



## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

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From: Development Services Department  
32400 Paseo Adelanto  
San Juan Capistrano, California 92675

**Subject:** Tentative Tract Map (TTM) 17441, Rezone (RZ) 13-003, Architectural Control (AC) 13-018, Tree removal Permit (TRP) 13-052, Grading Plan Modification (GPM) 13-002, Conditional Use Permit (CUP) 13-006, Zone Variance (ZV) 13-002, The Oaks; an application to develop a 32 lot residential subdivision and modify an existing commercial equestrian facility located at 31000 Avenida Siega, generally located east of the southern terminus of Avenida Siega, and south of Ortega Highway approximately 3,400 feet west of La Pata Avenue (Assessor's Parcel Numbers: 664-041-07, 08, 09, & 10)

**NOTICE IS HEREBY GIVEN** that the City of San Juan Capistrano has prepared and intends to adopt a Negative Declaration in connection with the subject project. The Negative Declaration identifies potential effects with respect to Biological Resources, Cultural Resources, and Hydrology and Water Quality. The Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

**PROJECT DESCRIPTION:** The proposed project consists of a 32-lot subdivision for single-family detached residential homes, and modifications to an existing commercial equestrian facility on a 20.25 acre project site. The residential subdivision would feature 10,000 square foot minimum lot sizes on an 11.79 acre project site. The equestrian facility would be reduced to 8.46 acres and maximum 50 horse stalls (100 existing), and would continue to offer equestrian training and boarding. Some of the existing equestrian structures would be demolished and approximately 296 trees would be removed 15 trees relocated on-site. Three new structures are proposed within the equestrian facility, including an employee casita, ranch house, and barn. Stormwater drainage will be treated with bio-swales and on-site infiltration. After the stormwater pollutants are treated via the bio-swales and on-site infiltration features, on-site stormwater runoff would be conveyed by connecting new on-site storm drain pipes to two existing storm drain pipes which discharge into San Juan Creek.

The proposed project also includes off-site improvements to State Route (SR)-74 consisting of widening approximately 950 linear feet to a 50-foot half-width with curb and gutter, adding an additional east bound lane through-lane, and constructing a 5-foot meandering sidewalk to connect the existing sidewalk at the frontage of the adjacent residential neighborhood to

the west with the Reata Park frontage sidewalk to the east. Stormwater runoff from Ortega Highway would collect in the proposed curb and gutter and flow into an existing inlet for a 24-inch corrugated metal pipe on Avenida Siega discharging into San Juan Creek. The project also includes improvement of approximately 1,900 linear feet of Class 1 Bike Trail consisting of 10 feet of AC pavement on an existing portion of the unpaved multi-use (hiking/equestrian/biking) trails on the San Juan Creek Levee adjacent to the project site connecting the existing bike trail and equestrian trail at Avenida Siega to Reata Park.

**PUBLIC REVIEW PERIOD:** the public review period is from **Monday, November 18, 2013 to Friday, December 20, 2013.**

**PROJECT MANAGER:** Nick Taylor, Associate Planner; phone: (949) 443-6327; e-mail: [ntaylor@sanjuancapistrano.org](mailto:ntaylor@sanjuancapistrano.org); Fax number: (949) 202-5471; mailing address: Development Services Department, 32400 Paseo Adelanto, San Juan Capistrano, CA 92675.

**NOTICE IS FURTHER GIVEN** that the City invites members of the general public to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. The Mitigated Negative Declaration and supporting documents are available for public review and inspection at the Development Services Department located in City Hall at 32400 Paseo Adelanto and on the City's website at: <http://sanjuancapistrano.org/index.aspx?page=739>. The City's Planning Commission and City Council will conduct public hearings at future dates to be determined. You will receive a separate public notice for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Mitigated Negative Declaration (MND) or at the future public hearings.

  
By order of William Ramsey, AICP  
Environmental Administrator



## INITIAL STUDY

### city of san juan capistrano california

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1. **PROJECT:** The Oaks
2. **LEAD AGENCY:** City of San Juan Capistrano
3. **CONTACT PERSON & PHONE:** Nick Taylor, Associate Planner, (949) 443-6327
4. **PROJECT LOCATION:** 31000 Avenida Siega, generally located east of the southern terminus of Avenida Siega, and south of Ortega Highway approximately 3,400 feet west of La Pata Avenue (APN: 664-041-07, 08, 09, & 10)
5. **APPLICANT:** Davidson Communities, Inc., Tim O'Grady
6. **GENERAL PLAN DESIGNATION:** 2.2 Medium Low Density & 1.0 General Open Space
7. **ZONING:** OSR (Open Space Recreation)/ RS-10,000 (Single Family 10,000 s.f. lot minimum). A portion of the property has dual zoning to allow the existing equestrian use to continue as a legal, conforming use, until such time that the property is developed consistent with the General Plan Designation.
8. **PROJECT DESCRIPTION:** The proposed project consists of a 32-lot subdivision for single-family detached residential homes, and modifications to an existing commercial equestrian facility on a 20.25 acre project site. The residential subdivision would feature 10,000 square foot minimum lot sizes on an 11.79 acre project site. The equestrian facility would be reduced to 8.46 acres and maximum 50 horse stalls (100 existing), and would continue to offer equestrian training and boarding. Some of the existing equestrian structures would be demolished and approximately 296 trees would be removed 15 trees relocated on-site. Three new structures are proposed within the equestrian facility, including an employee casita, ranch house, and barn. Stormwater drainage will be treated with bio-swales and on-site infiltration. After the stormwater pollutants are treated via the bio-swales and on-site infiltration features, on-site stormwater runoff would be conveyed by connecting new on-site storm drain pipes to two existing storm drain pipes which discharge into San Juan Creek.

The proposed project also includes off-site improvements to State Route (SR)-74 consisting of widening approximately 950 linear feet to a 50-foot half-width with curb and gutter, adding an additional east bound lane through-lane, and constructing a 5-foot meandering sidewalk to connect the existing sidewalk at the frontage of the adjacent residential neighborhood to the west with the Reata Park frontage sidewalk to the east. Stormwater runoff from Ortega Highway would collect in the proposed curb and gutter and flow into an existing inlet for a 24-inch corrugated metal pipe on Avenida Siega discharging into San Juan Creek. The project also includes improvement of approximately 1,900 linear feet of Class 1 Bike Trail consisting of 10 feet of AC pavement on an existing portion of the unpaved multi-use (hiking/equestrian/biking) trails on the San Juan Creek Levee adjacent to the project site connecting the existing bike trail and equestrian trail at Avenida Siega to Reata Park.

Project implementation will necessitate City Council approval of the following discretionary actions by the City of San Juan Capistrano.

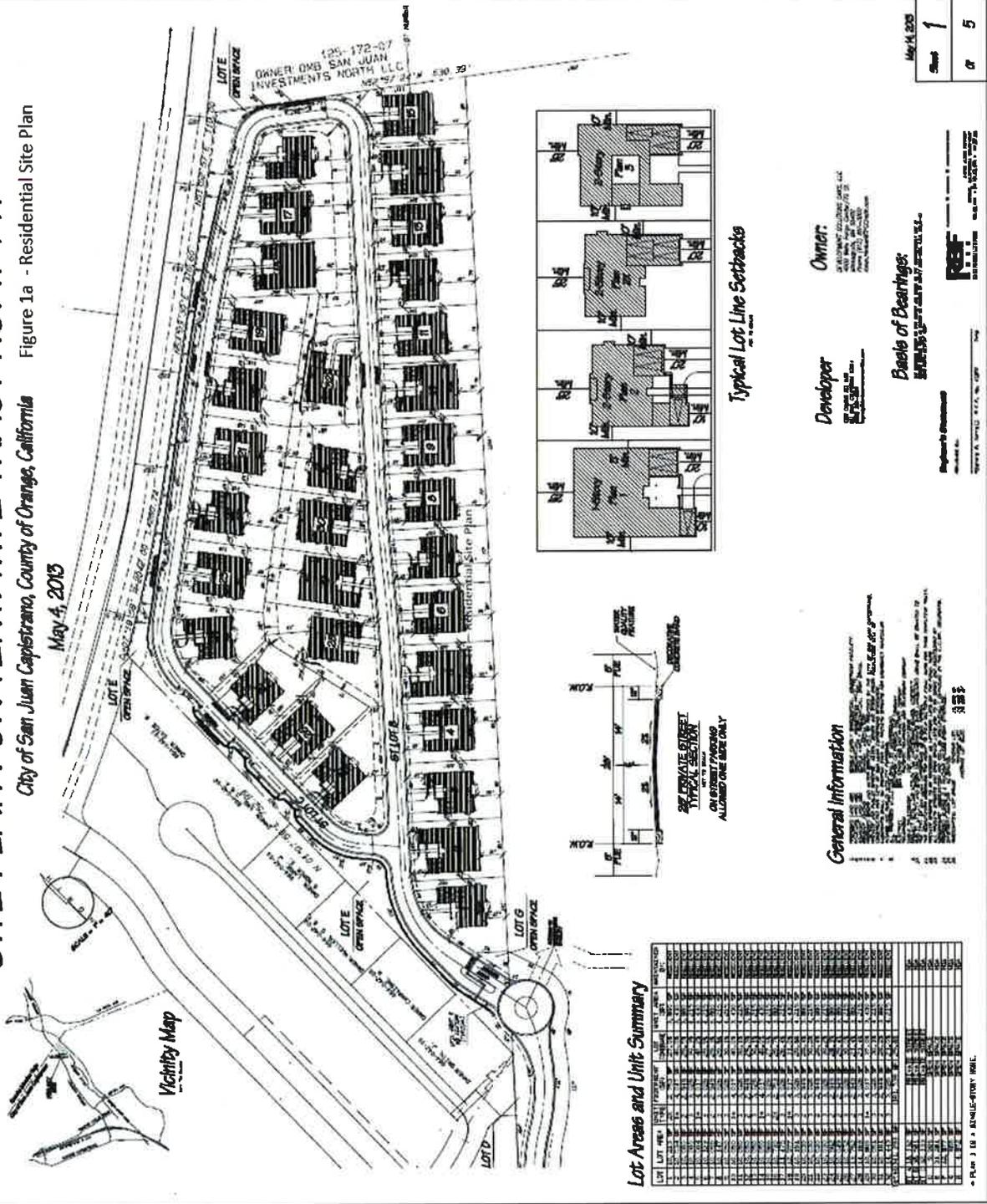
- Tentative Tract Map (TTM) 17441 to allow the subdivision of property creating 32 lots and 1 lot for the equestrian facility
- Rezone (RZ) 13-003 to remove the Open Space Recreation zoning from the project area designated as "Medium Low Density" Residential on the General Plan Land Use Map so that the project is determined to be consistent with the City's General Plan.
- Architectural Control (AC) 13-018 for construction of project entry designs, slope landscaping, walls and fencing plans, and production home designs.



Development Plan, The Oaks

SITE PLAN FOR TENTATIVE TRACT NO. 17441

City of San Juan Capistrano, County of Orange, California  
 Figure 1a - Residential Site Plan  
 May 4, 2015



Lot Area and Unit Summary

LOT	LOT AREA (SQ FT)	UNIT COUNT
1	1,200	1
2	1,200	1
3	1,200	1
4	1,200	1
5	1,200	1
6	1,200	1
7	1,200	1
8	1,200	1
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13	1,200	1
14	1,200	1
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100	1,200	1

**Owner:**  
 OWNER: OMB SAN JUAN INVESTMENTS NORTH LLC  
 125-172-07  
 125-172-07  
 125-172-07

**Developer:**  
 DEVELOPER: [Name]  
 [Address]  
 [City, State, Zip]

**Books of Bearings:**  
 BOOKS OF BEARINGS: [Reference]  
 [Address]  
 [City, State, Zip]

**Engineer:**  
 ENGINEER: [Name]  
 [Address]  
 [City, State, Zip]

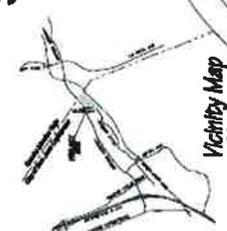
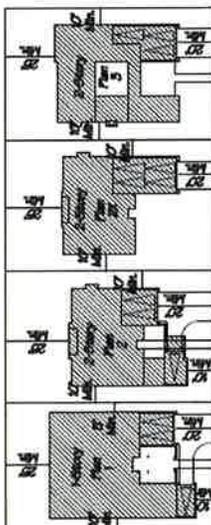
Sheet	1
of	5

**General Information**

THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO THE APPROVAL OF THE CITY OF SAN JUAN CAPISTRANO. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE SITE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JUAN CAPISTRANO AND ANY OTHER AGENCIES THAT MAY BE INVOLVED IN THE DEVELOPMENT OF THIS TRACT.

SEE ADJACENT SHEET  
 TYPICAL SECTION  
 ON STREET PARKING  
 ALLOWED ONE SIDE ONLY

Typical Lot Line Setbacks



Development Plan, The Oaks Equestrian Facility



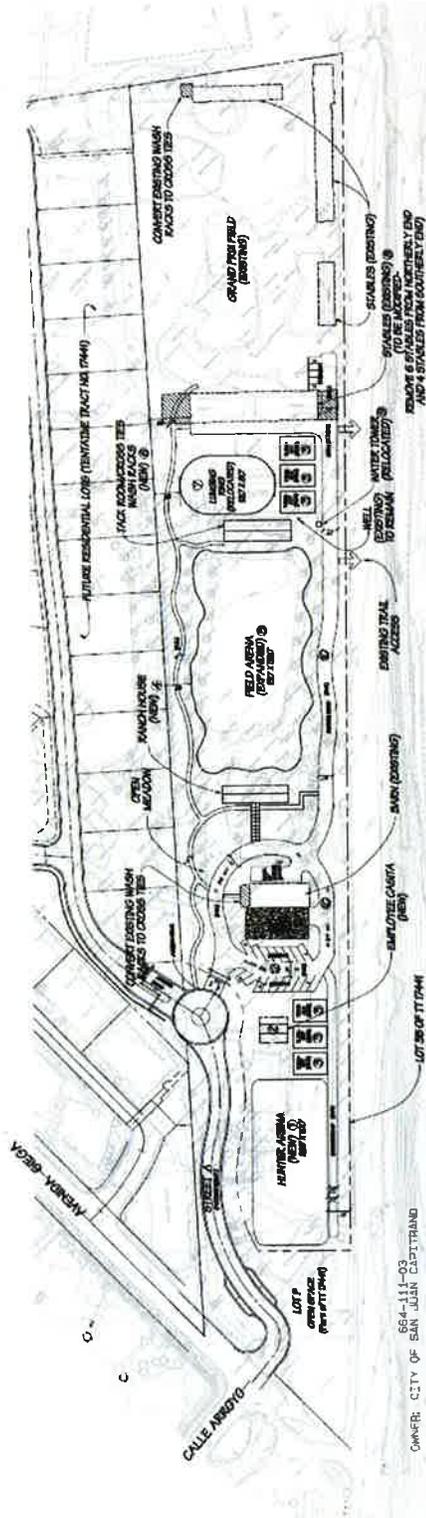
AMENDMENT TO CONDITIONAL USE PERMIT NO. 78-6  
 THE OAKS EQUESTRIAN FACILITY  
 PROPOSED DEVELOPMENT (8.46 AC.)  
 City of San Juan Capistrano, County of Orange, California

PROPOSED IMPROVEMENTS INCLUDE

1. IMPROVEMENTS TO EXISTING
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Date: May 1, 2015

Figure 1b - Equestrian Site Plan



OWNER: CITY OF SAN JUAN CAPISTRANO

NOTES:

1. SEE PERMIT NO. 78-6
2. SEE PERMIT NO. 78-6
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100. SEE PERMIT NO. 78-6

OWNER:

CITY OF SAN JUAN CAPISTRANO

DEVELOPER:

THE OAKS EQUESTRIAN FACILITY

Map No.	2
Sheet	7





- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology & Soils          |
| <input type="checkbox"/> Hazards & Hazardous Mats.   | <input type="checkbox"/> Hydrology & Water Quality          | <input type="checkbox"/> Land Use & Planning      |
| <input type="checkbox"/> Mineral Resources           | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population & Housing     |
| <input type="checkbox"/> Public Services             | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation & Traffic |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |   |

**14. DETERMINATION.** (To be completed by lead agency) Based on 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.

**15. ENVIRONMENTAL ADMINISTRATOR DETERMINATION** (Section 9-2.201 of SJC Municipal Code):  
The initial study for this project has been reviewed and the environmental determination is hereby approved:

  
\_\_\_\_\_  
William Ramsey, AICP, Assistant Director  
Environmental Administrator

**16. ENVIRONMENTAL CHECKLIST**

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, the following should be provided:

- 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 will 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 City 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 (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 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 Analysis 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) 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) Include a source list and list of individuals contacted or consulted.
- 8) This form is consistent with the California Environmental Quality Act (CEQA) Guidelines and all Initial Studies performed on projects within the city must use this format.
- 9) The explanation of each issue should identify, a) the significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.1 AESTHETICS.</b> Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Have a substantial adverse effect on a scenic vista?* **Less Than Significant Impact.** Short-term construction-related aesthetic impacts would consist primarily of grading activities, the presence of construction equipment, and additional signage and warning markers on roadways. These short-term impacts are temporary and would cease upon project completion. Construction staging activities shall be located away from State Route 74-Ortega Highway to eliminate any potential short term impacts.

Physical design attributes of the project will minimize aesthetic impacts. These design attributes include, building pads located below State Route 74-Ortega Highway, and exceptional design quality in compliance with the City's Architectural Design Guidelines and the Community Design Element of the City's General Plan. Additionally, existing trees and incorporation of a perimeter wall and landscape screening would substantially minimize visual impacts to surrounding areas. Landscape screening includes, but is not limited to, trees and natural vegetation, and the general enhancement of the site's aesthetics by using color selections (i.e., muted earth tones) for building materials that are compatible with the surrounding environment. Landscaping treatments are anticipated to include species similar to those surrounding the existing project site. New tree plantings on-site will also include replacement trees for the trees removed as part of the project. A discussion of tree removals and replacements is provided in c) below.

The proposed project design features and landscape screening would result in the project having no significant aesthetic impacts.

SC A-1 Prior to issuance of a grading permit, the applicant/contractor shall prepare a Construction Staging Plan that identifies the location(s) of staging areas, including equipment and vehicle storage areas, stockpile areas, etc. These areas shall be located as far away from the existing view corridors, adjacent roadways, existing residential development as practical, as approved by the City. In addition, the Construction Staging Plan shall also identify the manner in which the staging and equipment storage would be screened (e.g., temporary fencing, landscaping, berms, or a combination of these and other methods) subject to the approval of the Public Works Director, to ensure that the temporary visual impacts would be minimized within the viewshed and existing residential development.

SC A-2 The proposed project shall comply with the goals, policies and standards of the San Juan Capistrano Architectural Design Guidelines and the Comprehensive Development Plan that promote "high-quality" urban design and aesthetic resource preservation through the City's design review process.

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a state scenic highway? **No Impact.*** The project site is not situated within a state scenic highway. Design attributes identified in Response (a) would minimize impacts to the General Plan-designated scenic corridor along State Route 74-Ortega Highway. Impacts are not anticipated in this regard.
- c) *Substantially degrade the existing visual character or quality of the site and its surroundings? **No Impact.*** The site currently contains structures related to the existing commercial equestrian facility, including residences occupied by the facility's employees. Additional residences were also located on-site as recent as two years ago that have been demolished. The site contains mature trees and ornamental landscaping. A tree survey was conducted which identified 459 trees that meet the City's definition of a tree on the project site. 17 of these trees are considered heritage trees by the City's Municipal Code.

The proposed uses include single-family residences, related to ground-level infrastructure improvements (e.g., roads, drainage, etc.), community and residences' fencing and walls, and new landscaping including trees. The proposed uses are substantially in form and scale and therefore will not substantially degrade the visual character or quality of the site and its surroundings.

Relative to existing trees on-site, a total of 311 trees are located within the areas planned for disturbance based on the project footprint, and are therefore, considered impacted. An additional 14 trees are located adjacent to disturbance areas and will be preserved, but are considered impacted by encroachment and potential root damage. 13 of the trees proposed to be removed are heritage trees. An additional 2 heritage trees would be encroached upon. The project includes one or more of the following measures to mitigate the loss of existing trees: 1. Replacement of the removed trees on- and off-site at a ratio of 1:1; 2. Relocation of the existing trees on-site; and/or 3. Donation of trees to the City of San Juan Capistrano or San Juan Capistrano nonprofit community groups. Implementation of these measures with the project will ensure the visual character or quality of the site is not impacted.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? **No Impact.*** The proposed project would create no new significant source of lighting. Title 9, Land Use Code requires that all lighting use shielded luminaires with glare control to prevent light spillover onto adjacent areas and will be constructed in compliance with Title 9, Land Use Code, Section 9-3.529, Lighting standards. The project would have no impact.

SC A-3 All street, signage, landscape, and parking lot lighting sources shall be shielded and oriented, or provided with baffled luminaires so as to prevent lighting overspill into adjacent or nearby properties in violation of the Title 9, Land Use Code, Section 9-3.529, Lighting standards.

SC A-4 Prior to issuance of building permits, lighting & photometric plan(s) shall be subject to City review and approval to assure that they comply with the City's lighting standards prescribed in Section 9.3-529 for permitted illumination within the parking areas and walkways as well as demonstrate that illumination does not create off-site light and glare, to the satisfaction of the Development Services Director or their designee

**Table 1.1 Photometric Summary**

Category	Maintained Illumination (fc)
Average (fc)	0.22
Maximum (fc)	10.22
Minimum (fc)	0
Uniformity Ratio (avg./min.)	n.a.
Maximum/minimum ratio	n.a.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.2 AGRICULTURAL AND FOREST RESOURCES.</b> Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflicts 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 51101(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Results in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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.*** Designated land uses within the project area do not include agricultural uses and project implementation would not result in conversion of existing farmland to non-agricultural uses. Therefore, the project does not affect an agricultural resource area and thus does not impact designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract? **No Impact.*** The proposed project is located in an area zoned for low-density residential uses and Open Space Recreation; agricultural designations do not occur within the project area and no Williamson Act contracts apply. Therefore, implementation of the project would not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. No impacts are anticipated in this regard.
- c) *Conflicts 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 51101(g))? **No Impact.*** The proposed project area is not located within 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 51101(g)). Thus, implementation of this project would not result in changes in the environment, which would result in the conversion of farmland to non-agricultural use. No impacts are anticipated in this regard.
- d) *Results in the loss of forest land or conversion of forest land to non-forest use? **No Impact.*** The project does not propose the loss or elimination of forest land to non-forest land. Thus, implementation of this project would not result in changes to forest land. No impacts are anticipated in this regard.

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.** As previously stated, the proposed project area is not located within an agricultural area. Thus, implementation of this project would not result in changes in the environment, which would result in the conversion of farmland to non-agricultural use. No impacts are anticipated in this regard.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.3 AIR QUALITY.</b> Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

An Air Quality Assessment was prepared to analyze the potential air quality impacts associated with the proposed development project (Air Quality and Greenhouse Gas Emissions Impact Analysis, Hans Giroux & Associates, August 22, 2013). The findings and recommendations of that analysis are summarized below and are available for review at the Development Services Department at the City of San Juan Capistrano.

a) *Conflict with or obstruct implementation of the applicable air quality plan?* **Less Than Significant Impact.** The project site is located within the South Coast Air Basin (SCAB), which is governed by the South Coast Air Quality Management District (SCAQMD). A consistency determination is important in local agency project review by comparing local planning projects to the Air Quality Management Plan (AQMP) in several ways. It fulfills the CEQA goal of fully informing local agency decision makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. The SCAQMD's CEQA Handbook states that "New or amended GP Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the plan if it furthers one or more policies and does not obstruct other policies. The Handbook identifies two key indicators of consistency:

- *Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of national ambient air quality standards or the interim emission reductions specified in the AQMP (except as provided for CO in Section 9.4 for relocating CO hot spots).*

Based on the air quality analysis prepared for the proposed project, long-term operation will not result in significant local or regional air quality impacts based on the SCAQMD thresholds of significance (refer to Table 3.3, Estimated Long-Term Operational Air Quality Emissions). Furthermore, emissions generated during construction will not be in excess of SCAQMD's threshold criteria. Because the proposed project is not projected to exceed any air pollutant thresholds, the project is found to be consistent with AQMP's first criterion.

- *Whether the project will exceed the assumptions in the AQMP in 2010 or increments based on the year of project build-out and phase.*

Consistency with the AQMP assumptions is determined by performing an analysis of the project with the assumptions in the AQMP. Thus, the emphasis of this criterion is to insure that the analyses conducted for the project are based on the same forecasts as the AQMP. The Regional Comprehensive Plan and Guide (RCP&G) consists of three sections: Core Chapters, Ancillary Chapters, and Bridge Chapters. The Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management chapters constitute the Core Chapters of the document. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA.

Since the SCAG forecasts are not detailed, the test for consistency of this project is not specific. The traffic modeling methodologies, on which much of the air quality assessment are based, are consistent with the City of San Juan Capistrano's Growth Management Element, Congestion Management Program (CMP), the ITE Trip Generation, 7<sup>th</sup> Edition, and the Highway Capacity Manual 2000. The AQMP assumptions are based upon projections from local general plans. Projects that are consistent with the local general plan are consistent with the AQMP assumptions. Because the project is included in the traffic volumes for the 2030 build-out year forecast including regional growth, the proposed project is consistent with the SCAG growth forecasts. Therefore, the project complies with the AQMP's second criterion.

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*  
**Less Than Significant Impact.**

In their "1993 CEQA Air Quality Handbook", the SCAQMD has established significance thresholds to assess the impact of project related air pollutant emissions. Table 1 presents these significance thresholds recommended by the SCAQMD for short-term (i.e., construction) and long-term (i.e., operational) emissions. A project with daily emission rates below these thresholds is considered to have a less than significant effect on air quality. Individual lead agencies may determine if the SCAQMD thresholds are appropriate for their projects. Nonetheless, the City of San Juan Capistrano recognizes the SCAQMD thresholds as the basis for determining if a project has a potentially significant impact on the regional air environment.

**Table 3.1, SCAQMD Regional Pollutant Emission Thresholds of Significance**

Project Phase	Pollutant Emissions (lbs/day)						Lead
	CO	ROG	NOx	PM <sub>10</sub>	PM <sub>2.5</sub>	SOx	
Construction	550	75	100	150	55	150	3
Operation	550	55	55	150	55	150	3

SOURCE: South Coast AQMD Air Quality Handbook, 1993 Rev.

### CONSTRUCTION EMISSIONS

Short-term minor impacts associated with the demolition and construction phases may result in local nuisances associated with increased dust/particulate levels. Construction activities would result in criteria pollutant emissions from stationary and mobile equipment, including material delivery trucks and worker vehicles to and from the project site. This would be a temporary construction impact, which would exist on a short-term basis during construction and would cease upon completion of construction. Adherence to standard dust control procedures would reduce potential construction-related air quality impacts to less than significant levels. Temporary construction related air quality impacts from grading, building construction, painting/staining, paving and similar activities would include:

- ❖ Particulate (fugitive dust and PM<sub>10</sub>) emissions from clearing and grading activities on-site;
- ❖ Off-site air pollutant emissions at the power plant(s) serving the site, while temporary power lines are needed to operate construction equipment and provide lighting;
- ❖ Exhaust emissions and potential odors from the construction equipment used on-site as well as the vehicles used to transport materials to and from the site; and
- ❖ Exhaust emissions from the motor vehicles of the construction crew.

**Table 3.2, Maximum Estimated Short-Term Construction Air Quality Emissions**

Maximal Construction Emissions	Pollutant Emissions (lbs/day)					
	ROG	NOx	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2014</b>						
Unmitigated	21.8	80.8	52.9	0.1	12.7	7.2
Mitigated	21.8	80.8	52.8	0.0	7.4	5.0
<b>2015</b>						
Unmitigated	21.3	35.4	28.0	0.0	3.2	2.5
Mitigated	21.3	35.4	28.0	0.0	3.2	2.5
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	No	No	No	No	No
SOURCE: CalEEMod 2013.2						

Based on this analysis, project grading and construction will not exceed SCAQMD CEQA thresholds and therefore, will not violate State or Federal air quality standards or contribute to an existing air quality violation in the air basin.

Construction equipment exhaust contains carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70 year lifetime exposure. The SCAQMD does not generally require the analysis of construction-related diesel emissions relative to health risk due to the short period for which the majority of diesel exhaust would occur. However, because of the regional non-attainment for photochemical smog, the use of reasonably available control measures for diesel exhaust is recommended as follows:

SC AQ-1: The project developer will:

- Assure the use of well-tuned, off-road construction equipment
- Hire contractors using Tier 3 or cleaner heavy equipment.
- Enforce 5-minute idling limits for all diesel construction equipment including both on-road trucks and off-road equipment.

Construction activities are not anticipated to cause fugitive dust emissions to exceed SCAQMD CEQA thresholds. However, in order to reduce fugitive dust, the following enhanced dust control measures shall be implemented during construction:

SC AQ-2: During construction, the project developer will assure that the project contractor(s)

- Cease grading when average wind speeds exceed 25 mph.
- Stabilize disturbed areas if subsequent construction is delayed.
- Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas, unpaved road surfaces, and active construction areas and inactive disturbed areas.
- Cover all stock piles with tarps at the end of each day or more frequently, as needed.
- Provide water spray during loading and unloading of earthen materials.
- Minimize in-out traffic from construction zone.
- Cover all trucks hauling dirt, sand, or loose material or require all trucks to maintain at least two feet of freeboard.
- Sweep streets daily if visible soil material is carried out from the construction site.
- Install and maintain a stabilized construction entrance/exit to minimize dirt, mud and debris from being tracked onto the public right-of-way.

### LONG-TERM OPERATIONAL EMISSIONS

Long-term air quality impacts consist of area source emissions and operational (mobile source) emissions generated from project-related traffic. The project would generate 306 daily trips (Traffic Impact Analysis, Bill Darnell & Associates) and emissions were estimated for a project build-out year of 2016. The air quality analysis determined that the project would not result in potentially significant operational air quality impacts.

**Table 3.3, Estimated Long-Term Operational Air Quality Emissions**

Source	Pollutant Emissions (lbs/day)						CO <sub>2</sub>
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM10	PM2.5	
Area Source Emissions	5.2	0.0	2.7	0.0	0.1	0.0	618.5
Energy	0.0	0.2	0.1	0.0	0.0	0.0	308.9
Mobile Emissions	3.8	3.8	15.6	0.0	2.0	0.6	2670.8
Total Project Emissions	9.0	4.0	18.4	0.0	2.1	0.6	3598.2
SCAQMD Thresholds	55	55	550	150	150	55	NA
Exceeds Threshold?	No	No	No	No	No	No	NA
SOURCE: CalEEMod 2013.2							

Operational Emissions are not expected to exceed their respective SCAQMD significance thresholds with application since the project does not include any wood-burning fireplaces. The project shall only be permitted to install and use gas-fired hearths. Further, the equestrian facility shall continue to implement existing Best Management Practices (BMP) that include the following to minimize particulate matter (PM10 and PM2.5):

## SC AQ-3

- Unpaved surfaces are either decomposed granite roadways or sand arenas that create little dust.
- Dust formation is further suppressed by water spray on a regular basis.

**MICROSCALE IMPACT**

Micro-scale air quality impacts have traditionally been analyzed in environmental documents when the air basin was a non-attainment area for carbon monoxide. However, the SCAQMD has demonstrated in the CO attainment redesignation request to the EPA that there are no "hot spots," i.e., locations where emission concentrations expose individuals to elevated risks of adverse health effects, anywhere in the SCAB.

To verify this conclusion, a CO screening analysis was performed at a variety of nearby intersections, for which the traffic report (Darnell & Associates), provided data. The one-hour CO concentration was calculated on the sidewalk adjacent to the intersections. The maximum opening year 1-hour CO exposure was estimated to be 3.2 ppm. The significance of localized project impacts depends on whether the project would cause substantial concentrations of CO. A project is considered to have significant impacts if project-related mobile-source emissions result in an exceedance of the California one-hour and eight-hour CO standards which are:

- 1-hour = 20 ppm
- 8-hour = 9 ppm

Calculations were made for existing traffic time frame with and without the project for the morning and evening peak hours, shown in Tables 3.4 and 3.5.

**Table 3.4, One Hour CO Concentrations (ppm)\***

<b>INTERSECTIONS</b>	<b>EXISTING NO PROJECT</b>	<b>EXISTING + PROJECT</b>	<b>OPENING YEAR NO PROJECT</b>	<b>OPENING YEAR + PROJECT</b>
<b>AM Peak Hour</b>				
Ortega Hwy/ Rancho Viejo Rd	2.5	2.5	3.2	2.4
Ortega Hwy/ La Novia	2.5	2.5	2.9	2.2
Ortega Hwy/ Ave Siega	2.2	2.2	2.6	2.0
Ortega Hwy/ La Pata	2.3	2.3	2.4	2.3
San Juan Creek Rd/ La Novia	2.1	2.1	2.3	1.8
<b>PM Peak Hour</b>				
Ortega Hwy/ Rancho Viejo Rd	2.9	2.9	3.2	2.4
Ortega Hwy/ La Novia	2.5	2.5	2.8	2.2
Ortega Hwy/ Ave Siega	2.3	2.3	2.4	2.0
Ortega Hwy/ La Pata	2.3	2.5	2.7	2.2
San Juan Creek Rd/ La Novia	2.0	2.0	2.3	1.7

\*including 1.4 ppm maximum background concentration – Standard = 20 ppm

Table 3.5, Eight Hour CO Concentrations (ppm)\*

INTERSECTIONS	EXISTING NO PROJECT	EXISTING + PROJECT	OPENING YEAR NO PROJECT	OPENING YEAR + PROJECT
Ortega Hwy/ Rancho Viejo Rd	1.8	1.8	2.1	1.6
Ortega Hwy/ La Novia	1.7	1.7	1.9	1.5
Ortega Hwy/ Ave Siega	1.5	1.5	1.7	1.4
Ortega Hwy/ La Pata	1.5	1.6	1.7	1.5
San Juan Creek Rd/ La Novia	1.4	1.4	1.5	1.2

\*including 1.0 ppm maximum background concentration (2011)- Standard = 9 ppm

The existing peak one-hour local CO background level in 2011 in the project area vicinity was 1.4 ppm. With project implementation, in the existing time frame, inclusive of the local concentration, maximum one-hour concentration is estimated to be 3.2 ppm which is well below the one-hour standard of 20 ppm. The 8-hour concentration was derived from hourly data presuming a 60 percent persistence factor in the a.m. or p.m. 1-hour peak. The maximum ambient 8-hour concentration of 2.1 ppm (inclusive of the background concentration) was compared to the 9 ppm significance threshold. Microscale impacts are not significant.

- c) *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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? **Less Than Significant Impact.*** Refer to Responses a and b.
- d) *Expose sensitive receptors to substantial pollutant concentrations? **Less Than Significant Impact.*** Sensitive populations (i.e., children, senior citizens and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. There are sensitive receptors in proximity to the project site.

As part of the SCAQMD's environmental justice program, attention was focused on localized effects of air quality. In accordance with Governing Board direction, SCAQMD staff developed localized significance threshold (LST) methodology and mass rate look-up tables by source receptor area (SRA) that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an accident of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area. The LST methodology is described in "Final Localized Significance Threshold Methodology" dated June 2003 by the SCAQMD.

The LST methodology presents mass emission rates for each SRA, project sizes of 1, 2, and 5 acres, and nearest receptor distances of 25, 50, 100, 200, and 500 meters. For project sizes between the values given, or with receptors at distances between the given receptors, the methodology uses linear interpolation to determine the thresholds. If receptors are within 25 meters of the site, the methodology document says that the threshold for the 25-meter distance should be used. For this project the nearest sensitive use would be the residences 50 feet west of the project site and the minimal distance of 25 meters was selected for this analysis shown in Table 3.6. The table also lists the thresholds do determine if operation of the project results in a significant local air quality impact. A project with daily emission rates below the thresholds during operation is considered to have a less than significant effect on local air quality.

**Table 3.6, Localized Significance Thresholds at the Nearest Receptors<sup>1</sup>**

Description	Localized Significance Threshold (maximum lbs/day)			
	CO	NOx	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>3 Acre Site/25 meters</b>				
<b>Max On-Site Emissions (SCAQMD Threshold)</b>	1263	153	8	5
<b>Demolition</b>				
Unmitigated	36	50	4	3
Mitigated	36	50	3	2
<b>Grading</b>				
Unmitigated	52	81	13	7
Mitigated	52	81	7	5
<b>Construction</b>				
Unmitigated	19	31	2	2
Mitigated	19	31	2	2
<b>Paving</b>				
Unmitigated	15	25	1	1
Mitigated	15	25	1	1
Exceeds Threshold?	No	No	No	No

LSTs were compared to the maximum daily construction activities. As shown in Table 3.6, mitigated emissions are below the LST thresholds for construction. LST impacts are less-than-significant. The only mitigation measure applied was the following dust suppression measure:

- Water exposed surfaces at least 3 times per day for fugitive dust suppression.

#### **Additional Indicators**

The SCAQMD recommends that "additional indicators" should be used as screening criteria with respect to air quality. Additional factors relevant to the project at hand identified in the *Handbook* include the following significance criteria:

- Interference with the attainment of the federal or State ambient air quality standards by either violating or contributing to an existing or projected air quality violation.
- Emit carcinogenic or toxic contaminants that exceed the maximum individual cancer risk of 10 in one million.

Chapter 6 of the SCAQMD *Handbook* indicates that it considers a project to be mitigated to a level of insignificance if its effects are mitigated below the thresholds provided above.

- e) *Create objectionable odors affecting a substantial number of people? **No Impact.*** The proposed project would not create objectionable odors affecting a substantial number of people. The operation of the equestrian facility can create manure odors; however, The Oaks implements an extensive Best Management Practices (BMP) program that will continue to be carried out at the consolidated facility. The most noticeable change is that the waste management area (WMA) will be relocated farther away from the nearest existing home. The BMP program minimizes nuisance conflicts from the current WMA. An increase in the separation distance will further preclude the creation of any airborne nuisance conflicts. The BMP provides that animal waste is collected on a regular schedule at various facility locations, and waste is placed into closed bins on an impervious surface that are hauled away when full to prevent odor formation or fly breeding.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.4 BIOLOGICAL RESOURCES.</b> 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 Game or the USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Game (DFG) or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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 Game or the USFWS?* **No Impact.** According to the Biological Resources Report (Helix Environmental Planning, July 10, 2013), there is no potential for any species listed as threatened or endangered under the state or federal Endangered Species Act to occur on the property. Further, the site does not contain any federal or State jurisdictional areas. San Juan Creek, located to the south of the project would be considered USACE and CDFW jurisdictional, but there are no off-site uses adjacent to or within this water feature proposed by the project. The proposed residences are in excess of 200 feet north of the creek. The existing equestrian uses in the southern portion of the site will remain and will not result in any potential to increase indirect impacts to the creek. Therefore, the proposed project would not have an 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 Game or U.S. Fish and Wildlife Service.
- 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 (CDFW) or U.S. Fish and Wildlife Service?* **No Impact.** While there are a number of large individual coast live oaks (*Quercus agrifolia*) and western sycamores, (*Platanus racemosa*) scattered throughout the site, the understory is maintained as either lawn (irrigated turf) or unimproved (dirt) areas. None of these trees would constitute either an oak woodland or riparian habitat. The proposed project would have no 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 Wild Service.

- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? **No Impact.*** No wetlands, as defined by Section 404 of the Clean Water Act, exist on-site. See response a. Thus, the project would not result in impacts to wetlands
- 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 With Mitigation Incorporated.*** Brushing and grading conducted during the breeding season of most bird species (general breeding season is February 15 to September 15) would result in potential impacts on species covered under the Migratory Bird Treaty Act. Thus, limiting brushing, grading and tree removal to the non-breeding season would avoid such impacts. Grubbing, grading, or clearing during the breeding season could occur if it is determined via a pre-construction survey performed by a wildlife biologist that no nesting birds (or birds displaying breeding or nesting behavior) are present immediately prior to grubbing, grading or clearing. Project implementation would not interfere with the movement of any native resident or migratory fish or wildlife species, with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, as none exist within the project area.

MM BR-1 Prior to any permit issuance for grubbing, grading, tree trimming/removal or prior to engaging in such activities that would occur between the breeding season for native birds (February 15 through September 15), the project applicant shall retain the services of a qualified ornithologist to conduct an ornithological survey of the construction zone. The City will require the developer to submit a copy of the executed contract for such services prior to the issuance of any grading permits. The ornithological survey shall occur not more than seven days prior to the initiation of those grading/construction activities. If the ornithologist detects any occupied nests of native birds within the construction zone or in close proximity to, they shall be mapped on construction plans and the project applicant will fence off the area(s) supporting bird nests with temporary construction fencing, providing a minimum buffer of 200 feet between the nest and limits of construction. (This buffer zone shall be at least 500 feet for raptors until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project.) The construction crew will be instructed to avoid any activities in the zone until the bird nest(s) is/are no longer occupied, per a subsequent survey by the qualified ornithologist. Alternatively, the project applicant will consult as appropriate with the USFWS to discuss the potential loss of nests of native birds covered by the MBTA to obtain the appropriate permit from the USFWS.

With this mitigation measure, potential impacts to the movement of any native resident or migratory fish or wildlife species or to established native resident or migratory wildlife corridors would be reduced to a level of insignificance.

- e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance? **Less Than Significant Impact.*** As discussed in 16.1 c), the project proposes several measures as part of the project to mitigate the removal of existing trees and comply with City's Tree Preservation ordinance to mitigate any impacts caused by the removal of trees.
- 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.*** The project area is situated in the Coastal and Southern Sub-region of the County of Orange Natural Community Conservation Plan and Habitat Conservation Plan (NCCP). However, the City is not a signatory to the Implementation Agreement for the sub-region and more importantly, the project site is located within a developed area of the City of San Juan Capistrano. Therefore the project would not result in conservation planning impacts.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.5 CULTURAL RESOURCES.</b> Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in ' 15064.5 of CEQA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to ' 15064.5 of CEQA?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. *Cause a substantial adverse change in the significance of a historical resource as defined in ' 15064.5 of CEQA?* **No Impact.** A Cultural Resources Analysis was prepared by McKeehan Environmental Consultants, July 22, 2013. That analysis found that there are no structures on the property more than 50 years of age, nor associated with a significant event or person, nor have a special or unique historical/architectural quality or characteristic. No such structures are adjacent to the site that would be affected by the proposed project. Therefore, no significant impacts will occur.

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to ' 15064.5 of CEQA?* **Less Than Significant Impact with Mitigation Incorporated.** The Cultural Resources Analysis determined that there are numerous, prehistoric, archaeological sites recorded with the South Central Coastal Information Center (SCCIC) on the California Historical Resources Information System (CHRIS) near the proposed project site. Since the proposed project will involve ground-disturbing activities in previously undisturbed soil, it is possible that subsurface archaeological resources may be exposed, unearthed, or disturbed. Impacts to significant cultural resources can be effectively avoided through the development of a management plan in case of discovery of buried resources and through monitoring during earth-moving activities (grading and trenching). The implementation of Mitigation Measures CR-1, CR-2, and CR-3 would reduce impact to prehistoric resources to less than significant.

MM CR-1 Prior to issuance of a grading permit, the applicant shall submit to the City an executed contract with a qualified archaeologist (RPA member and/or County of Orange-qualified), defined as meeting the Secretary of the Interior's Standards for professional archaeology, who has been retained to monitor the site clearing, grading and excavation activities. The name, qualification, and contact information for the archaeologist shall be provided to the City.

MM CR-2 A qualified archaeologist, defined as meeting the Secretary of the Interior's Standards for professional archaeology (RPA member and/or County of Orange-qualified), shall be present at pre-construction meetings to advise construction contractors about the sensitive nature of cultural resources, as well as monitoring requirements. A qualified monitor (defined as an individual with a Bachelor's Degree in anthropology with archaeological monitoring experience or equivalent), supervised by the qualified archeologist, shall observe all construction activities that result in grading, and/or excavating more than 18-inches below the original ground surface, including on- and off-site utility and roadway improvements. Should non-human cultural resources be discovered, the monitor shall have the power to temporarily halt or divert construction activities until the qualified archaeologist can determine if the resources are significant. All archaeological resources unearthed by construction activities shall be evaluated in accordance with CEQA and City Council Policy 601. If they are determined to be significant, the archaeologist will be allowed to recover the resources under CEQA procedures to be curated by the City or qualified Orange County facility.

In the event that human remains are discovered, construction activities shall be halted or diverted until the provisions of §7050.5 of the Health and Safety Code and §5097.98 of the Public Resources Code have been implemented.

MM CR-3 A Native American monitor shall observe all excavating and/or trenching more than 18-inches below the original ground surface, including on-site and off-site utility and roadway improvements. The Native American monitor shall consult with the archaeological monitor regarding objects and remains encountered during grading that may be considered sacred or important. In the event that evidence of human remains is discovered, the Native American monitor shall verify that the archaeologist has notified the Coroner.

MM CR-4 Prior to issuance of a grading permit, the applicant shall submit to the City documentation that a qualified paleontologist, defined as a paleontologist of the List of Certified Paleontologist for Orange County, has been retained to monitor site clearing, grading, and excavation activities. The name, qualifications and contact information for the archaeologist shall be provided.

A qualified paleontologist, defined as a paleontologist of the List of Certified Paleontologists of Orange County, shall be present at pre-construction meetings to advise construction contractors about the sensitive nature of paleontological resources, as well as monitoring requirements. After observing the specific soil conditions, of the proposed project during initial ground disturbance, the qualified paleontologist shall determine the amount of full- or part-time required for the project. A qualified monitor (defined as an individual with a Bachelor's Degree in geology with paleontological monitoring experience or equivalent), supervised by the qualified paleontologist, shall observe construction activities that result in grading, and/or excavating more than 18-inches below the original ground surface, including on- and off-site utility and roadway improvements. Should paleontological resources be discovered, the monitor shall have the power to temporarily halt or divert construction activities until the qualified paleontologist can determine if the resources are significant. If they are determined to be significant, the paleontologist will be allowed to recover the resources to be curated by the City or qualified Orange County facility.

- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? **Less Than Significant Impact with Mitigation Incorporated.*** The Capistrano and Monterey Formations and San Onofre breccias, mainly located in the eastern foothills of the City, are considered to be of high paleontological importance due to the numerous fossil sites which have been found in these bedrock units. While the project site is located along San Juan Creek and within alluvial deposits, construction activities have the potential to expose buried paleontological resources. Low-lying areas within relatively recent alluvial floodplain soils could include Pleistocene Epoch fossils, as well as fossils from the foothills bedrock that have been washed into the floodplain. Implementation of Mitigation Measure CR-4 would reduce the impact to less than significant.
- d. *Disturb any human remains, including those interred outside of formal cemeteries? **Less Than Significant Impact with Mitigation Incorporated.*** No human remains are known to exist within the project site. However, at least three prehistoric burials interred outside of formal cemeteries have been found within ½ to 1 mile of the project site. Given the sensitivity of the project area for buried prehistoric and historic archaeological deposits, construction activities have the potential to expose buried human remains. Implementation of Mitigation Measure CR-1, CR-2, and CR-3 would reduce impacts to less than significant.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.6 GEOLOGY AND SOILS.</b> Would the project:				
a. Expose people or structures to 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, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 1) *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 located within the seismically active southern California region and would likely be subjected to groundshaking, thus exposing proposed project to seismic hazards. No known active seismic faults traverse the City of San Juan Capistrano. However, the City is located within 50 miles of several known potential sources of strong shaking, including the offshore segment of the Newport-Inglewood fault system located approximately six miles west of the City and the San Andreas fault system located approximately 50 miles east of the city. The City is not identified as an Alquist-Priolo Earthquake Fault Zone (formerly referred to as "Special Studies Zones"). Furthermore the *County of Orange General Plan* indicates that the project site is not within an Alquist Priolo Special Study Zone. Impacts are not anticipated.
- 2) *Strong seismic ground shaking? **Less Than Significant Impact.*** Southern California is a seismically active region likely to experience, on average, one earthquake of Magnitude 7.0, and ten (10) earthquakes of Magnitude 6.0 over a period of 10 years. Active faults are those faults that are considered likely to undergo renewed movement within a period of concern to humans. These include faults that are currently slipping, those that display earthquake activity, and those that have historical surface rupture. The California Geological Survey (CGS) defines active faults as those which have had surface displacement within Holocene times (about the last 11,000 years). Such displacement can be recognized by the existence of sharp cliffs in young alluvium, un-weathered terraces, and offset modern stream courses. Potentially active faults are those believed to have generated earthquakes during the Quaternary period, but prior to Holocene times.

There are several active and potentially active fault zones that could affect the project site. The faults within these zones include the Newport-Inglewood, Whittier, San Andreas, San Jacinto, Malibu-Coast-Raymond, Palos Verdes, San Gabriel, and Sierra Madre-Santa Susana-Cucamonga faults. The

proposed project would be required to be in conformance with the California Building Code (2010), the City's Seismic Hazard Mitigation Ordinance, and other applicable standards. Conformance with standard engineering practices and design criteria would reduce the effects of seismic groundshaking to less than significant levels.

- 3) *Seismic-related ground failure, including liquefaction?* **Less Than Significant Impact.** Liquefaction is the loss of strength of cohesionless soils when the pore water pressure in the soil becomes equal to the confining pressure. Liquefaction generally occurs as a "quicksand" type of ground failure caused by strong groundshaking. The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of groundshaking. According to the *City of San Juan Capistrano General Plan*, dated December 14, 1999, and a Preliminary Geotechnical Evaluation by GeoTek on March 23, 2012 and updated on May 1, 2013, the project area is not susceptible to liquefaction hazards.
  - 4) *Landslides?* **No Impact.** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. Landsliding is considered likely within the Capistrano Formation which comprises much of the City's hillside slopes. However, according to the *City of San Juan Capistrano General Plan*, the project site is not located within a known or highly suspected landslide area. Further, site stabilization and soil compaction requirements required by project geotechnical investigation and design parameters established by the most recent California Building Code (2010) and the City's Seismic Hazard Mitigation Ordinance would reduce any potential impacts to less than significant levels.
- b) *Result in substantial soil erosion or the loss of topsoil?* **No Impact.** Grading and trenching during the construction phase of the project would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The contractor will be required to comply with standard engineering practices for erosion control and a qualified soils engineer will monitor soil compaction during construction. Soil erosion impacts are not anticipated.
  - 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.** No water extractions or similar practices are anticipated to be necessary that are typically associated with project-related subsidence effects. In addition, surface material which would be disrupted/displaced would be balanced and re-compacted on-site during project construction. Adherence to standard engineering practices would result in less than significant impacts related to subsidence of the land. Refer to Response 4.6a, above.
  - d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?* **Less Than Significant Impact.** The dominant soil association in the project area is alluvial soil characterized as generally mottled in color, moist to very moist and consisted of interbedded/lensoidal medium to coarse-grained, silty-sand with occasional silt lenses. Consistency of the alluvial materials encountered was mostly medium dense to dense, but some zones, at a depth of from 30 to 50 feet, were in the loose (soft) to medium dense (firm) consistency range. This soil association has a low shrink-swell potential. Further, adherence to standard engineering practices contained within the most recent California Building Code (2010) will reduce any potential impacts to less than significant levels.
  - e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* **No Impact.** The proposed project does not include the implementation of septic tanks or alternative wastewater disposal systems.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.7 GREENHOUSE GAS EMISSIONS.</b> Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Greenhouse Gas Emissions Impact Analysis was prepared to analyze the potential greenhouse gas emissions impacts associated with the proposed project. (Air Quality and Greenhouse Gas Emissions Impact Analysis, Hans Giroux & Associates, August 22, 2013). The findings and recommendations of that analysis are summarized below and the document is available for review at the Development Services Department at the City of San Juan Capistrano.

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* **Less Than Significant Impact.** Global warming poses a potential threat to the economic well-being, public health, natural resources, and the environment of California. Globally, in 2006, the world's economies produced 28.5 billion metric tons of greenhouse gas emissions (GHG) while the United States produced about 5.8 billion tons and China generated about 6.2 billion tons of these emissions. By comparison, in 2006, California generated 0.48 billion metric tons of GHG, 1.7% of the global total and 8.3% of the U.S. total emissions.

The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

In 2006, the Legislature passed and the governor signed Assembly Bill 32, the Global Warming Solutions Act of 2006, which set a 2020 greenhouse gas emissions reduction goal into law. AB32 directed the California Air Resources Board to begin developing discrete early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to achieve the 2020 limit for greenhouse gas emissions (GHG). The reduction measures needed to meet the 2020 GHG target are to be adopted by the start of 2011. The State Legislature also directed the California Air Resources Board to consult with the Public Utilities Commission in the development of carbon dioxide (CO<sub>2</sub>) emissions reduction measures, including limits on emissions of greenhouse gases applied to electricity and natural gas providers regulated by the Public Utilities Commission. The Legislature has also directed that such measures meet the statewide emissions limits for greenhouse gases to be established pursuant to AB 32. Consistent with the legislative policy established by AB32, the proposed project has been evaluated to estimate greenhouse gas emissions, specifically, carbon dioxide (CO<sub>2</sub>). These emissions have been estimated for the operational phase of the project and include emissions resulting from the operation of the proposed development (heating & cooling; electricity usage, natural gas usage), and from motor vehicle emissions:

**Table 3.4 Estimated CO<sub>2</sub> Greenhouse Gas (GHG) Emissions**

<b>Consumption Source</b>	<b>MTCO<sub>2</sub>(e) (metric tons of carbon dioxide equivalent/year)</b>
Area Source	23.2
Energy Utilization	142.8
Mobile Source	398.1
Solid Waste Generation	15.1
Water Consumption	22.9
Annualized Construction	24.4
<b>Total</b>	<b>626.7</b>
Significance Threshold	3,000
Threshold Exceeded?	No

Greenhouse Gas Emissions Impact Analysis provided the information in Table 3.4. SCAQMD GHG emissions policy from construction activities is to amortize emissions over a 30-year lifetime. The annualized construction level 24.4 Metric Tons CO<sub>2</sub>(e) which is considered less-than-significant. The total operational and annualized construction emissions are identified in Table 3.4. Total annual project GHG Emissions are well below (20.9% of) the significance threshold of 3,000 MT. GHG emissions impacts for the proposed project are less than significant.

- b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **No Impact.*** The City of San Juan Capistrano adopted the "Go Green SJC" initiative which focuses on preservation of San Juan Capistrano's environment through innovative waste reduction and pollution prevention programs. This initiative provides public education and in some cases monetary incentives (for installation of solar panels).

However, the City has not yet developed a Greenhouse Gas Reduction Plan or adopted regulations for the purpose of reducing GHGs applicable to this project. The applicable planning document is AB-32. As discussed above in response a above, the project is not expected to result in a significant increase in GHG emissions. As a result, the project results in GHG emissions below the recommended SCAQMD 3,000 ton threshold. Therefore, the project would not conflict with an applicable plan, policy, or regulation to reduce GHG emissions.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.8 HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **No Impact.*** The proposed project is a residential community and reduced footprint commercial equestrian facility, which would not involve the routine transport, use, or disposal of hazardous materials, and would not result in such impact.
- 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? **No Impact.*** The proposed project is not anticipated to result in a release of hazardous materials into the environment. However, during the short-term period of project construction, there is the possibility of accidental release of hazardous substances such as spilling of hydraulic fluid or diesel fuel associated with construction equipment maintenance. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials. The contractor will be required to use standard construction controls and safety procedures which would avoid and minimize the potential for accidental release of such substances into the environment.
- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? **No Impact.*** No existing or proposed school facilities are located within a one-quarter mile radius of the project site.

- 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? **No Impact.*** According to the *Preliminary Hazardous Materials Assessment*, the proposed project site is not included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.
- 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 for people residing or working in the project area? **No Impact.*** The proposed project site is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard for people residing or working in the project area.
- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? **No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.
- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **No Impact.*** The proposed project would have no impacts on emergency response plans or emergency evacuation plans. No revisions to adopted emergency plans would be required as a result of the proposed project.
- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? **No Impact.*** The project would not expose people or structures to a significant risk of wildland fires because the project site does not adjoin OCFA-designated wildland areas.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.9 HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. Result in significant alternation of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
s. Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Potentially impact stormwater runoff from construction or post construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
z. Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Violate any water quality standards or waste discharge requirements? **Less Than Significant with Mitigation Incorporated.*** Construction of the proposed project may require temporary construction dewatering for flushing of the pipeline with water to clean the pipes prior to placing the facilities in service. If drainage is necessary, the contractor will be required to obtain and comply with the requirements of a groundwater dewatering discharge permit and/or wastewater permit as required by the Regional Water Quality Control Board (RWQCB). Compliance with applicable RWQCB permit requirements would result in less than significant impacts to water quality.

Additional impacts related to water quality would range over three different phases of project implementation: 1) during the earthwork and construction phase, when the potential for erosion, siltation and sedimentation into on-site drainages would be the greatest; 2) following construction, prior to the establishment of ground cover, when the erosion potential may remain relatively high; and 3) following completion of the project, when impacts related to sedimentation would decrease markedly, but those associated with site runoff would increase.

According to the Hydrology and Hydraulics Report prepared by RBF Consulting on September 27, 2013, compliance with the statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity would prevent stormwater pollution from impacting waters of the U.S. in the vicinity of the project site. Implementation of the mitigation measures identified below would reduce potential water quality impacts to less than significant levels.

MM WQ-1 Prior to issuance of a grading permit, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and provide evidence that an NPDES Notice of Intent (NOI) has been filed with the State Water Resources Control Board (SWRCB). In addition to the SWPPP, a Final Water Quality Management Plan (WQMP) shall be prepared and submitted to the City of San Juan Capistrano's City Engineer for approval. During Construction and following completion of development, the recommendations presented in the City of San Juan Capistrano's approved Final WQMP shall be implemented and complied with to ensure that all potential impacts to water quality will be reduced to a less than significant level and all applicable local and state water quality requirements complied with by the project owner.

**Water Quality Management Plan**

The following LID (Low Impact Development) BMPs and design features are proposed as part of the preliminary WQMP to ensure project conformance to the applicable project performance criteria established by the San Diego Regional Water Quality Control Board's (RWQCB) Regional Permit for South Orange County:

Residential (see Figure 16.9-1 below)

- Hydrologic source controls were implemented throughout the development with the use of numerous street trees and localized on-lot infiltration. Landscaped areas in front of and behind the proposed homes provide a reduction in the volume of runoff on the site.
- Infiltration BMPs are utilized through the implementation of the bio-retention areas on-site. Runoff will sheet flow into the bio-retention areas prior to infiltrating into the ground.
- Hydro-modification Control BMPs; the proposed detention basin located at the southwest corner of the project has been sized to meet the requirements set forth in the Permit for hydro-modification. With the addition of this basin, the post-project peak flow, time of concentration, and runoff volume will not exceed the pre-project condition by more than 5%.
- Non Structural Source Control BMPs:
  - Education for property owners, tenants, and occupants
  - Activity Restrictions
  - Common Area Landscape Management
  - BMP Maintenance
  - Common Area Catch Basin Inspection
  - Street Sweeping Private Streets and Parking Lots
- Structural Source Control BMPs:
  - Provide storm drain stenciling and signage
  - Use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control
  - Protect slopes and channels and provide energy dissipation
  - Incorporate requirements applicable to individual priority project categories (From SDRWQCB NPDES Permit)

Equestrian (see Figure 16.9-2 below)

- Hydrologic source controls were implemented throughout the development with the use of numerous street trees and localized on-lot infiltration. Landscaped areas in front of and behind the proposed homes provide a reduction in the volume of runoff on the site.
- Infiltration BMPs are utilized through the implementation of the bio-retention areas on-site. Runoff will sheet flow into the bio-retention areas prior to infiltrating into the ground.
- Bio-treatment BMPs are proposed for the project. Vegetated swales are proposed that will provide pollutant removal through settling and filtration within the vegetation lining the swale.
- Infiltration BMPs implemented throughout the project contribute to compliance with hydro-modification requirements.
- Non-Structural Source Control BMPs:
  - Education for property owners, tenants, and occupants
  - Activity Restrictions
  - Common Area Landscape Management
  - BMP Maintenance
  - Spill Contingency Plan
  - Hazardous Materials Disclosure Compliance
  - Common Area Litter Control
  - Employee Training
  - Roof Runoff BMPs
  - Structure Separation from Waterways
  - Vegetation Maintenance
  - Horse Access/Human Activity Restriction
  - Slope Stabilization
  - Manure Management
  - Manure Storage Areas
  - Gravel in Stalls/Stables
  - Wash Rack Management
  - Horse Grooming/Hazardous Materials Management
  - General Good Housekeeping
  - Trail Access Restriction

- Trail Signage and Design
- Structural Source Control BMPs
  - Design and construct outdoor material storage area to reduce pollution introduction
  - Design and construct trash and waste storage areas to reduce pollution introduction
  - Use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control
  - Protect slopes and channels and provide energy dissipation
  - Incorporate requirements applicable to individual priority project categories (from SDRWQCB NPDES Permit)
  - Maintenance Bays
  - Fueling areas
  - Construct berms/ditches
  - Construct trails and road to proper standards and requirements

Figure 16.9-1, Oaks Development BMP Map (Residential)

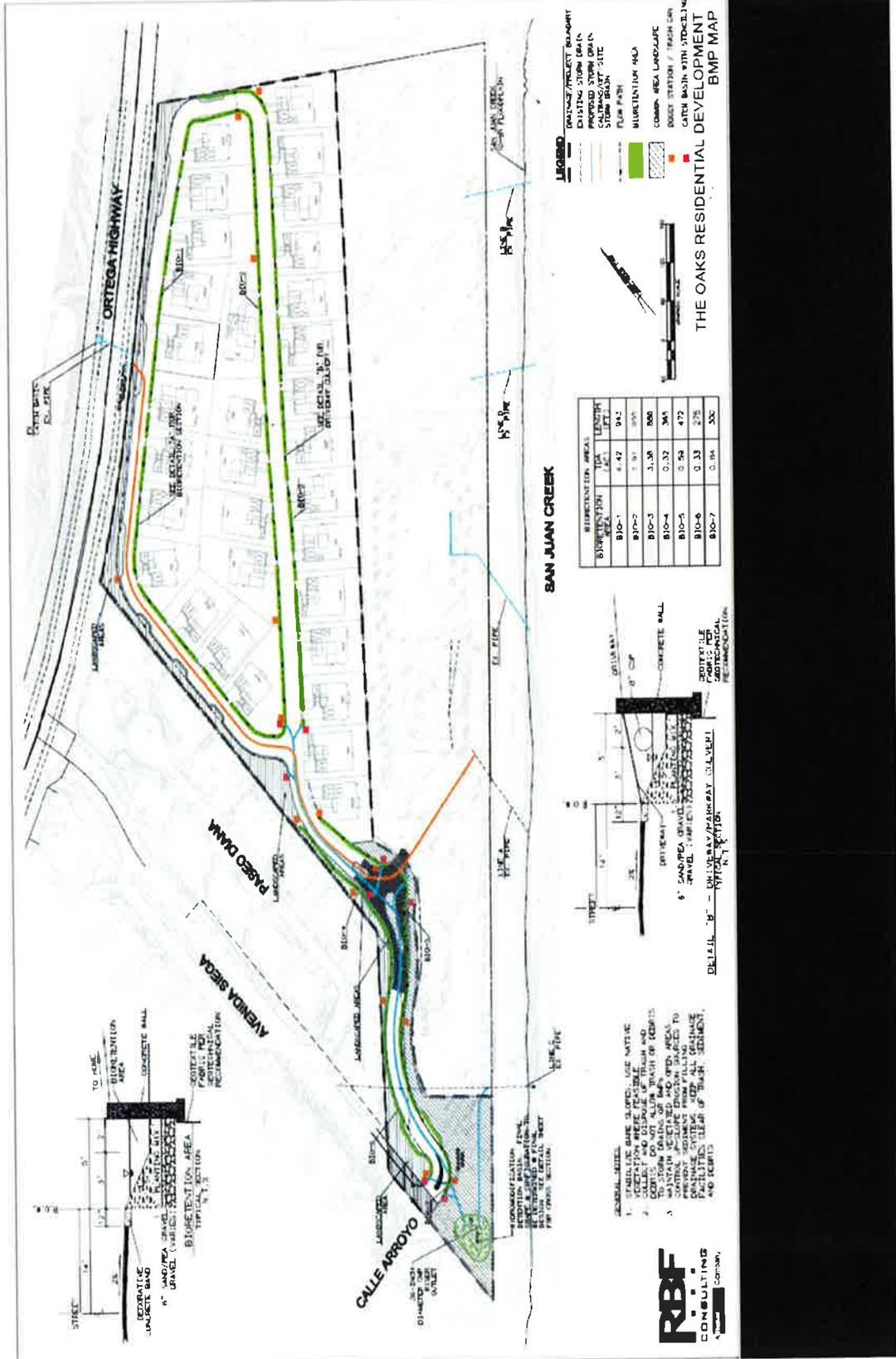


Figure 16.9-2, Oaks Development BMP Map (Equestrian)



- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* **Less Than Significant Impact.** The residential project proposes to be served entirely by City water and would not involve any pumping of groundwater. The equestrian facility is on an existing well to meet current water needs. Since the equestrian facility will be reduced in size, demand on the existing well is anticipated to be reduced from current conditions. Further, the San Juan Creek Watershed encompasses 133.9 square miles, or 85,696 acres. The project proposes approximately no more than 3.5 acres (0.04% of the watershed area) of impervious surface, therefore, less than significant impacts are anticipated to groundwater recharge.
- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* **Less Than Significant Impact.** The Hydrology and Hydraulics Report indicates that the Equestrian Center's overall impervious area would decrease. Additionally, the project incorporates LID measures and water retention features to capture stormwater runoff in such a way to reduce flows and avoid erosion on- or off-site. The existing drainage patterns, and discharge for the Center will remain the same, and only minor improvements will be needed to the existing system, including the repair of an existing 24-inch corrugated metal pipe which is damaged. Further, with the incorporation of bio-swales located adjacent to the residential lots, the project will have the ability to mitigate on-site storm event run-off to existing conditions. No significant changes in drainage patterns associated with the proposed project are anticipated to occur.

During construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. As discussed above in response a) and specified in Mitigation Measure MM WQ-1, the construction General Permit requires preparation of a SWPP to identify Construction BMPs to be implemented as part of the proposed project to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. With implementation of the Construction BMPs as specified in MM WQ-1, impacts related to on- or off-site erosion or siltation would be less than significant. Further, the

SC WQ-1 Prior to issuance of a grading permit, the applicant shall repair the damaged 24" corrugated metal pipe that is part of the existing stormwater drainage system along the main outlet (Line A) to San Juan Creek (as shown on the "Existing Condition Hydrology Map" in the Hydrology and Hydraulics report prepared by RBF Consulting on September 27, 2013).

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* **Less Than Significant Impact.** Refer to Response (c), above. Further, the Hydrology and Hydraulics Report indicates that the 10-year and 100-year storm event shows less than 1 cfs increase in flow due to the project improvements.
- e) *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?* **No Impact.** Refer to Response c) and d) above.
- f) *Otherwise substantially degrade water quality?* **No Impact.** Stormwater quality is generally affected by the length of time since the last rainfall, rainfall intensity, urban uses of the area, and the quantity of transported sediment. Typical urban water quality pollutants usually result from motor vehicle operations, oil and grease residues, fertilizer/pesticide uses, and careless material storage and handling. Majority of pollutant loads are usually washed away during the first flush of the storm occurring after the dry-season period. However, due to the nature of the proposed project, no impacts are anticipated in this regard.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? **No Impact.*** The proposed project does not propose any housing located within a 100-year flood hazard area. Therefore, no flood related impacts would occur.
- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **No Impact.*** No structures are proposed within a 100-year flood hazard area.
- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **No Impact.*** As previously stated, the project does not propose any new housing or building structures within the 100-year flood plain.
- j) *Inundation by seiche, tsunami, or mudflow? **No Impact.*** There are no anticipated impacts to the proposed project from seiche, tsunami or mudflow, as no topographical features or water bodies capable of producing such events occur within the project site vicinity.
- k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)? **Less than Significant Impact.*** Refer to Response (a) above.
- l) *Result in significant alteration of receiving water quality during or following construction? **No Impact.*** Refer to Response a) above. During construction, erosion control will be provided on-site to protect water quality. Operation is not anticipated to result in any water quality impacts.
- m) *Could the proposed project result in increased erosion downstream? **No Impact.*** Given the project's limited size and limited impervious surface, the project would produce a relatively low volume of stormwater runoff that would not result in increased downstream erosion. Refer to Responses c), d), and e) above.
- n) *Result in increased impervious surfaces and associated increased runoff? **Less Than Significant Impact.*** The increase in impervious surface and associated runoff is below the significance threshold. Refer to Responses c), d), and e) above
- o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? **No Impact.*** Refer to Responses c), d), and e) above.
- p) *Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? **No Impact.*** Refer to Response a) above. The project site does not adjoin or discharge directly into a Federally-listed water body.
- q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions? **No Impact.*** See Response to p) above.
- r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters? **No Impact.*** Refer to Response a) above. The project would discharge directly into surface waters nor involve operational characteristics that would result in pollutant discharges into such waters including pesticides, herbicides, fertilizers and similar chemicals.
- s) *Have a potentially significant adverse impact on groundwater quality? **No Impact.*** The project site does not involve excavation, drilling, or cuts that could intercept or affect groundwater, and does not involve sub-surface fuel tanks or similar features that could affect groundwater.

- t) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? **No Impact.** The proposed project will not result in any violation of applicable water quality standards established by the Clean Water Act and implemented by the San Diego Regional Water Quality Control Board (RWQCB) through the regional National Pollution Discharge Elimination System (NPDES) permit.
- u) Impact aquatic, wetland, or riparian habitat? **No Impact.** See Response to Section 16.4 b) of this document.
- v) Potentially impact stormwater runoff from construction or post construction? **Less Than Significant Impact.** Refer to Responses (a) and (c) above.
- w) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? **No Impact.** Refer to Response a) above.
- x) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? **No Impact.** Refer to Response a) above.
- y) Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm? **No Impact.** Refer to Responses c), d), and e) above. The project will neither increase the volume nor the velocity of stormwater flows, nor indirectly contribute to such impacts as a result of project implementation.
- z) Create significant increases in erosion of the project site or surrounding areas? **No Impact.** See Response c) above.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.10 LAND USE AND PLANNING.</b> Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Physically divide an established community? **No Impact.** The proposed project will not have an impact on the physical arrangement of an established community. Therefore, no impacts are anticipated to occur.
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? **Less Than Significant Impact.** Due to the unique property conditions and circumstances, the proposed amendment to The Oaks Equestrian Facility Conditional Use Permit (CUP) 78-6 would result in new and existing equestrian related structures to be within 100 feet of residential properties. Pursuant to the City of San Juan Capistrano Municipal Code Section 9-3.5125(c)(3) Table 3-21, varying setbacks are required for

equestrian related structures, including 50 feet for the “front yard,” 25 feet for the “side yard” and 5 feet for the “rear yard.” A special 100-foot setback condition is required when an equestrian related structure is adjacent to a property which is “used, zoned, or shown on the General Plan for residential use.” The proposed setback for the Amendment to CUP 78-6 cannot satisfy the latter setback; therefore a Variance request is a part of the project. Based on the justification provided in The Oaks Equestrian Facility Zone Variance application, the project is able to meet the required variance findings, one of which is a finding that the project will not be detrimental to public health, safety or welfare or injurious to surrounding properties. The Oaks Equestrian Facility is currently operating adjacent to existing residences with less than 100-foot setbacks and the proposed TTM 17441 is planned as an equestrian-themed community with appropriate design measures and buffers between the future residences and the equestrian facilities. The proposed project also includes a Rezone to eliminate the Open Space Recreation Zoning Designation which is presently inconsistent with the City’s General Plan designation of Medium Low Density. The dual zoning was likely in place to allow the existing equestrian facility to continue operating as a legal, conforming use until such time that a development application was proposed for the area designated as Medium Low Density on the general Plan Map.

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan? **No Impact.*** Refer to Response 16.4 f) above, which concludes the project would not conflict with any habitat conservation plan.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.11 MINERAL RESOURCES.</b> Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **No Impact.*** The City’s General Plan and Title 9, Land Use Code would not permit any mineral extraction on or within the vicinity of the project site. Therefore, the project would have no impact.
- 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.*** Refer to Response 14.10a, above.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.12 NOISE.</b> Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Noise Impact Analysis was prepared to analyze the potential noise impacts associated with the proposed development project (Hans Giroux & Associates, August 20, 2013). The findings and recommendations of that analysis are summarized below and are available for review at the Development Services Department at the City of San Juan Capistrano.

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* **Less than Significant Impact.** Residential structures would be located along the northern edge of the property adjacent of Ortega Highway (SR-74). Because of the proximity to Ortega Highway, proposed Oaks units along the northern project perimeter were evaluated to ensure traffic noise exposure would be within recommended compatibility guidelines. The project traffic report calculates that at build-out Ortega Highway will create approximately a 72dB CNEL noise level at 50 feet from the roadway centerline.

Lots 16-24 will be adjacent to Ortega Highway. The front yard of these residences face Ortega Highway. Although backyard noise is typically evaluated for recreational noise exposure (in this case backyard users would benefit from increased roadway setback as well as shielding from the residence itself), as a precaution front yard noise as also examined. In addition, interior noise levels were examined for both first and second story users. Lot 23 was selected to be representative of lots 16-24 because noise levels impacting lot 23 would be equal to or greater than other lots near the highway frontage. The structural façade of lot 23 is approximately 110-feet from the future Ortega Highway centerline. The exterior noise level was estimated at 59 dB CNEL, which is less than the threshold of 65 dB CNEL, and the interior noise level would be less than the threshold of 45 dB CNEL. Interior noise levels would be below the threshold and because the California Building Code requires the use of dual-paned windows. Further, there would be sufficient noise attenuation because the proposed project would include a 6-foot CMU screening wall adjacent to the Ortega Highway Right-of-Way line and the project grade level would be approximately 7 feet below Ortega Highway.

The proposed project would create a short-term impact in terms of construction noise. Noise generated by construction and demolition equipment, including trucks, backhoes and other equipment, may temporarily impact nearby sensitive receptors. Construction noise is estimated to be approximately 90 dBA at 50 feet from the source. Pursuant to the City's Noise Ordinance standards, construction activities would be limited to daytime hours for the duration of construction. Also, all vehicles and equipment will use available noise suppression devices and be equipped with mufflers during construction activities. Due to the restricted hours, equipment restrictions, and relatively short period of construction, noise resulting from construction and demolition related activities is not considered a significant impact. Although construction noise impacts are considered less-than-significant, and mitigation measures are not required the following construction practices are recommended as standard conditions to further reduce construction noise levels:

SC N-1 Noise sources associated with construction, repairs, remodeling, or the grading of any real property, shall be exempt from the provisions of the City's noise code if conducted from 7:00 a.m. to 6:00 p.m. on Monday through Friday, or from 8:30 a.m. to 4:30 p.m. on Saturday. Construction is prohibited at any time on Sunday or a Federal holiday.

SC N-2 Equipment will use available noise suppression devices and properly maintained mufflers. Construction noise will be reduced by using quiet or "new technology", equipment, particularly the quieting of exhaust noises by use of improved mufflers where feasible. All internal combustion engines used at the Project site will be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment will be maintained in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.

SC N-3 During all site preparation, grading and construction, contractors shall minimize the staging of construction equipment and unnecessary idling of equipment in the vicinity of residential land uses.

SC N-4 The equipment staging area will be situated so as to provide the greatest distance separation between construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.

SC N-5 Notification will be given to residences within 300 feet of planned construction activities thirty (30) days prior to commencement of demolition activity, and will include a brief description of the project, the overall duration of the various construction stages, noise abatement measures that will be taken, and the name and phone number of the construction site supervisor or his designee to report any violation of a noise or mitigation standard.

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*  
**Less Than Significant Impact.** The anticipated construction and demolition activity is not anticipated to generate excessive groundborne vibrations or noise levels. The on-site construction equipment that will create the maximum potential vibration is a large bulldozer. The stated vibration source level in the FTA Handbook for such equipment is 81 The Oaks Noise 19 VdBA at 50 feet from the source. With typical vibrational energy spreading loss, the vibration annoyance standard of 80 VdB is met at 56 feet. Recreational uses at residences west of the site are closest to the project, but groundborne vibration is almost never annoying to people who are outdoors. Any vibration perception such as rattling windows would only occur in any residential structure. The residences west of the site are approximately 50 feet from the closest project roadway (Street "C") but more than 100 feet from the nearest proposed structure on lots 25-27. At 100 feet the vibration level dissipates to 75 VdB which is below the 80 VdB annoyance threshold. All vibration sources will be well below the structural damage threshold. Construction activity vibration impacts are judged as less-than-significant. Additionally, this project is not anticipated to include pile driving activities. Therefore, ground borne vibration is not expected to occur. Due to the temporary nature of construction activities, impacts in this regard are considered to be less than significant. Also, refer to discussion 16.12a, above.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **Less Than Significant Impact.*** Noise from residential use is generally considered passive and is not expected to cause a significant noise increase to the existing homes west of the project site. The equestrian use is an existing use, and usage of the equestrian center with project implementation is not expected to change. There will be some minor changes in locations of activities relative to existing homes on Paseo Diana. Some equipment operations such as tractor storage or waste management will be relocated to a back of house maintenance building farther from existing homes than for the current site layout. Equestrian activities are inherently quiet and the field arena, lunging ring and grand prix field will remain close to their current locations and configuration. Any planned change in facilities locations will have a negligible noise impact on the closest existing neighbors.

A comparison of the "existing with project" and "existing no project" conditions demonstrate a maximum +2.4 dB CNEL at 50 feet from roadway centerline traffic vehicular noise impact on Avenida Siega adjacent to the project site. The "with project" traffic noise levels on Avenida Siega at this location are calculated to be 55 dB CNEL at 50 feet from roadway centerline even at buildout. The maximal increase is less than the +3 dB CNEL significance threshold and the future with project noise level is much less than residential compatibility noise guidelines. No other roadway segment is anticipated to incur a noise increase as a result of project implementation.

The cumulative analysis compares "future with project" to "existing" conditions. The only potentially significant cumulative impact is +4.5 dB CNEL at 50 feet from roadway centerline on La Pata Road south of Ortega Highway. Although this impact is greater than the adopted +3.0 dB threshold the project does not measurably contribute to the increase and it would occur even without project implementation. Additionally there are no sensitive uses along this roadway. Therefore project only and cumulative traffic noise increases are judged to be less-than significant.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **Less Than Significant Impact.*** As noted above, the implementation of the proposed project may result in short-term increased noise levels within the project vicinity due to construction activities. This temporary condition would cease upon project completion and is subject to the City's noise mitigation guidelines.
- 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 expose people residing or working in the project area to excessive noise levels? **No Impact.*** As previously stated, the proposed project is not located within two miles of a public airport or public use airport. The nearest airport, John Wayne-Santa Ana, is located about 20 miles northwest and given the project's distance from that airport, no impacts are anticipated.
- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? **No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.13 POPULATION &amp; HOUSING.</b> Would the project:				
a. Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Induce substantial 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)?* **Less Than Significant Impact.** The proposed project would not induce growth through the extension or expansion of major capital infrastructure. No impacts to population and housing beyond those identified within the City's General Plan EIR, Land Use Element and Housing Element would occur.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* **No Impact.** The proposed project includes demolition of existing employee housing at the equestrian facility which consists of 3 units, but would be replaced with comparable one new employee housing structure. Although there is a net loss of two employee units, they were not previously designated as affordable units, and therefore, would not necessitate the construction of replacement housing elsewhere.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **No Impact.** Refer to Response 4.12a and 4.12b, above.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.14 PUBLIC SERVICES.</b> 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:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 1) **Fire protection? *Less Than Significant Impact.*** According to the OCFA Fire Hazard Map, as well as the Statewide CalFire Map, the proposed project is not located in an area designated as a Special Fire Protection Area or within an area designated by the State as a Fire Hazard Severity Zone. In addition, according to the City General Plan Safety Element, the project site is not located in a Very High Fire Hazard Severity Zone. Fire Department access would be available from Avenida Siega. There are existing fire hydrants adjacent to the project site. In addition, the project would be serviced by OCFA Station #7 and, as discussed in Section 16.16, the proposed project would not result in a significant traffic impact to any study area intersections. Therefore, the proposed project would not impair emergency response vehicles, and average response times in the area would remain within acceptable response time limits.

The proposed project is a residential community, which would increase the number of on-site visitors and personnel. The addition of 32 residential units as a result of the proposed project would result in a small increase in demand for fire protection services, but it would not trigger the need for new or altered facilities. No new facilities would be required to be constructed to accommodate the proposed project. The proposed project would be designed to comply with all Fire Authority access requirements and California Fire Code requirements, would not impair emergency response vehicles or increase response times, and would not substantially increase calls for service thereby triggering the need for new or altered facilities.

- 2) **Police protection? *Less Than Significant Impact.*** The Orange County Sheriff's Department (OCSD) is responsible for providing law enforcement protection within unincorporated areas of Orange County, as well as incorporated cities, such as the City of San Juan Capistrano, that contract with OCSD for police protection. The project would provide an estimated increase of 95 residents is considered minimal compared to the number of deputies currently employed by OCSD, and would not trigger the need for new police facilities or personnel. Therefore, there are no significant impacts related to police protection or service anticipated with implementation of the proposed project.
- 3) **Schools? *Less than Significant Impact.*** Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the District for the purpose of funding the construction or reconstruction of school facilities. The project Applicant would be required to pay such fees to reduce any impacts of new residential development on school services as provided in Section 65995 of the California Government Code. Pursuant to the provisions of Government Code Section 65996, a project's impact on school facilities is fully mitigated through payment of the requisite school facility development fees current at the time a building permit is issued. Therefore, with payment of the required fees, potential impacts to school services and facilities associated with implementation of the proposed project would be less than significant, and no mitigation is required. Implementation of the proposed project would not result in the need for the construction of additional school facilities. Therefore, no significant impacts in this regard will occur.
- 4) **Parks? *Less Than Significant Impact.*** Implementation of the proposed project will not affect any existing park facilities nor increase the demand for additional recreational facilities. Therefore, no impacts to parks are anticipated as a result of this project.
- 5) **Other public facilities? *No Impact.*** The proposed project would result in a less than a 1 percent increase in population over existing conditions. As such, while the proposed project would generate an increased demand for other public facilities, this increase would not be substantial, and the project would not require the construction of new facilities. Therefore, while the proposed project would likely create a slight increase in the demand for other public facilities, given the size of the project and proposed uses, this impact would be less than significant. No mitigation is required.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.15 RECREATION.</b> Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?* **No Impact.** Implementation of the proposed project will not generate an increase in demand on existing public or private parks or other recreational facilities that would either result in or increase physical deterioration of the facility. The project does not consist of any designated parkland, therefore, any potential impacts would be mitigated through payment of the City's Park In-lieu fees. Further, the project's development characteristics are consistent with the "Medium Low Density" land use designation, which enables individual properties to provide open yard space to provide ample recreation opportunities.

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?* **No Impact.** Implementation of the proposed project does not include recreational facilities.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.16 TRANSPORTATION/TRAFFIC.</b> Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*  
**Less Than Significant Impact.** Based on the Traffic Impact Analysis prepared by Darnell & Associates, Inc., the project trip generation is as follows based on Institute of Transportation Engineers (ITE) surveys and the proposed project description:

Land Use	No. of dwelling units; 1,000 GSF of floor area; no. of students, etc.						
Single Family Detached Homes	32						
ITE Trip Generation Factors	AM Peak hour			PM Peak Hour			ADT
	In	Out	Total	In	Out	Total	
	0.188	0.563	0.751	0.636	0.374	1.01	9.57
Project Trip Generation-Peak Hour and ADT	AM Peak hour			PM Peak Hour			ADT
	In	Out	Total	In	Out	Total	
	6	18	24	20	12	32	306

Source: Institute of Transportation Engineers (ITE) Trip Generation, (9<sup>th</sup> Edition)

Based on the estimated trip generation as well as the trip distribution, the traffic report evaluated service levels at potentially affected intersections including the following:

1. Del Obispo @ Ortega Hwy
2. I-5 SB Ramps @ Ortega Hwy
3. NB Ramps @ Ortega Hwy
4. Rancho Viejo Rd @ Ortega Hwy
5. La Novia @ Ortega Hwy
6. Shadetree Ln / Ave Siega @ Ortega Hwy
7. Anotnio Pkwy @ Ortega Hwy
8. Avenida Siega @ Calle Arroyo
9. Rancho Viejo Rd @ Paseo Espada
10. Rancho Viejo Rd @ Calle Arroyo
11. La Novia @ Calle Arroyo (d)
12. La Novia @ San Juan Creek Rd
13. Valle Rd @ San Juan Creek Rd
14. Valle Rd @ La Novia Ave / I-5 NB Ramps

All project study area intersections were evaluated under four scenarios including "existing condition", "existing plus project", "existing plus project plus cumulative", and "Build-out". The level of service analysis was conducted using both intersection capacity utilization (ICU) and the highway capacity manual (HCM) delay method consistent with Administrative Policy 310:

**EXISTING PLUS PROJECT CONDITIONS****Table 16.16-2, Intersection Capacity Utilization (ICU) Methodology**

Intersection	Peak Hour	Existing Conditions		Existing Conditions Plus Project		Existing Plus Project Plus Cumulative		Δ in ICU	Sig? (a)
		ICU	LOS	ICU	LOS	ICU	LOS		
1 Del Obispo St @ Ortega Hwy	AM	0.626	B	0.626	B	0.430	A	(-0.196)	No
	PM	0.611	B	0.613	B	0.500	A	(-0.113)	No
2 I-5 SB Off-Ramp @ Ortega Hwy	AM	0.829	D	0.830	D	0.633	B	(-0.197)	No
	PM	0.873	D	0.875	D	0.726	C	(-0.149)	No
3 I-5 NB On-Ramp @ Ortega Hwy	AM	<b>0.937</b>	<b>E</b>	<b>0.939</b>	<b>E</b>	<b>0.709</b>	C	(-0.230)	No
	PM	0.733	C	0.735	C	0.607	B	0.126	No
4 Rancho Viejo Rd @ Ortega Hwy	AM	0.570	A	0.590	A	0.610	B	0.020	No
	PM	0.691	B	0.694	B	0.791	C	0.097	No
5 La Novia Ave @ Ortega Hwy	AM	0.582	A	0.585	A	0.640	B	0.055	No
	PM	0.579	A	0.584	A	0.674	B	0.090	No
6 Shadetree Ln / Avenida Siega @ Ortega Hwy	AM	N/A	--	N/A	--	N/A	--	N/A	--
	PM	N/A	--	N/A	--	N/A	--	N/A	--
7 Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	0.584	A	0.585	A	0.626	A	0.041	No
	PM	0.428	A	0.428	A	0.436	A	0.008	No
8 Avenida Siega @ Calle Arroyo	AM	N/A	--	N/A	--	N/A	--	N/A	--
	PM	N/A	--	N/A	--	N/A	--	N/A	--
9 Rancho Viejo Rd @ Paseo Espada	AM	N/A	--	N/A	--	N/A	--	N/A	--
	PM	N/A	--	N/A	--	N/A	--	N/A	--
10 Rancho Viejo Rd @ Calle Arroyo	AM	0.219	A	0.219	A	0.278	A	0.059	No
	PM	0.239	A	0.239	A	0.349	A	0.110	No
11 La Novia Ave @ Calle Arroyo(a)	AM	0.000	--	0.000	--	N/A	--	N/A	--
	PM	0.000	--	0.000	--	N/A	--	N/A	--
12 La Novia Ave @ San Juan Creek Rd	AM	0.646	B	0.646	B	0.816	A	0.170	No
	PM	0.476	A	0.476	A	0.600	A	0.124	No
13 Valle Rd @ San Juan Creek Rd	AM	0.557	A	0.557	A	0.683	B	0.136	No
	PM	0.560	A	0.560	A	0.774	C	0.114	No
14 Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	N/A	--	--	--	--	--	--	N/A
	PM	N/A	--	--	--	--	--	--	N/A

Notes

ICU and LOS shown in bold indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy, N/A Non Applicable.

(a) Project impact is considered to be significant if (2) minus (1) is 0.01 or greater and LOS (3) is E or F.

(b) (-xx) Denotes Decrease

Table 16.16-3 Highway Capacity Manual (HCM) Methodology

Intersection		Peak Hour	Existing Conditions		Existing Conditions Plus Project		Existing Plus Project Plus Cumulative		□ in Delay	Sig? (c)
			Delay (a)	LOS (b)	Delay (a)	LOS (b)	Delay (a)	LOS (b)		
1	Del Obispo St @ Ortega Hwy	AM	25.0	C	25.1	C	15.2	B	0.1	No
		PM	26.7	C	26.8	C	17.5	B	0.1	No
2	I-5 SB Off-Ramp @ Ortega Hwy	AM	49.3	D	49.6	D	18.5	B	0.3	No
		PM	52.1	D	52.6	D	24.8	C	0.5	No
3	I-5 NB On-Ramp @ Ortega Hwy	AM	31.3	C	31.4	C	19.1	B	0.1	No
		PM	21.5	C	21.6	C	11.7	B	0.1	No
4	Rancho Viejo Rd @ Ortega Hwy	AM	30.5	C	30.5	C	42.5	D	0.0	No
		PM	34.8	C	35.0	C	44.2	D	0.2	No
5	La Novia Ave @ Ortega Hwy	AM	14.0	B	12.3	B	18.5	B	0.0	No
		PM	13.4	B	13.5	B	19.7	B	0.1	No
6	Shadetree Ln / Avenida Siega @ Ortega Hwy	AM	0.2	A	1.2	A	1.8	A	1.0	No
		PM	0.4	A	1.4	A	2.3	A	1.0	No
7	Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	28.8	C	28.9	C	31.0	C	0.1	No
		PM	19.6	B	19.6	B	20.1	C	0.0	No
8	Avenida Siega @ Calle Arroyo	AM	4.7	A	6.1	A	5.7	A	1.4	No
		PM	5.6	A	6.4	A	6.2	A	0.8	No
9	Rancho Viejo Rd @ Paseo Espada	AM	2.8	A	2.8	A	3.3	A	0.0	No
		PM	12.3	B	12.3	B	20.0	C	0.0	No
10	Rancho Viejo Rd @ Calle Arroyo	AM	6.1	A	6.1	A	8.3	A	0.0	No
		PM	7.7	A	7.7	A	10.4	B	0.0	No
11	La Novia Ave @ Calle Arroyo	AM	<b>50.5</b>	<b>F</b>	<b>50.6</b>	<b>F</b>	<b>64.6</b>	<b>F</b>	0.1	No
		PM	<b>38.3</b>	<b>E</b>	<b>38.2</b>	<b>E</b>	<b>51.2</b>	<b>F</b>	-0.1	No
12	La Novia Ave @ San Juan Creek Rd	AM	32.3	C	32.3	C	49.7	D	0.0	No
		PM	24.3	C	24.3	C	29.7	C	0.0	No
13	Valle Rd @ San Juan Creek Rd	AM	10.9	B	10.9	B	15.3	B	0.0	No
		PM	11.4	B	11.4	B	20.6	C	0.0	No
14	Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	17.0	C	17.0	C	33.5	D	0.0	No
		PM	32.4	D	32.7	D	73.5	F	0.3	No

Notes:  
 Delays and LOS shown in bold indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy.  
 (a) Delays are reported as the average control delay for the entire intersection.  
 (b) LOS calculations are based on the methodology outlined in the 2000 Highway Capacity Manual (HCM) and performed using Synchro 8.  
 (c) Project impact is considered to be significant if (2) minus (1) is 1.0 second or greater and LOS (3) is E or F.  
 (d) Intersection that was analyzed using the HCM 2010 methodologies due the inability to analyze a 3-lane approach with the 2000 HCM methodology for an all-way stop control intersection.

The project would result in a minor increase in vehicular trips as a result of the construction activity for the proposed project. Anticipated traffic impacts would be minor and short-term project construction. Therefore, less than significant impacts are anticipated. The project would generate 308 daily trips; 24 trips in the morning peak hour and 62 trips in the evening peak hour. The project area is currently not experiencing Level of Service (LOS) deficiencies under ICU methodology (LOS "D" or better). There are no deficiencies under the HCM methodology, with the exception of Calle Arroyo at La Novia Avenue; the LOS remains the same under "Existing" and "Existing Plus Project." Because the project impact at this intersection would be less than the 1.0 second/vehicle threshold, no significant impacts to traffic capacity or volume would occur with implementation of the proposed project.

**Table 16.16-4 Summary of Roadway Segment Analysis Existing Plus Project Conditions**

Roadway	Segment	Number of Lanes	Existing Conditions				Existing Plus Project Conditions				Project Impact	Sign.
			LOS E Capacity	Traffic Volume	V/C	LOS	Project Trips	Traffic Volume	V/C	LOS		
Ortega Highway	Del Obispo to 1-5 SB Ramps	6U	56,300	35,463	0.630	B	46	35,509	0.631	B	0.001	NO
	1-5 SB Ramps to 1-5 NB Ramps	6D	56,300	38,706	0.687	B	107	38,813	0.689	B	0.002	NO
	1-5 NB Ramps to Rancho Viejo Rd	6U	56,300	43,533	0.774	C	168	43,721	0.777	C	0.003	NO
	Rancho Viejo Rd to La Novia Ave	4D	37,500	33,068	0.882	D	184	33,252	0.844	D	0.006	NO
	La Novia Ave to Via Cordova	4D	37,500	30,221	0.806	D	214	30,435	0.812	D	0.001	NO
	Via Cordova to Avenida Siega	2U	20,000	23,353	1.297	F	214	26,148	1.307	F	0.003	NO
	Avenida Siega to La Pata	2U	20,000	23,353	1.168	F	76	23,429	1.171	F	0.001	NO
	East of Antonio Parkway	2U	20,000	15,542	0.777	C	15	15,557	0.778	D	0.0001	NO
Avenida Siega	Ortega Hwy. to Calle Arroyo	2U	7,000	400	0.053	A	291	691	0.092	A	0.039	NO
La Novia Avenue	East of Valle Road	2U	20,000	3,573	0.179	A	96	3,669	0.183	A	0.004	NO
	San Juan Creek Rd to Calle Arroyo	2U	20,000	13,007	0.650	B	28	13,035	0.652	B	0.002	NO
	Calle Arroyo to Ortega Hwy.	4U	37,500	8,179	0.218	A	31	8,210	0.219	A	0.001	NO
Valle Road	San Juan Creek Rd. to La Novia/1-5 NB	2U	20,000	11,646	0.582	A	6	4,652	0.583	A	0.001	NO

**BOLD V/C / LOS values indicate a deficient Level of Service Based on the City of San Juan Capistrano General Plan Policy., Sign = Significance**

Under Existing Conditions, one roadway segment currently operates at an unacceptable Level of Service on a daily basis, as well as in peak hours: Ortega Highway – from Via Cordova to Antonio / La Pata Avenue. This segment of Ortega Highway is currently two lanes, undivided. Its ultimate configuration, as shown on the City of San Juan Capistrano Circulation Element and the OCTA Master Plan of Arterial Highways (MPAH) is a four-lane divided roadway. Under Existing Plus Project Conditions, all studied roadway segments are forecasted to continue to operate at an acceptable Level of Service with the exception of the segment noted above, which will continue to operate at an unacceptable Level of Service on a daily basis as well as in the peak hours. However, the project impact would be less than the 0.01 threshold, and therefore would not be considered a significant impact.

### **EXISTING PLUS PROJECT CUMULATIVE CONDITIONS**

The Traffic Impact Study also evaluated cumulative impacts from 25 other projects in the vicinity of the project area. Cumulative Projects traffic volumes were added to the Existing Plus Project traffic volumes, to develop cumulative forecast for the project opening year (Oaks project proposed completion) of 2015 and results are shown in Tables 16.16-5.

**Table 16.16-5 Summary of Roadway Segment Analysis  
Existing Plus Project Plus Cumulative Conditions**

These two roadway segments of Ortega Highway between Via Cordova and La Pata Avenue/ Antonio Parkway will continue to operate at an unacceptable level on a daily and peak hour basis with the addition of ambient growth and Cumulative projects traffic. The segments listed below are LOS "F" and will remain LOS "F" with the addition of ambient traffic growth and cumulative projects traffic, but will not be significantly impacted by the proposed project because it will contribute less than 1% to the overall volume.

- Ortega Highway between Via Cordova and Avenida Siega; and,
- Ortega Highway between Avenida Siega to La Pata Avenue/ Antonio Parkway.

**Table 16.16-6 Existing Plus Project Plus Cumulative ICU Methodology**

	Intersection	Peak Hour	Existing Conditions		Existing Conditions Plus Project		Existing Plus Project Plus Cumulative		$\Delta$ in ICU	Sig? (a)
			ICU	LOS	ICU	LOS	ICU	LOS		
1	Del Obispo St @ Ortega Hwy	AM	0.626	B	0.626	B	0.430	A	(-0.196)	No
		PM	0.611	B	0.613	B	0.500	A	(-0.113)	No
2	I-5 SB Off-Ramp @ Ortega Hwy	AM	0.829	D	0.830	D	0.633	B	(-0.197)	No
		PM	0.873	D	0.875	D	0.726	C	(-0.149)	No
3	I-5 NB On-Ramp @ Ortega Hwy	AM	<b>0.937</b>	E	<b>0.939</b>	E	<b>0.709</b>	C	(-0.230)	No
		PM	0.733	C	0.735	C	0.607	B	0.126	No
4	Rancho Viejo Rd @ Ortega Hwy	AM	0.570	A	0.590	A	0.610	B	0.020	No
		PM	0.691	B	0.694	B	0.791	C	0.097	No
5	La Novia Ave @ Ortega Hwy	AM	0.582	A	0.585	A	0.640	B	0.055	No
		PM	0.579	A	0.584	A	0.674	B	0.090	No
6	Shadetree Ln / Avenida Siega @ Ortega Hwy	AM	N/A	--	N/A	--	N/A	--	N/A	--
		PM	N/A	--	N/A	--	N/A	--	N/A	--
7	Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	0.584	A	0.585	A	0.626	A	0.041	No
		PM	0.428	A	0.428	A	0.436	A	0.008	No
8	Avenida Siega @ Calle Arroyo	AM	N/A	--	N/A	--	N/A	--	N/A	--
		PM	N/A	--	N/A	--	N/A	--	N/A	--
9	Rancho Viejo Rd @ Paseo Espada	AM	N/A	--	N/A	--	N/A	--	N/A	--
		PM	N/A	--	N/A	--	N/A	--	N/A	--
10	Rancho Viejo Rd @ Calle Arroyo	AM	0.219	A	0.219	A	0.278	A	0.059	No
		PM	0.239	A	0.239	A	0.349	A	0.110	No
11	La Novia Ave @ Calle Arroyo(a)	AM	0.000	--	0.000	--	N/A	--	N/A	--
		PM	0.000	--	0.000	--	N/A	--	N/A	--
12	La Novia Ave @ San Juan Creek Rd	AM	0.646	B	0.646	B	0.816	A	0.170	No
		PM	0.476	A	0.476	A	0.600	A	0.124	No
13	Valle Rd @ San Juan Creek Rd	AM	0.557	A	0.557	A	0.683	B	0.136	No
		PM	0.560	A	0.560	A	0.774	C	0.114	No
14	Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	N/A	--	--	--	--	--	--	N/A
		PM	N/A	--	--	--	--	--	--	N/A

Notes

ICU and LOS shown in bold indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy, N/A Non Applicable,  
(a) Project impact is considered to be significant if (2) minus (1) is 0.01 or greater and LOS (3) is E or F.  
(b) (-xx) Denotes Decrease

The results of the Existing Plus Project Plus Cumulative analysis for the ICU methodology are shown in Table 16.16-6 above. All intersections are forecasted to operate at an acceptable Level of Service during both peak hours. The I-5 NB ramp at Ortega Highway (SR 74) presently operates at an "E" LOS during the AM peak period and would remain at "E" LOS with the proposed project, but with completion of the I-5/Ortega Interchange Improvements scheduled to be completed in 2015, that intersection will operate at a "C" LOS. Therefore, the impacts would be less than significant.

**Table 16.16-7 Existing Plus Project Plus Cumulative HCM Methodology**

	Intersection	Peak Hour	Existing Conditions		Existing Conditions Plus Project		Existing Plus Project Plus Cumulative		□ in Delay	Sig? (c)
			Delay (a)	LOS (b)	Delay (a)	LOS (b)	Delay (a)	LOS (b)		
1	Del Obispo St @ Ortega Hwy	AM	25.0	C	25.1	C	15.2	B	0.1	No
		PM	26.7	C	26.8	C	17.5	B	0.1	No
2	I-5 SB Off-Ramp @ Ortega Hwy	AM	49.3	D	49.6	D	18.5	B	0.3	No
		PM	52.1	D	52.6	D	24.8	C	0.5	No
3	I-5 NB On-Ramp @ Ortega Hwy	AM	31.3	C	31.4	C	19.1	B	0.1	No
		PM	21.5	C	21.6	C	11.7	B	0.1	No
4	Rancho Viejo Rd @ Ortega Hwy	AM	30.5	C	30.5	C	42.5	D	0.0	No
		PM	34.8	C	35.0	C	44.2	D	0.2	No
5	La Novia Ave @ Ortega Hwy	AM	14.0	B	12.3	B	18.5	B	0.0	No
		PM	13.4	B	13.5	B	19.7	B	0.1	No
6	Shadtree Ln / Avenida Siega @ Ortega Hwy	AM	0.2	A	1.2	A	1.8	A	1.0	No
		PM	0.4	A	1.4	A	2.3	A	1.0	No
7	Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	28.8	C	28.9	C	31.0	C	0.1	No
		PM	19.6	B	19.6	B	20.1	C	0.0	No
8	Avenida Siega @ Calle Arroyo	AM	4.7	A	6.1	A	5.7	A	1.4	No
		PM	5.6	A	6.4	A	6.2	A	0.8	No
9	Rancho Viejo Rd @ Paseo Espada	AM	2.8	A	2.8	A	3.3	A	0.0	No
		PM	12.3	B	12.3	B	20.0	C	0.0	No
10	Rancho Viejo Rd @ Calle Arroyo	AM	6.1	A	6.1	A	8.3	A	0.0	No
		PM	7.7	A	7.7	A	10.4	B	0.0	No
11	La Novia Ave @ Calle Arroyo	AM	<b>50.5</b>	<b>F</b>	<b>50.6</b>	<b>F</b>	<b>64.6</b>	<b>F</b>	0.1	No
		PM	<b>38.3</b>	<b>E</b>	<b>38.2</b>	<b>E</b>	<b>51.2</b>	<b>F</b>	-0.1	No
12	La Novia Ave @ San Juan Creek Rd	AM	32.3	C	32.3	C	49.7	D	0.0	No
		PM	24.3	C	24.3	C	29.7	C	0.0	No
13	Valle Rd @ San Juan Creek Rd	AM	10.9	B	10.9	B	15.3	B	0.0	No
		PM	11.4	B	11.4	B	20.6	C	0.0	No
14	Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	17.0	C	17.0	C	33.5	D	0.0	No
		PM	32.4	D	32.7	D	73.5	F	0.3	No

Notes:  
Delays and LOS shown in bold indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy.  
(a) Delays are reported as the average control delay for the entire intersection.  
(b) LOS calculations are based on the methodology outlined in the *2000 Highway Capacity Manual (HCM)* and performed using Synchro 8.  
(c) Project impact is considered to be significant if (2) minus (1) is 1.0 second or greater and LOS (3) is E or F.  
(d) Intersection that was analyzed using the *HCM 2010* methodologies due the inability to analyze a 3-lane approach with the *2000 HCM* methodology for an all-way stop control intersection.

Existing Plus Project Plus Cumulative peak hour analysis for the HCM methodology are summarized in Table 16.16-7 above, which shows that all intersections will operate an acceptable LOS of "C" or better except:

- La Novia at Calle Arroyo (AM and PM LOS "F") – Unsignalized; and,
- Valle Road at I-5 NB Ramps / La Novia (PM LOS "F") – Unsignalized.

These two (2) unsignalized intersections will experience a substantial amount of new traffic from the Cumulative Projects in the area. In both cases, the project impact would be less than the significance threshold of 1.0 second/vehicle. All other study intersections are forecasted to operate at an acceptable Level of Service during both peak hours.

**BUILD-OUT TRAFFIC CONDITIONS****Table 16.16-8 Summary of Build-out ICU Methodology**

	Intersection	Peak Hour	Buildout Conditions		Buildout Conditions Plus Project		Δ In ICU	Sig? (a)
			ICU	LOS	ICU	LOS		
1	Del Obispo St @ Ortega Hwy	AM	0.565	A	0.566	A	0.000	No
		PM	0.627	B	0.627	B	0.000	No
2	I-5 SB Ramps @ Ortega Hwy	AM	0.833	D	0.834	D	0.000	No
		PM	0.862	D	0.865	D	0.003	No
3	I-5 NB Ramps @ Ortega Hwy	AM	0.851	D	0.853	D	0.002	No
		PM	0.828	D	0.830	D	0.002	No
4	Rancho Viejo Rd @ Ortega Hwy	AM	0.830	D	0.832	D	0.002	No
		PM	<b>1.005</b>	<b>F</b>	<b>1.008</b>	<b>F</b>	0.003	No
5	La Novia Ave @ Ortega Hwy	AM	0.842	D	0.845	D	0.003	No
		PM	0.759	C	0.763	C	0.004	No
6	Shadetree Ln / Avenida Siega @ Ortega Hwy	AM	N/A	--	N/A	--	N/A	N/A
		PM	N/A	--	N/A	--	N/A	N/A
7	Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	0.720	C	0.721	C	0.001	No
		PM	0.619	B	0.620	B	0.001	No
8	Avenida Siega @ Calle Arroyo	AM	N/A	--	N/A	--	N/A	N/A
		PM	N/A	--	N/A	--	N/A	N/A
9	Rancho Viejo Rd @ Paseo Espada	AM	N/A	--	N/A	--	N/A	N/A
		PM	N/A	--	N/A	--	N/A	N/A
10	Rancho Viejo Rd @ Calle Arroyo	AM	0.279	A	0.279	A	0.000	No
		PM	0.245	A	0.245	A	0.245	No
11	La Novia Ave @ Calle Arroyo	AM	N/A	--	N/A	--	N/A	N/A
		PM	N/A	--	N/A	--	N/A	N/A
12	La Novia Ave @ San Juan Creek Rd	AM	0.668	B	0.668	B	0.000	No
		PM	0.714	C	0.714	C	0.000	No
13	Valle Rd @ San Juan Creek Rd	AM	0.727	C	0.727	C	0.000	No
		PM	0.886	D	0.886	D	0.000	No
14	Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	0.591	A	0.591	A	0.000	No
		PM	0.750	C	0.751	C	0.001	No

## Notes:

ICU and LOS shown in **bold** indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy.

(a) Project impact is considered to be significant if (2) minus (1) is 0.01 or greater and LOS (2) is E or F.

Long Term General Plan Build-out (Year 2030) traffic conditions have been evaluated. The results of the Build-out with the project peak hour analysis are shown in Table 16.16-8 and show that two (2) intersections will operate at an unacceptable level of service:

- I-5 NB Ramp at Ortega Highway ( AM and PM LOS "F")
- Rancho Viejo Road at Ortega Highway (PM LOS "E")

The I-5 NB Ramp/Ortega Highway intersection will operate at LOS "F" for both the AM and PM peak hour conditions and the Rancho Viejo Road and Ortega Highway intersection will operate at LOS "E" in the evening peak hour with or without the project. The project's increase is less than the threshold and will not represent a significant impact at these intersections.

Table 16.16-9 Summary of Build-out HCM Methodology

	Intersection	Peak Hour	Buildout Conditions		Buildout Conditions Plus Project		Δ In Delay	Sig? (c)
			Delay (a)	LOS (b)	Delay (a)	LOS (b)		
1	Del Obispo St @ Ortega Hwy	AM	17.2	B	17.2	B	0.0	No
		PM	20.9	C	20.9	C	0.0	No
2	I-5 SB Ramps @ Ortega Hwy	AM	41.4	D	41.7	D	0.3	No
		PM	46.4	D	46.9	D	0.5	No
3	I-5 NB Ramps @ Ortega Hwy	AM	34.5	C	34.9	C	0.4	No
		PM	35.9	D	36.3	D	0.4	No
4	Rancho Viejo Rd @ Ortega Hwy	AM	46.5	D	47.0	D	0.5	No
		PM	<b>78.4</b>	<b>F</b>	<b>79.4</b>	<b>E</b>	1.0	No
5	La Novia Ave @ Ortega Hwy	AM	23.8	C	24.1	C	0.3	No
		PM	18.2	B	18.7	B	0.5	No
6	Shadetree Ln / Avenida Siega @ Ortega Hwy	AM	0.4	A	7.6	A	7.2	No
		PM	1.4	A	7.7	A	6.3	No
7	Antonio Pkwy / La Pata Ave @ Ortega Hwy	AM	35.9	D	35.9	D	0.0	No
		PM	30.4	C	30.4	C	0.0	No
8	Avenida Siega @ Calle Arroyo	AM	4.7	A	6.1	A	1.4	No
		PM	5.1	A	5.5	A	0.4	No
9	Rancho Viejo Rd @ Paseo Espada	AM	3.6	A	3.6	A	0.0	No
		PM	<b>66.8</b>	<b>F</b>	<b>66.8</b>	<b>F</b>	0.0	No
10	Rancho Viejo Rd @ Calle Arroyo	AM	6.7	A	6.7	A	0.0	No
		PM	7.9	A	7.9	A	0.0	No
11	La Novia Ave @ Calle Arroyo	AM	<b>39.0</b>	<b>E</b>	<b>39.1</b>	<b>E</b>	0.1	No
		PM	32.2	D	32.3	D	0.1	No
12	La Novia Ave @ San Juan Creek Rd	AM	29.8	C	29.8	C	0.0	No
		PM	40.8	D	40.8	D	0.0	No
13	Valle Rd @ San Juan Creek Rd	AM	14.6	B	14.6	B	0.0	No
		PM	26.1	C	26.1	C	0.0	No
14	Valle Rd @ La Novia Ave / I-5 NB Ramps	AM	8.9	A	8.9	A	0.0	No
		PM	21.0	C	21.1	C	0.1	No

Delays and LOS shown in **bold** indicate a deficient Level of Service based on the City of San Juan Capistrano General Plan Policy.

a) At signalized intersections, delay refers to the average control delay for the entire intersection. At unsignalized intersections, delay refers to the movement with the highest delay, typically from the minor street, stop controlled approach.(b) LOS calculations are based on the methodology outlined in the *2000 Highway Capacity Manual* (HCM) and performed using Synchro 8.(c) Project impact is considered to be significant if (2) minus (1) is 1.0 second or greater and LOS (2) is E or F.(d) Intersection that was analyzed using the *HCM 2010* methodologies due to the inability to analyze a 3-lane approach with the *2000 HCM* methodology for an all-way stop control intersection.

Build-out results using the HCM Methodology are shown in Table 16.16-9 identifying three (3) intersections that will operate at an unacceptable Level of Service:

- Rancho Viejo Road at Ortega Highway (PM LOS "E");
- Rancho Viejo Road at Paseo Espada; and
- La Novia Avenue at Calle Arroyo (AM LOS "E")

These intersections will experience a substantial amount of new traffic from the cumulative projects in the area. In all cases, the project impact would be less than the significance threshold of 1.0 second/vehicle and thus, are deemed to have a less than significant impact.

- b) *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways?* **Less Than Significant Impact.** Refer to Response 4.15a, above.
- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* **No Impact.** Due to the nature and scope of the proposed project, project implementation would not have the capacity to result in a change in air traffic patterns.
- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* **No Impact.** No public roadways are proposed as part of the project, therefore, no impacts regarding design features or incompatible uses would occur. The proposed project would use the same access point as the existing project.
- e) *Result in inadequate emergency access?* **No Impact.** Adequate emergency access shall be provided during both short-term construction and long-term operation of the proposed project. Impacts are not anticipated to be significant.
- f) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?* **No Impact.** Project implementation would not conflict with adopted policies, plans, or programs supporting alternative transportation. Impacts are not anticipated in this regard.

## **PARKING**

The proposed project will meet all parking demands by providing sufficient off-street parking on the project site. As demonstrated in the Parking Management Plan prepared by the applicant team on October 14, 2013, existing parking demands have been analyzed, including peak demands which are experienced infrequently on weekends during equestrian shows (10 shows per year). The analysis included existing peak demands (assuming operations and parking demand would remain consistent) scaled down proportionately to account for the reduction in the size of the facility, assuming operations and parking demand would remain consistent. Peak parking demands will be able to be accommodated with a surplus of 17 parking spaces over anticipated peak levels.

<i>Proposed Use</i>	<i>Total</i>	<i>Exempt Area</i>	<i>Standard</i>	<i>Provided Parking</i>	<i>Required parking</i>
Single Family Dwellings (Garaged Parking)	32 units		2 garaged spaces/unit	98	64
SFD (Guest Parking)			0.8 guest spaces/unit	50	26
Equestrian Facility	50 Horse Stalls		N/A	24 – 44*	N/A (27 anticipated peak demand)

\*Equestrian facility can accommodate up to 44 vehicles during peak (show) operations, see Parking Management Plan, RBF Consulting.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.17 UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* **No Impact.** Improvements associated with the proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB).

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* **No Impact.**

The nature and scope of the proposed project would not require or result in the construction of wastewater treatment facilities (refer to Response 16.17a, above).

- c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* **No Impact.** The nature and scope of the proposed project would not require or result in the expansion of existing storm water drainage facilities.
- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* **No Impact.** No new or expanded entitlements would be required with implementation of the proposed project. No impacts are anticipated.
- e) *Result in a determination by the wastewater 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?* **No Impact.** Refer to Response 16.17a, above.
- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* **No Impact.** The project would generate a minor increase in solid waste. This increase would not be significant in the context of the Prima Deshecha Landfill's solid waste landfill operating permit of 2,000 tons per day. Operational activities will result in only a nominal amount of solid waste.
- g) *Comply with federal, state, and local statutes and regulations related to solid waste?* **No Impact.** Refer to Response 16.17f, above.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
<b>16.18 MANDATORY FINDINGS OF SIGNIFICANCE.</b> Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?* **Less Than Significant Impact With Mitigation Incorporated.** The project site is developed with a commercial equestrian training facility and the proposed project is a residential development and a

smaller footprint of the equestrian training facility. The site has been subject to previous mass grading and abuts residential development, a State Highway (SR-74) and a park. Based on the project description and the preceding responses, development of the proposed project does not have the potential to degrade the quality of the natural environment. The existing trees may, however, provide suitable habitat for nesting birds, some of which are protected by the MBTA. Disturbing or destroying active nests that are protected is a violation of the MBTA. In addition, nests and eggs are protected under California Fish and Game Code Section 3503. Adherence to Mitigation Measure BR-1 would ensure that the project adheres to the MBTA, thereby reducing potential project impacts related to biological resources to a less than significant level.

- b) *Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?* **Less Than Significant Impact.** Based on the responses above, the project does not cause short-term (construction) or long-term environmental impacts. In addition the project is consistent with the General Plan which considers long-term environmental goals in establishing a General Plan layout; therefore, the project will not impact long-term environmental goals.
- c) *Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?* **Less Than Significant Impact With Mitigation Incorporated.** Based on the responses and mitigation above, no project impacts would be cumulatively considerable. The project is consistent with the General Plan and does not exceed environmental thresholds associated with the issue areas above.
- d) *Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?* **Less Than Significant Impact.** The project site is developed with a commercial equestrian facility. The project is a residential development and commercial reduced footprint equestrian facility. The site has been subject to previous mass grading and is within a developed area. Based on the project description and the preceding responses, development of the proposed project would not cause substantial adverse effects on human beings because all potentially significant impacts of the proposed project can be mitigated to a less than significant level.

17. **PREPARATION.** The initial study for the subject project was prepared by:



Nick Taylor, Associate Planner

18. **PROPERTY OWNER/APPLICANT CONCURRENCE:** Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines provides that Lead Agencies may issue a Mitigated Negative Declaration where "the initial study identifies potentially significant effects, but, revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur." The property owner/applicant signifies by their signature below their concurrence with all mitigation measures contained within this environmental document. However, the applicant's concurrence with the Draft Mitigated Negative Declaration is not intended to restrict the applicant's legal right to seek potential revisions to the mitigation measures during the public review process.

\_\_\_\_\_  
Signature of property owner or authorized representative

\_\_\_\_\_  
Printed name of property owner or authorized representative