

CHAPTER 3

3.01 Environmental Setting, Impacts, and Mitigation Measures

This chapter focuses upon evaluating the significant environmental effects of proposed Preserve at San Juan Project (proposed project), which is described in Chapter 2, *Project Description*. This Chapter describes the existing physical environmental setting (also referred to as “baseline”) for each environmental topic, and the impacts that would result from implementation of proposed project. Because existing federal, state, and local regulations also will shape how the proposed project is implemented and provides requirements for avoiding and reducing environmental impacts, a discussion of relevant plans, programs, and policies pertinent to each environmental issue addressed in each environmental topic section is provided. Additionally, as necessary, feasible mitigation measures are identified to reduce the significant impacts of proposed project.

Environmental Topics

The following sections in this chapter analyze the environmental topics listed below:

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|--------------------------------------|------------------------------------|
| 3.1 Aesthetics | 3.9 Hydrology and Water Quality |
| 3.2 Agriculture and Forest Resources | 3.10 Land Use and Planning |
| 3.3 Air Quality | 3.11 Noise |
| 3.4 Biological Resources | 3.12 Population and Housing |
| 3.5 Cultural Resources | 3.13 Public Services |
| 3.6 Geology and Soils | 3.14 Recreation |
| 3.7 Greenhouse Gas Emissions | 3.15 Transportation and Traffic |
| 3.8 Hazards and Hazardous Materials | 3.16 Utilities and Service Systems |

This EIR evaluates the direct and indirect impacts resulting from construction and ongoing operations of the proposed project. Under CEQA, EIRs are intended to focus their discussion on significant impacts, and may limit discussion of other impacts to a brief explanation of why the impacts are not significant. As discussed in Chapter 6, *Impacts Found Not to Be Significant*, the proposed project would have no effect on mineral resources because no known mineral resources are located in the project vicinity. Therefore, CEQA does not require further detailed evaluation of mineral resources. In addition, consistent with CEQA Guidelines Section 15128, other thresholds within the environmental topics listed above were determined to have no effect related to the project; the details of which are provided in Chapter 6, *Impacts Found Not to Be Significant* and within the Notice of Preparations/Initial Studies (included as Appendices A1 and A2).

Determinations that impact would be less than significant were also reached for certain significance criteria related to the environmental topics listed above. These determinations and the accompanying analysis are presented as part of the impact assessments for individual environmental topics.

Format of Environmental Topic Sections

Each environmental topic section in this Chapter generally includes the following main subsections:

- *Environmental Setting*, describing the existing physical environmental conditions (environmental baseline) related to the environmental topic being analyzed.
- *Regulatory Setting*, describing applicable federal, state, and local plans, policies, and regulations that the proposed project must address, and will shape its implementation.
- *Thresholds of Significance*, setting forth the thresholds of significance (significance criteria) used to determine whether impacts are “significant.”
- *Methodology*, A description of the methods used to analyze the impact and determine whether it would be significant or less than significant.
- *Project Impacts and Mitigation*, setting forth and analyzing one or more impact statements for each identified significance threshold. The analysis of each impact statement is organized as follows:
 - A statement of the CEQA threshold being analyzed,
 - The EIR’s conclusion as to the significance of the impact.
 - An impact assessment that evaluates the changes to the physical environment that would result from proposed project.
 - An identification of significance comparing identified impacts of the proposed project to the relevant significance threshold, prior to implementation of any required mitigation.
 - For each impact determined to be potentially significant, feasible mitigation measure(s) to be implemented are provided. Mitigation measures include enforceable actions to:
 - avoid a significant impact;
 - minimize the severity of a significant impact;
 - rectify an impact by repairing, rehabilitating, or restoring the effected physical environment;
 - reduce or eliminate the impact over time through preservation and/or maintenance operations during the life of the project; and/or
 - compensating for the impact by replacing or providing substitute resources or environmental conditions.
 - Actions to be taken to ensure effective implementation of required mitigation measures.
 - Analysis as to the effectiveness of identified mitigation measure(s) to avoid or reduce significant impacts to a less than significant level.

Environmental Setting/Baseline

The “Environmental Setting” subsections describe current conditions with regard to the environmental resource area reviewed. CEQA Guidelines Section 15125 states that *“An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, from both a local and regional perspective. The environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to gain an understanding of the significant effects of the proposed project and its alternatives.”*

CEQA Guidelines and case law recognize that the date for establishing an environmental baseline cannot be rigid (see CEQA Guidelines Sections 15146, 15151, and 15204). In some instances, information is presented in the environmental setting that differs from the precise time of the Notice of Preparation (NOP). This information is considered representative of baseline conditions. Furthermore, environmental conditions may vary from year to year, and in some cases it is necessary to consider conditions over a range of time periods.

Two Notice of Preparations and Initial Studies were published for the proposed Preserve at San Juan Project. A Notice of Preparation/Initial Study was prepared and distributed on September 26, 2013. In addition, a revised Notice of Preparation/Initial Study was circulated on October 16, 2014 in response to changes to the project description regarding the number of residential units and wastewater treatment systems, which occurred in response to the findings of technical studies that were completed for the proposed project. Thus, studies related to evaluation of the existing environment and potential impacts of the proposed project occur from 2013 through 2016. The baseline conditions relevant to the environmental issues being analyzed are described within each subsection in this Chapter. In some cases, (such as in Section 3.1, *Aesthetics*), discussion of baseline conditions is also provided in the impacts analyses to provide context for the impact in the most reader-friendly format and organization.

Thresholds of Significance/Significance Criteria

CEQA Guidelines Section 15382 defines a significant effect on the environment as *“a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.”*

The “Thresholds of Significance” subsections provide the specific thresholds of significance by which impacts are judged to be significant or less than significant in this EIR. These include identifiable quantitative or qualitative standards or sets of criteria pursuant to which the significance of each given environmental effect can be determined. Exceedance of a threshold of significance normally means the effect will be determined to be “significant” (CEQA Guidelines Section 15064.7(a)). However, an iron-clad definition of a “significant” effect is not always possible because the significance of an activity may vary with the setting (CEQA Guidelines Section 15064(b)). Therefore, a Lead Agency has the discretion to determine whether to classify an impact described in an EIR as “significant,” depending on the nature

of the area affected. The thresholds of significance used to assess the significant of impacts are based on those provided in Appendix G of the CEQA Guidelines.

Impact Significance Classifications

The following classifications are used throughout the impact analysis in this EIR to describe the level of significance of environmental impacts:

- **Significant Impact** - A significant impact is defined by Section 15382 of the CEQA Guidelines as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself “shall not be considered a significant effect on the environment ... [but] may be considered in determining whether the physical change is significant.” As defined in this EIR, a significant impact exceeds the defined significance criteria and therefore requires mitigation.
- **No Impact** – No adverse effect on the environment would occur, and mitigation measures are not required.
- **Less than Significant Impact** – The impact does not reach or exceed the defined threshold (criterion) of significance. Therefore, no mitigation is required.
- **Less than Significant Impact with Mitigation Incorporated** – The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required. Feasible mitigation measures, including standard conditions of approval, when implemented, will reduce the significant impact to a less-than-significant level.
- **Significant and Unavoidable Impact** – The impact reaches or exceeds the defined threshold (criterion) of significance, and mitigation is therefore required. However, application of all feasible mitigation measures and standard conditions of approval would not reduce the impact to a less-than-significant level.

While CEQA requires that an EIR identify all feasible mitigation to avoid or reduce the significant impacts of a project, it also permits public agencies to approve a project even though it would result in one or more significant unavoidable environmental effects. For a Lead Agency to approve project with one or more significant unavoidable impacts, it must first prepare a statement of overriding considerations, which identifies the specific economic, legal, social, technological, or other benefits of the project, including region-wide or statewide environmental benefits, that outweigh its significant unavoidable effects, and thereby warrant its approval (Public Resources Code Section 21083; CEQA Guidelines Section 15093). The statement of overriding considerations must be supported by substantial evidence in the record (CEQA Guidelines Section 15093(a)).

3.02 Cumulative Impacts

Cumulative impacts refer to the combined effect of the proposed project's impacts with the impacts of other past, present, and reasonably foreseeable probable future projects. Both CEQA and the *CEQA Guidelines* require that cumulative impacts be analyzed in an EIR. As set forth in the *CEQA Guidelines* Section 15130(b), "*the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone.*" CEQA Guidelines direct that the discussion should be guided by practicality and reasonableness, and focus on the cumulative impacts that would result from the combination of the proposed project and other projects, rather than the attributes of other projects which do not contribute to cumulative impacts.

According to Section 15355 of the *CEQA Guidelines*,

"Cumulative impacts' refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- a) The individual effects may be changes resulting from a single project or a number of separate projects.*
- b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time."*

Therefore, the cumulative discussion in this EIR focuses on whether the impacts of the proposed project are cumulatively considerable within the context of impacts caused by other past, present, and reasonably foreseeable future projects.

Additionally, pursuant to CEQA Guidelines Section 15130(a)(1), an EIR should not discuss cumulative impacts that do not result at least in part from the project being evaluated in the EIR. Thus, cumulative impact analysis is not provided for any environmental issue where the proposed project would have no environmental impact. Analysis of cumulative impacts is, however, provided for all project impacts, whether they were determined to be significant and unavoidable, less than significant with implementation of mitigation measures, or less than significant.

CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following, or a reasonable combination of the two:

- A list of past, present and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency; or
- A summary of projections contained in an adopted local, regional or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The cumulative analysis for air quality, greenhouse gas emissions, and traffic relies on projections contained in adopted local, regional, or statewide plans or related planning documents, such as Southern California Regional Transportation Plan/Sustainable Communities Strategy and relevant regional plans developed by the Southern California Association of Governments (SCAG). The cumulative analyses for other environmental issues use the list of projects approach. The list of reasonably foreseeable future projects within the geographic scope of the impact analyses is based upon information provided by Orange and Riverside Counties, and the Cities of Lake Elsinore, Mission Viejo and Rancho Santa Margarita.

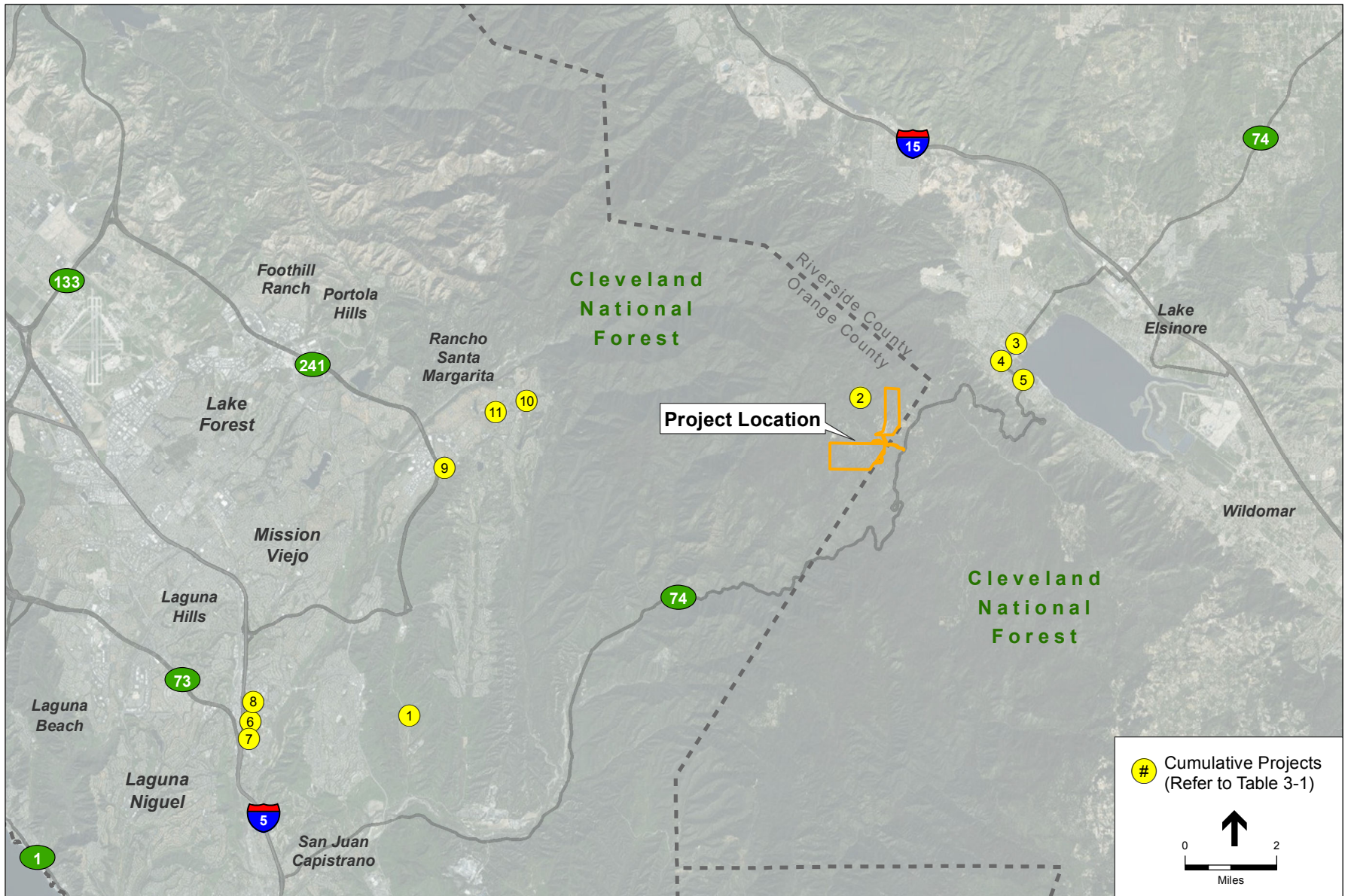
Different types of cumulative impacts occur over different geographic areas. For example, the geographic scope of the cumulative air quality analysis, where cumulative impacts occur over a large area, is different from the geographic scope considered for cumulative analysis of aesthetic resources, for which cumulative impacts are limited to specific viewsheds. Thus, in assessing aesthetic resources impacts, only development within and immediately adjacent to the project area would contribute to a cumulative visual effect is analyzed, whereas cumulative traffic impacts are based upon all development within the traffic study area of roadways and intersections. Because the geographic scope and other parameters of each cumulative analysis discussion can vary, the cumulative geographic scope, and the cumulative projects included in the geographic scope (when the list of projects approach is used), are described for each environmental topic. **Table 3-1** provides a list of projects considered in this cumulative environmental analysis, which was compiled per information provided by each agency, and **Figure 3-1** shows the locations.

**TABLE 3-1
CUMULATIVE PROJECT LIST**

	Name/Address	Description	Status
County of Orange Projects			
1	The Ranch Plan Planned Community (Rancho Mission Viejo) Planning Area 2 Master Area Plan / Chiquita Canyon; east of Antonio Parkway and north of Ortega Highway	The recently approved Master Plan allows for the development of a maximum of 3,291 dwelling units, parkland, an urban activity center and a neighborhood center on 895 of the 1,680 total acres of Planning Area 2.	Approved.
County of Riverside Projects			
There are no pending, proposed or future Riverside County projects within the project vicinity.			
US Forest Service			
Long Canyon Road Improvement Project. The road was improved in 2016. Improvements included crack sealing, pavement patching, asphalt overlay, culvert repair and replacement, ditch reconditioning, signing and striping. Long Canyon Road has a 66-foot right-of-way and currently provides a paved width of 24-feet with a curb and gutter.			
City of Lake Elsinore Projects			
2	Lakeshore Point / Corner of LeHarve Avenue and Riverside Drive	The multi-family residential project includes 150 units.	Approved.
3	The Villages at Lakeshore / Corner of Riverside Drive and Grand Avenue	This project includes a Specific Plan, Amendment (No. 1) and 163 condominium detached dwelling units on 19.7 acres.	Approved.

	Name/Address	Description	Status
4	Wake Rider Beach Resort / Northwest of the intersection of Grand Avenue and Kevin Place	Commercial mixed use consisting of five buildings totaling 62,437 square feet; including: 4,327 square foot retail/office building, three 18,303 square foot and a 19,274 square foot commercial buildings, 13,512 square feet for a hotel, and 7,022 square feet for a restaurant.	Approved.
City of Mission Viejo Projects			
5	Hampton Inn and Suites Hotel / 28682 Marguerite Parkway	The project would demolish a 23,000-square-foot vacant retail building on a 1.69-acre site and construct a 101-room Hampton Inn and Suites.	Under construction through March 2017.
6	Green Street Shopping Plaza Project / 28662 Marguerite Parkway	The project would demolish two existing buildings totaling just under 9,000 feet on a 1.7-acre site currently utilized by a church to construct a two-level 17,700 square foot shopping plaza, auto spa and parking stalls.	Under construction through early 2018.
7	555 Shops at Mission Viejo	The project would develop an 111,000 square-foot medical office building (by NCA) with 5-level parking structure for 635 parking stalls on The Shops at Mission Viejo regional mall.	In application stage.
City of Rancho Santa Margarita			
8	Chiquita Ridge / Bordered by Antonio Parkway on the west and Highway 241 on the east; south of Tijeras Creek Golf Club	The 92-acre project site currently consisting of open space has the potential to develop up to 55 acres. If said area is ever developed, an active sports park must be included at a minimum of 23 acres, leaving 32 acres for other potential uses.	Development potential approved. No projects proposing to develop on the site have been approved.
9	Robinson Ridge / East of the intersection of Trabuco Canyon Road and Trabuco Creek Road, south of Trabuco Creek Road, and west of the Cleveland National Forest boundary.	The 92-acre project site has the potential to develop up to 612 units, consistent with the Foothill/Trabuco Specific Plan.	Development potential approved. No projects proposing to develop on the site have been approved.
10	21522 Plano Trabuco Road	This project has been approved for 36 attached townhomes.	The project is currently under construction, anticipated completion is 2017.

Sources: Counties of Orange and Riverside, U.S. Forest Service, Cities of Lake Elsinore, Mission Viejo, Rancho Santa Margarita; 2017.



SOURCE: ESRI

The Preserve at San Juan
Figure 3-1
 Cumulative Projects