines Section 15132, a Final EIR consists of: a) the Draft EIR or a revision of the Draft; b) comments and recommendations received on the Draft EIR either verbatim or in summary; c) a list of persons, organizations, and public agencies commenting on the Draft EIR; d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and e) any other information added by the Lead Agency.

Accordingly, this Final EIR is comprised of two components as follows:

Component 1: Draft EIR and Technical Appendices

Volume I: Draft Environmental Impact Report - EIR Chapters 1.0 to 7.0

Volume II: Draft Environmental Impact Report – Appendices A through F

Volume III: Draft Environmental Impact Report – Appendices G and H

Volume IV: Draft Environmental Impact Report – Appendices I through L

Component 2: Final EIR and Technical Appendices

Volume V: Final Environmental Impact Report (described in more detail below.)

2. PROJECT SUMMARY

a. Project Location

The 84-acre project site is located within an unincorporated area of the County of Orange, but is also located within the Sphere of Influence of the City of Yorba Linda. Regional access project site is provided via State Route (SR) 91 (91 Freeway) located approximately two miles southwest of the site. The nearest arterial to the project site is Yorba Linda Boulevard, which is located approximately 0.25 miles to the south of the site. From Yorba Linda Boulevard, the site is accessed by Via del Agua and by San Antonio through Aspen Way. The Casino Ridge residential community is located to the north of the project site, and established residential neighborhoods are located to the south and west of the project site. An undeveloped parcel commonly referred to as the Esperanza Hills property is located to the east of the project site. The project site and the adjacent undeveloped Esperanza Hills property to the east are within an area commonly referred to as the Murdock Properties. The majority of the 84-acre project site is vacant, with the exception of several operational and abandoned oil wells and various dirt roads and trails which traverse the site.

b. Project Characteristics

A detailed description on the Project is provided in Volume 1 of the EIR, Section 2.0, *Project Description*. The Project proposes to develop a maximum of 112 single-family residences and associated infrastructure within two Planning Areas. Planning Area 1 would include 95 residences within approximately 41.3 gross acres. Planning Area 2 would include 17 residences within approximately 6.4 gross acres. Thus, the single-family residences and associated infrastructure would be developed on approximately 47.7 acres of the site. Residential land use within the project site would occur at a gross density of 1.3 dwelling units per acre. The minimum building site area of the residential lots would be 7,500 square feet and the average lot size would be approximately 14,800 square feet. Detached single-family homes would be built on the lots to meet building envelope requirements of both the City of Yorba Linda and County of Orange development standards, as discussed below. Merchant builder(s) to be selected in the future would identify home design and lot amenities. The Project would preserve approximately 36.3 acres of the site as undeveloped open space, including fuel modification zones but exclusive of private slopes, water quality basins and roadways. Open space areas would be preserved in the northern portion of the site.

The Orange County General Plan designates approximately 41 acres of the project site as Suburban Residential “1B”, which permits development of residential land uses at a density of 0.5 to 18 dwelling units per acre, and approximately 43 acres of the project site as Open Space (5). The entire project site is zoned A1 – General Agricultural and A1(O) – General Agricultural with Oil Production Overlay, per the Orange County Zoning Map. The project site is also within the City of Yorba Linda Sphere of Influence (SOI). The City of Yorba Linda Land Use Map identifies the project site to be within Area Plan C – Murdock Property. The Murdock property land use designation, inclusive of the project site, is Low Density residential with a range of 0 to 1.0 dwelling unit per acre. Per the City Zoning Maps, the project site is designated as UNC – Unincorporated Area. No specific development standards are identified with the Unincorporated zoning designation.

Implementation of the Project would require approval of a General Plan Amendment by the County of Orange Board of Supervisors for 6.4 acres comprising Planning Area 2 to change the General Plan Land Use Designation for this portion of the site from Open Space (5) to Suburban Residential (1B). The Project would also require approval of a zone change by the County of Orange Board of Supervisors for Planning Area 1 from A1 (General Agricultural) and A1(O) (General Agricultural with Oil Production Overlay) to R-1 (Single Family Residence District) and R-1(O) (Single Family Residence District with Oil Production Overlay); and, a zone change for Planning Area 2 from A1(O) to R-1, permitting development of single-family detached residences on minimum 7,500 square foot lots. The Project Applicant may seek annexation to the City in the future through an annexation agreement to be negotiated with the City.

Also, existing on-site oil wells and production facilities would be abandoned or re-abandoned, as necessary, in accordance with the standards of the State of California Division of Oil, Gas and Geothermal Resources (DOGGR), OCFA, and County of Orange. A 1.8-acre parcel located in Planning Area 1 (also referred to as the “drilling pad”) is proposed to be zoned R-1(O) and can be designated for continued oil operations including consolidation of wells relocated from the rest of the project site and slant drilling of new wells below ground. However, the Project is not proposing new oil wells and as such, would not drill new wells. The drilling pad would be made available to the current oil operators following the Project’s construction activities for continued oil operations if permitting and site planning were pursued by the oil operators. Thus, the oil drilling pad would be developed for future oil operations as a separate project only if the oil operators choose to and receive subsequent discretionary approval to relocate to this area of the project site. Although

drilling operations may be performed at the drilling pad in the future, this assumption is speculative and would require environmental review prior to the initiation of drilling activities.

c. Project Access

Access to Planning Area 1 would be provided from Via Del Agua within an existing, currently unimproved right-of-way between the southerly boundary of Planning Area 1 and Via Del Agua. As part of the approval of the existing adjacent residential development to the south of the project site, right-of-way was dedicated to allow for construction of a future street connecting the project site with Via Del Agua. Access to Planning Area 2 would be provided from Aspen Way. Aspen Way extends easterly from San Antonio Road with the paved improvements terminating approximately 400 feet from the westerly boundary of the project site. The existing dedicated right-of-way for Aspen Way would be improved as part of the Project to provide access to Planning Area 2. Also, as discussed above, a 50-foot wide easement strip that traverses in a north-south direction would be provided through Planning Area 1, which would allow for emergency access to the adjacent Esperanza Hills property. A future roadway could be constructed within the easement by Esperanza Hills at a future date. The Project proposes a network of local residential streets and sidewalks to provide access and vehicular circulation throughout the site. The Project would implement a fire protection plan that would comply with the Orange County Fire Authority (OCFA) standards for Very High Fire Hazard Severity Zone/Special Fire Protection Areas. The Project would also include a landscape plan with a plant palette consisting of fire resistant plants, native and appropriate non-native drought tolerant species, which complies with OCFA standards for fuel modification.

3. OVERVIEW OF THE CEQA PUBLIC REVIEW PROCESS FOR THE DRAFT EIR

In compliance with the *CEQA Guidelines*, the County has provided opportunities for the public to participate in the environmental review process. As described below, throughout the environmental review process, an effort was made to inform, contact and solicit input from the public and various Federal, State, regional, and local government agencies and other interested parties on the Project.

Pursuant to the provisions of Section 15082 of the *CEQA Guidelines*, the County circulated a Notice of Preparation (NOP) to public agencies, special districts, and members of the public for a 30-day period commencing July 5, 2012 and ending August 6, 2012. The purpose of the NOP was to formally convey that the County is preparing an EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the EIR. A description of the Project was circulated with the NOP. In addition, in accordance with Public Resources Code Section 21083.9, a public scoping meeting was held for the Project on July 19, 2012 to also obtain input as to the scope and content of the environmental information that should be included in the EIR. The meeting was held at the Travis Ranch Activity Center located at 5200 Via De La Escuela, Yorba Linda, CA 92887. Comments on the scope and content of the EIR were received from various public agencies and individuals from the public. The NOP comments are contained in Appendix A of the Draft EIR (Volume I).

In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the *CEQA Guidelines*, the County, serving as the Lead Agency in early November 2013 circulated a Notice of Availability (NOA) of a Draft EIR to: property owners within 2,000 feet of the project site; occupants of properties contiguous to the project site; and public agencies, organizations and individuals that commented on the NOP or requested such notice in writing. The NOA indicated the Draft EIR would be available for review at the following locations:

- OC Development Service’s website - <http://ocplanning.net/planning/land/projects/cielo>;
- OC Development Services - 300 N. Flower Street, First Floor, Santa Ana, CA 92702;
- City of Yorba Linda Planning Department - 4845 Casa Loma Avenue, Yorba Linda, CA 92885;
- Yorba Linda Public Library - 18181 Imperial Highway, Yorba Linda, CA 92886; and
- East Anaheim Library - 8201 E. Santa Ana Canyon Road, Anaheim Hills, CA 92808.

The Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and initially circulated for the public review period beginning November 7, 2013, and ending on December 23, 2013. This public review period, which lasted 45-days, was consistent with the *CEQA Guidelines* Section 15087 requirements for public review of a Draft EIR. The public review and comment period was subsequently extended by the County to 75 days total, with the comment period ending on January 22, 2014. This extension was granted by the County in response to extension requests from both the public, as well as public agencies, including a request from the Orange County Fire Authority to allow additional time to coordinate with the Orange County Sheriff Department in the area of emergency response and evacuation. All comments on the Draft EIR were submitted to Ron Tippetts, Contract Planner at OC Development Services located at 300 N. Flower Street, Santa Ana, CA 92702-404 or via e-mail to Mr. Tippetts at Ron.Tippetts@ocpw.ocgov.com.

During the public review period, a public meeting was held at the Travis Ranch Activity Center in Yorba Linda on December 16, 2013, in order to take public comments on the Draft EIR. Comments received at the public hearing and those provided in writing to the County during the public review period are presented and responded to in Chapter 2.0, *Comments and Responses*, of this Final EIR.

4. ORGANIZATION OF FINAL EIR

The Final EIR (Volumes V of the EIR) consists of the following four chapters:

Chapter 1. Introduction. This chapter describes the purpose of the Final EIR, provides a summary of the Project, describes the EIR public review process, and outlines the content of the Final EIR.

Chapter 2. Comments and Responses. This chapter presents comments received by the County during the 75-day public review period of the Draft EIR (November 7, 2013 through January 22, 2014) and at the public meeting held on December 16, 2013, as well as the responses by the County to those comments. The individual letters (or correspondence) with comments requiring responses are included within this section. Complete copies of the original letters with any “attachments” to the individual letters that do not require a response are provided in Appendix A of this Final EIR. Also included within this chapter are “topical responses” that provide comprehensive responses to address multiple similar comments that have been raised on key topics during the public review period of the Draft EIR. Where appropriate, referrals to the topical responses are provided within the individual responses to comments. Additional information used to respond to comments is incorporated in the Final EIR Appendices as listed below.

Chapter 3. Corrections and Additions to the Draft EIR. This chapter includes revisions to the Draft EIR that represent minor changes or additions in response to some of the comments received on the Draft EIR and additional edits to provide clarification. Changes to the Draft EIR are shown with ~~striketrough~~ text for

deletions and double underline text for additions. These changes are minor and do not add significant new information that would affect the analysis or conclusions presented in the Draft EIR.

Based on public comments received during the public review period for the Cielo Vista Draft EIR, including those pertaining to density under the Yorba Linda General Plan, and the County's June 2, 2015 approval of the Esperanza Hills Project, Section 1 of Chapter 3.0 also includes a new alternative, the Modified Planning Area 1 Only Alternative (Alternative 5). As further described in Chapter 3.0, similar to the Planning Area 1 Only Alternative (Alternative 2) included in the Draft EIR, Alternative 5 does not include any development within Planning Area 2 of the Cielo Vista project site. However, where Alternative 2 increased the density of residential development within Planning Area 1, Alternative 5 would develop Planning Area 1 with 83 single-family residential lots and associated improvements. The circulation system in Planning Area 1 under Alternative 5 would be the same as the Project, with the reduction in the number of lots occurring because of wider residential lots. Overall, compared to the proposed Project, and due to the elimination of Planning Area 1 and reduced density in Planning Area 1, Alternative 5 would include 29 fewer units, would reduce the development area by 6.4 acres to 41.3 acres, and would increase permanent open space by 6.4 acres to 42.7 acres.

A detailed description of Alternative 5 along with an analysis of the potential impacts that would result from its implementation are included in Chapter 3.0. The analysis of Alternative 5 also assesses potential cumulative impacts associated with Esperanza Hills Specific Plan, and its two potential access configurations. The County Board of Supervisors' adopted the Esperanza Hills Specific Plan and its other entitlements on June 2, 2015 and certified its Final EIR on March 10, 2015. The approved Specific Plan identifies two potential access configurations. A third potential access configuration which would have provided access from Stonehaven Drive (referred to in the Esperanza Hills Draft EIR as Option 1) was removed from the Esperanza Hills Specific Plan by the County Board of Supervisors on June 2, 2016.

The first access configuration approved to be finalized on the Tract Map in the Esperanza Hills Specific Plan is described and depicted in the Esperanza Hills certified Final EIR as Alternative 3 - Access Option 2B. This configuration would include an east-west access primary access corridor across the Cielo Vista site just north of Planning Area 1, and would continue west through City open space connecting with San Antonio Road approximately 1,850 feet south of Aspen way. A separate ingress/egress road for secondary and emergency purposes would exit south from the project site to Stonehaven Drive.

The second access configuration approved in the Esperanza Hills Specific Plan is referred to as the "Modified Option 2" access configuration, or the "Aspen Way Drive Access Configuration." Under this configuration, the Esperanza Hills Project would provide a primary connection going west from the project to Aspen Way, connecting into San Antonio Road. A separate ingress/egress road for secondary and emergency purposes would exit south from the project site to Stonehaven Drive.

Based on the impact analysis of Alternative 5 provided in Chapter 3.0, the addition of Alternative 5 would not result in a new significant impact or in a substantial increase in the severity of significant impacts identified for the Project in the Draft EIR. Also, as discussed under Topical Response 5 in Chapter 2 of this Final EIR, Alternative 5 does not consist of "significant new information" added to the Draft EIR. As such, recirculation of the Draft EIR is not required. The alternative was included based on public comments, would reduce the

significant impacts of the Project, and would represent an environmentally superior and feasible alternative that the Project proponent may choose to adopt.

Chapter 4. Mitigation Monitoring and Reporting Program. The Mitigation Monitoring and Reporting Program (MMRP) is the document that will be used by the enforcement and monitoring agencies responsible for the implementation of the Project's mitigation measures and project design features (PDFs). Mitigation measures and PDFs are listed by environmental topic.

Appendices

- Appendix A – Original Comment Letters/Correspondence (with Attachments) on the Cielo Vista Draft EIR
- Appendix B – Supplemental Final EIR Data
- Appendix C – Cielo Vista Fire Behavior Analysis Report
- Appendix D - Conceptual Drainage Study and Conceptual Water Quality Management Plan