

2.0 INTRODUCTION

2.1 OVERVIEW AND PROJECT BACKGROUND

This Draft Environmental Impact Report (EIR) has been prepared to evaluate environmental impacts associated with the proposed Tirador Residential Development Project (proposed project) located in the City of San Juan Capistrano (City). The City is the “public agency which has the principal responsibility for carrying out or approving the project” and, as such, is the “Lead Agency” for this project under the California Environmental Quality Act of 1970 (CEQA) (*State CEQA Guidelines for Implementation of CEQA* Section 15367). CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action. This Draft EIR is intended to serve as an informational document to be considered by the City and the Responsible Agencies during deliberations on the proposed project. The anticipated project approvals associated with the proposed project are described in Section 3.0, Project Description.

The City of San Juan Capistrano, as the Lead Agency, determined that the proposed project may have a significant effect on the environment and that an EIR would be required to more fully evaluate potential adverse environmental impacts that may result from development of the proposed project. As a result, this Draft EIR has been prepared in accordance with CEQA, as amended (Public Resources Code [PRC] Section 21000, et seq.), and the CEQA Guidelines for Implementation of CEQA (California Code of Regulations [CCR], Title 14, Section 15000, et seq.). This Draft EIR also complies with the procedures established by the City for the implementation of CEQA.

Questions regarding the preparation of this document and the City’s review of the proposed project should be referred to the following:

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2.2 PURPOSE AND TYPE OF EIR/INTENDED USES OF THE EIR

This Draft EIR has been prepared to evaluate environmental impacts that may result from implementation of the proposed project. As the Lead Agency, the City has the authority for preparation of this Draft EIR and, after the comment/response process, certification of the Final EIR (FEIR) and approval of the proposed project as described in this Draft EIR.

The City and Responsible Agencies have the authority to make decisions on discretionary actions relating to development of the proposed project. As previously stated, this Draft EIR is intended to serve as an informational document to be considered by the City and Responsible Agencies during deliberations on the proposed project. This Draft EIR evaluates and mitigates a reasonable worst-case scenario of potential impacts associated with the proposed project.

This Draft EIR will serve as a Project EIR pursuant to *State CEQA Guidelines* Section 15161. According to Section 15161 of the *State CEQA Guidelines*, a Project EIR is appropriate for specific development projects in which information is available for all phases of the project, including planning, construction, and operation.

As previously stated, the City is the Lead Agency for the proposed project under CEQA (*State CEQA Guidelines* Section 15367). CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary actions. This Draft EIR provides information to the Lead Agency and other public agencies, the general public, and decision makers regarding the potential environmental impacts from construction and operation of the proposed project. The purpose of the public review of the Draft EIR is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the *State CEQA Guidelines* states the following regarding standards from which adequacy is judged:

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

Under CEQA (PRC Section 21002.1[a]):

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

As previously discussed in Chapter 1.0, Executive Summary, an EIR is the most comprehensive form of environmental documentation identified in CEQA and the *State CEQA Guidelines* and provides the information needed to assess the environmental consequences of a proposed project. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts.

2.3 ENVIRONMENTAL REVIEW PROCESS

The California Environmental Quality Act (CEQA) (PRC Section 21000, et seq.), requires that a public agency prepare an EIR when the public agency finds substantial evidence that the project may have a significant effect on the environment (PRC Section 21080 (d)). The basic purposes of CEQA are to:

1. Inform governmental decision makers and the public about the potential significant environmental effects of proposed activities;
2. Identify the ways that environmental damage can be avoided or significantly reduced;

3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

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

2.3.1 Initial Study and Notice of Preparation

The City, as the Lead Agency, originally prepared an Initial Study (IS) and issued an NOP of an EIR on November 7, 2019.

The State Clearinghouse (SCH) issued a project number for the EIR (SCH No. 2019110154). The primary purpose of preparing the IS was to scope the environmental analysis and describe potential environmental impacts that may result from project approval. The IS was also used to scope out environmental issues that were determined to be “less than significant” or “no impact.”

In accordance with the *State CEQA Guidelines*, Section 15082, the NOP was circulated to responsible agencies and individuals from November 7, 2019, to December 9, 2019, for a period of 33 days, during which time written comments were solicited pertaining to environmental issues and topics that the EIR should evaluate.

Responses to the IS/NOP were received from the following agencies:

- California Department of Fish and Wildlife (CDFW)
- California Department of Transportation (Caltrans) District 12
- California Native American Heritage Commission (NAHC)
- Capistrano Acres Mutual Water Company (CAMWC)
- Orange County Fire Authority (OCFA)
- Orange County Public Works (OCPW)
- Orange County Transportation Authority (OCTA)
- South Coast Air Quality Management District (SCAQMD)
- Juaneño Band of Mission Indians

2.3.2 Scoping Meeting Summary

The City held two public scoping meetings to present the proposed project and to solicit input from interested individuals regarding environmental issues that should be addressed in the Draft EIR; the first meeting was held at Community Center Community Hall on November 20, 2019, from 5:00 to 7:00 p.m., and the second meeting was held at the La Sala Auditorium on November 21, 2019, from

5:00 to 7:00 p.m. Key environmental issues and concerns raised in the response to the IS/NOP scoping process included:

- **Air Quality:** Recommendations were made that the air quality analysis follow South Coast Air Quality Management District (SCAQMD) guidance for air quality analysis, including specific mitigation measures, and recommended that a Health Risk Assessment (HRA) be prepared due to the proposed project's proximity to Interstate 5 (I-5).
- **Biological Resources:** Recommendations were made that the biological resources analysis include potential project-related impacts to steelhead and other sensitive aquatic species, least Bell's vireo habitat, riparian and wetland habitats, flora and fauna with special emphasis upon identifying threatened, sensitive, and locally unique species and sensitive habitats, and wildlife corridor/movement areas. Recommendations were also made to analyze the efficacy of Low Impact Development (LID) options to minimize stormwater impacts, how changes in land use would affect habitat edges, and how fuel modification zones would impact biological resources. Suggestions were made to incorporate mitigation measures related to the protection of rare natural communities, sensitive plants, animals, and habitats, habitats targeted for preservation and/or restoration, nesting birds; preparation of planting plans related to restoration and revegetation; and protection against shot hole borers.
- **Hydrology and Water Quality:** Recommendations were made that the hydrological studies should comply with the *Orange County Hydrology Manual* (1986) and the *Orange County Flood Control Design Manual* (2000), and that the City review and approve all hydrological analyses to confirm that the project is protected from erosion and flooding in a 100-year storm event. It was also recommended that the City ensure that floodplains are identified and structures conform to Federal Emergency Management Agency (FEMA) regulations in accordance with the City's floodplains ordinances, and that encroachment should not result in any increase in flood levels within the floodway during the occurrence of base flood discharge.
- **Land Use and Planning:** Information was provided stating that the easements used for water wells and water transmission facilities held by the CAMWC are not identified properly on the project's site plan, and that the project improvements shown within the easement areas are infeasible given the rights of the easements.
- **Transportation:** Recommendations were made to prepare a Traffic Impact Study to analyze potential short-term and long-term impacts to the State Highway System, including I-5 and State Route 74 (SR-74). It was also requested that the Traffic Impact Analysis prepared for the proposed project be consistent with the latest *Orange County Congestion Management Program* (CMP) (OCTA November 2019).
- **Tribal Cultural Resources:** Information related to Native American consultation as required by Assembly Bill (AB) 52 and Senate Bill (SB) 18 was provided, and the Juaneño Band of Mission Indians requested that a treatment plan be prepared that includes measures regarding monitoring and procedures for how an inadvertent discoveries would be addressed.

Please note that this is not an exhaustive list of areas of controversy, but rather key issues that were raised during the scoping process. The Draft EIR addresses each of these areas of concern or controversy in detail, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures designed to reduce or eliminate potentially significant impacts. Appendix A includes the IS/NOP and copies of written comments received in response to the IS/NOP.

2.3.3 Public Review Period

This Draft EIR is being distributed to numerous public agencies and other interested parties for review and comment. The Draft EIR is also available at the following locations and on the City's website:

City of San Juan Capistrano
Development Services Department
32400 Paseo Adelanto
San Juan Capistrano, CA 92675
Hours: Monday through Thursday, 7:30 a.m. to 5:30 p.m.
Friday, 7:30 a.m. to 4:30 p.m.
Saturday and Sunday, Closed

San Juan Capistrano Library
31495 El Camino Real
San Juan Capistrano, CA 92675
Hours: Monday through Thursday, 10:00 a.m. to 7:00 p.m.
Friday, Closed
Saturday and Sunday, 9:00 a.m. to 5:00 p.m.

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

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2.4 SCOPE OF THIS DRAFT EIR

As required by *State CEQA Guidelines* Section 15128, this Draft EIR must identify the effects of the proposed project determined to be significant. Per *State CEQA Guidelines* Section 15060, the City determined that the proposed project may have a significant impact on the environment and an EIR would clearly be required for the proposed project, and the EIR process was initiated. As explained in Section 2.2.1 above, the City issued an NOP soliciting comments from Responsible and Trustee Agencies and other interested parties, including members of the public.

The thresholds of significance criteria utilized in this Draft EIR are based on Appendix G of the *State CEQA Guidelines* and the City's adopted *Local Guidelines for Implementing the California Environmental Quality Act* (2019). All environmental topics contained in the Appendix G Checklist are addressed in this Draft EIR: aesthetics, agriculture and forest resources (refer to discussion below in Section 2.5.1, Agriculture and Forest Resources), air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials (refer to discussion below in Section 2.5.2, Hazards and Hazardous Materials), hydrology and water quality, land use and planning, mineral resources (refer to discussion below in Section 2.5.3, Mineral Resources), noise, population and housing (refer to discussion below in Section 2.5.4, Population and Housing), public services (refer to discussion below in Section 2.5.5, Public Services), recreation (refer to discussion below in Section 2.5.6, Recreation), traffic, tribal cultural resources, utilities and service systems (refer to discussion below in Section 2.5.7, Utilities and Service Systems) and wildfire (refer to discussion below in Section 2.5.8, Wildfire). The analysis herein determines whether there are no impacts, less than significant impacts, less than significant impacts with mitigation, or significant and unavoidable impacts associated with the proposed project. Mitigation measures are proposed where feasible to reduce or eliminate identified impacts.

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required by *State CEQA Guidelines* Section 15128, this Draft EIR identifies the potential effects of the proposed project that were determined not to be significant and adverse, and therefore, not addressed in the Draft EIR. The proposed project would not result in adverse impacts related to agriculture and forestry resources, hazards and hazardous materials, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfires. These issues are briefly discussed below along with the substantiation for why they were determined not to be significant.

2.5.1 Agriculture & Forest Resources

The proposed project is located on an approximately 16.1-acre vacant site. According to the City's Zoning Map, the project site is zoned as Planned Community District associated with the adopted Ortega Planned Community Comprehensive Development Plan (CDP 78-01). The purpose of the Planned Community zone is to encourage the use of modern land planning and design techniques to create developments integrating a mixture of different types of land uses. As such, the project site is not zoned for agricultural or forest use and is not used for agricultural or forest production. As the project site is currently mapped as "Other Land" by the Farmland Mapping and Monitoring Program (FMMP), the project would not convert any Farmland of Statewide Importance. Additionally, the project site is not located within an area covered under a Williamson Act contract, and no impacts related to an agricultural use or a Williamson Act contract would occur with implementation of the proposed project. The proposed project would not include other changes in the existing environment that would result in conversation of farmland to non-agricultural uses. Therefore, this issue is not evaluated further in this Draft EIR.

2.5.2 Hazards & Hazardous Materials

The project site is not included on any hazardous materials site list pursuant to Government Code Section 65962.5 and would not result in a significant hazard to the public or the environment.

Operation of the proposed project would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Adherence to applicable rules and regulations as required during construction regarding hazardous materials, including fugitive dust emissions, would reduce potential risks associated with the release of hazardous materials to the environment or public, including nearby schools, to less than a significant level. The proposed project does not include any characteristics (e.g., permanent road closure or long-term blocking of road access) that would physically impair or otherwise conflict with the City's Emergency Preparedness Program, and all infrastructure improvements included as part of the project would occur within the boundaries of the project site and would not require or result in any temporary lane closures on roadways adjacent to the site. Further, the proposed project would be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on the project site for emergency vehicles. Therefore, this issue is not evaluated further in this Draft EIR.

2.5.3 Mineral Resources

The project site is not designated as a mineral resources recovery site on the City's General Plan, Specific Plans, or other land use plan, and no mineral extraction activities currently occur on the site. According to the California Department of Conservation, the project site has been classified as Mineral Resource Zone (MRZ)-2, indicating that the project site is in an area designated as regionally significant.¹ Such designations require that a Lead Agency's land use decisions involving designated areas be made in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the Lead Agency's jurisdiction. The project site and surrounding area are classified as MRZ-2 due to proximity to the San Juan Creek. Construction of the proposed project would involve grading and earthwork activities that would result in disturbances to on-site soils, including any aggregate material that may be present on the site. However, project construction would not involve the export of any on-site soils or materials that would result in the permanent loss of on-site aggregate material. Therefore, implementation of the project would not remove on-site aggregate material, and would not result in the permanent loss of such materials. Further, the closest mining operations to the project site are located 4.5 miles east of the site. Although the project site is designated as MRZ-2, the site has not historically or is currently utilized for mineral resource extraction. Therefore, this issue is not evaluated further in this Draft EIR.

2.5.4 Population and Housing

Construction of the proposed project would provide short-term construction jobs over an approximately 24 month period. Many of the construction jobs would be temporary and would be specific to the variety of construction activities. Although the proposed project would increase the number of employees at the project site during construction activities, it is expected that local and regional construction workers would be available to serve the proposed project's construction needs.

¹ State of California Department of Conservation (DOC). 1994. California Division of Mines and Geology. Generalized Mineral Land Classification of Orange County. Open-File Report 94-15, Plate 1.

According to the California Department of Finance City/Population and Housing Estimates (January 2018), the average number of persons per dwelling unit in the City in 2018 was 3.10 persons.¹ Based on the City's average occupancy rate, the addition of 132 units would result in approximately 410 additional residents. The addition of 410 residents would be approximately 1.14 percent of the City's 2017 population of 36,064² and an increase of 1.08 percent of the City's projected population of 38,100 for the year 2020 as projected by the Southern California Association of Governments (SCAG).³ As such, the proposed project would not result in significant unplanned population growth as a result of project implementation.

According to the City's 2014–2021 General Plan Housing Element, Southern California Association of Governments (SCAG) has established a Regional Housing Needs Assessment (RHNA) goal for the City to develop 638 new housing units by the year 2021. Of these 638 units, 147 would be set aside for Extremely Low/Very Low Income Groups, 104 units for Low Income Groups, 120 for Moderate Income Groups, and 267 for Above Moderate Income Groups. In order to meet these requirements, the City's Housing Element identifies the project site as accommodating 230 very-low income units. The proposed project would allow for the development of 118 new market-rate housing units and 14 new moderate-income housing units on the project site, which would result in fewer affordable housing units for the site than identified in the City's Housing Element. Nonetheless, implementation of the project, which includes construction of 14 moderate-income units, would contribute to the City's realization of RHNA goals. To comply with SB 166, the City has identified an alternative site which includes 9.3 acres designated as Very High Density Residential Land Use. This site, identified as Assessor's Parcel Number (APN) 121-070-57, is entitled to be developed at a density of 30 dwelling units per acre, or 279 units. The 219 units which are no longer able to be accommodated with the proposed development on the project site can be accommodated on this alternative site. The City will notify the State Department of Housing and Community Development regarding the alternative site identified to accommodate the replacement housing should the proposed project be approved. Further, the project would not result in a loss of housing or persons, nor require or necessitate the development of replacement housing elsewhere. Therefore, this issue is not evaluated further in this Draft EIR.

2.5.5 Public Services

The proposed project is not anticipated to induce substantial population growth that would increase demand for public services. As stated in Section 2.5.4, Population and Housing, the development of 132 units as part of the project would result in approximately 410 additional residents.

Fire protection services would be provided to the project site by the Orange County Fire Authority (OCFA). The proposed project would be required to comply with all applicable building code requirements requiring fire protection devices, such as sprinklers, alarms per the California Fire

¹ California Department of Finance City/Population and Housing Estimates (January 2018) (132 dwelling units * 3.10 person per unit = 409.2)

² United States Census Bureau. Quick Facts Finder. 2017. Website: <https://www.census.gov/quickfacts/fact/table/sanjuancapistranocitycalifornia,ca/PST045217> (accessed December 5, 2018).

³ Southern California Association of Governments. Regional Transportation Plan 2012-2035. Growth Forecast Appendix. Table 18.

Code (Municipal Code Section 8-10.01 [Adoption of the 2016 California Fire Code]), adequately spaced fire hydrants, fire access lanes, and adequate emergency access. In order to meet the California Fire Code requirements, the project would include the addition of six on-site fire hydrants, fire lanes throughout the site, and emergency access at all entry points to the property. In addition, buildings proposed on the southwestern portion of the site (which are closer to areas near San Juan Creek that could be subject to wildfires) would include automatic sprinkler systems and would comply with Section R337 of the CCR to further minimize impacts related to fires. As such, the proposed project would be designed to comply with all Fire Department access requirements and California Fire Code requirements. Therefore, construction and operation of the proposed project 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. Therefore, this issue is not evaluated further in this Draft EIR.

The City contracts with the Orange County Sheriff's Department (OCSD) for police protection services. In total, 28 OCSD personnel are assigned to the City, including one lieutenant, four sergeants, two investigators, and 21 sheriff's deputies.¹ The City's staffing level is based on response times and crime rates. At the present time, OCSD maintains a staffing ratio of approximately one sworn officer for every 1,300 residents in the City.² When considered with the existing population, the project-related population increase would have a negligible impact on the OCSD's ratio of police officers per 1,300 residents.³ As such, the proposed project would not trigger the need for expanded police services or for new or altered police facilities. Therefore, this issue is not evaluated further in this Draft EIR.

The provision of education and school facilities in the City is the responsibility of the Capistrano Unified School District (CUSD). Based on CUSD generation rates for single-family and multi-family residential units, the total number of students generated by the proposed development would be 48 new students.⁴ 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 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. The current Development Impact Fee for commercial projects within the CUSD's jurisdictional boundaries is \$3.79 per square foot.⁵ 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. Therefore, this issue is not evaluated further in this Draft EIR.

¹ City of San Juan Capistrano. 2017. *Mitigated Negative Declaration and Initial Study for the Church of Jesus Christ Latter Day Saints Meetinghouse Project*. September 2017.

² 28 officers / 36,064 (2017 population) = approximately 1 officer per 1,300 persons.

³ 2018 population of 36,759 + 410 persons = 31,759. 31,759/1,300=28.6 officers.

⁴ Capistrano Unified School District, Residential and Commercial/Industrial Fee Study. 2017–2018.

⁵ Ibid.

According to the Parks and Recreation Element of the City's General Plan (2002), the City maintains approximately 193 acres of parks and recreational uses. Currently, the City has an established standard of 5 acres of park space per 1,000 residents. Although the proposed project would include the development of housing, which would create an additional demand for park facilities, the proposed project also includes the development of recreation areas along the multi-purpose trail that would satisfy a portion of the total required parkland dedication that, in combination with in-lieu park fees, would satisfy the requirements for provision of parks. Therefore, the dedicated recreation areas in combination with payment of in lieu fees provided by the proposed project would meet any increase in parks required by the proposed project's increase in population and would ensure that existing parks would not be physically altered or degraded as a result of project implementation. Therefore, this issue is not evaluated further in this Draft EIR.

The Orange County Public Library (OCPL) system provides library services to the County, including the City, and includes 33 branches. The only OCPL system branch in the City is the San Juan Capistrano Regional Library located at 31495 El Camino Real.¹ The City's General Plan determines the adequacy of library services according to a ratio of the resident population to the total library floor area and collection size, using the standards of 0.2 sf of library space per capita and 1.5 books per capita.² Using this standard and the estimated project-related increase of 410 persons, the San Juan Capistrano Regional Library would need to be 7,434 sf in size with 55,753 books. Although the San Juan Capistrano Regional Library exceeds the standard for size with a 12,000 sf facility, the library would need an additional 9,056 books to meet the projected demand for library books. The San Juan Capistrano Library reduced the total amount of hardcopy library materials from 80,000 to 45,789 between 2014 and 2017 in an effort to eliminate outdated materials and replace select volumes with electronic copies. Due to the accessibility of online materials via the 23 public computers at the library, the replacement of the hardcopy materials with electronic copies is not considered a loss of library volumes. In addition, authorized by Government Code Section 66001(e), the Orange County Board of Supervisors adopted Resolution No. 13-062 with respect to the Development Fee program for Branch Libraries, stating that those facilities have been constructed and the fee program is no longer needed. As such, the proposed project's increase in demand on library services is incremental and would not necessitate the need for expanded library facilities, the development of which could cause a physical adverse environmental impact with respect to libraries. Therefore, this issue is not evaluated further in this Draft EIR.

2.5.6 Recreation

As stated above in Section 2.5.5, Public Services, with the provision of the on-site recreation areas and the payment of in-lieu park fees, impacts to recreation requirements would be less than significant. In addition, the proposed project would not increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial deterioration of the facilities would occur or be accelerated. The construction or expansion of off-site recreational facilities would not occur as the project is providing on-site recreational amenities. Therefore, this issue is not evaluated further in this Draft EIR.

¹ City of San Juan Capistrano. 1999. General Plan Public Services & Utilities Element.

² Ibid.

2.5.7 Utilities and Service Systems

Project impacts related to construction or expansion of wastewater treatment facilities or storm drainage facilities would be less than significant as the proposed project would not necessitate new or expanded water entitlements, and the City would be able to accommodate the increased demand for potable water. Additionally, although the operation of the proposed project may result in increased wastewater flows, these flows can be accommodated within the existing design capacity of the existing wastewater treatment facilities and would not result in the wastewater treatment facilities exceeding the wastewater treatment requirements established by the San Diego Regional Water Quality Control Board (RWQCB). As part of the project, storm drains would be installed throughout the center of the project site. An existing swale running along I-5 would convey runoff from the westerly portions of the project site to the existing 27-inch storm drain pipe, which would eventually be conveyed into San Juan Creek. All on-site runoff from the easterly portions of the proposed development would be conveyed to a Modular Wetlands System (a stormwater biofiltration system proposed at various locations on the project site) prior to converging into the El Horno Creek Channel. Receiving waters have sufficient capacity to accommodate the project's increase in runoff, and the project would not exceed the capacity of downstream storm drain lines. The San Diego Gas and Electric Company (SDG&E) would supply electricity and natural gas to the project site. Although impacts with respect to energy resources are evaluated as part of this Draft EIR (refer to Section 4.5, Energy), implementation of the proposed project is not anticipated to result in impacts related to the construction or relocation of existing electric power or natural gas facilities. Specifically, because the project-related demand for electricity and natural gas is anticipated to be typical of existing residential users in SDG&E's territory, the project itself is not anticipated to result in an increased demand for electric power or natural gas that would require new electric facilities to serve the site. The primary cable and telephone service providers available to residents within the project's vicinity (and, more generally, within San Juan Capistrano) are AT&T and Cox Communications. The project-related increase of 410 people would not generate a significant increase in the demand for telecommunication services such that the project would necessitate the need for new telecommunications facilities. As such, any project-related impacts to telecommunications facilities would be negligible and would not cause significant environmental impacts. The proposed project would require the construction of new connections to the site for water, wastewater, storm water drainage, electricity, and telecommunications lines. However, for the reasons discussed above, the relocation and construction of these facilities would not result in significant environmental impacts. Therefore, impacts to these utility facilities would be less than significant. Lastly, as the proposed project would comply with federal, state, and local statutes and regulations related to solid wastes and would be served by a landfill with sufficient capacity to accommodate the project's solid waste disposal needs, there would be a less than significant impact on utilities and service systems. Therefore, these issues are not evaluated further in this Draft EIR.

2.5.8 Wildfire

According to the City's General Plan Safety Element (1999), the project site is not located in an area identified as a Wildland Fire Area that may contain substantial fire risk or a Very High Fire Hazard Severity Zone (VHFHSZ). In addition, according to the California Department of Forestry and Fire

Protection (CAL FIRE), the project site is not located in a fire hazard area.¹ Although the eastern portion of the project site is located within a fuel modification zone, with the adoption of a Fuel Modification Plan to be approved by the Orange County Fire Authority (OCFA), the proposed project would not expose people or structures to the significant risk involving wildfires. Therefore, this issue is not evaluated further in this Draft EIR.

2.6 FORMAT OF THE EIR

Pursuant to *State CEQA Guidelines*, Section 15120(c), this Draft EIR contains the information and analysis required by Sections 15122 through 15131 of the *State CEQA Guidelines*. Each of the required elements is covered in one of the Draft EIR chapters described below.

2.6.1 Chapter 1.0: Executive Summary

Chapter 1.0 contains the Executive Summary of the Draft EIR, listing all significant project impacts, mitigation measures that have been recommended to reduce any significant impacts of the proposed project, and the level of significance of each impact following mitigation. The summary is presented in a table format.

2.6.2 Chapter 2.0: Introduction

Chapter 2.0 contains a discussion of the purpose and intended use of the Draft EIR.

2.6.3 Chapter 3.0: Project Description

Chapter 3.0 includes discussion of the proposed project's geographical setting; the project site's previous uses; and the proposed project's goals, objectives, characteristics, components, construction phasing, and anticipated discretionary actions and permits for the project.

2.6.4 Chapter 4.0: Environmental Analysis, Impacts, and Mitigation Measures

Chapter 4.0 includes an analysis of the proposed project's environmental impacts. It is organized into the following topical sections (Sections 4.1 through 4.12): aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, noise, transportation, and tribal cultural resources. The environmental setting discussions describe the "existing conditions" of the environment in the planning area and in the vicinity of the site as they pertain to the environmental issues being analyzed (Section 15125 of the *State CEQA Guidelines*).

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

¹ California Department of Forestry & Fire Protection (CAL FIRE). 2011. Orange County Fire Hazard Severity Zones. October. Website: http://www.fire.ca.gov/fire_prevention/fhsz_maps/FHSZ/orange/c30_SanJuan_Capistrano_vhfhsz.pdf (accessed December 4, 2018).

Chapter 4.0 also includes a discussion of the cumulative effects of the proposed project within the analysis of each environmental topic. As defined in Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area. Cumulative impacts are based on the build out of the project and are discussed relative to the cumulative study area as identified for each environmental topic.

The discussions of mitigation measures identify and describe feasible measures that could minimize or lessen significant adverse impacts for each significant environmental effect identified in the Draft EIR (Section 15126.4 of the *State CEQA Guidelines*). The levels of significance before and after mitigation are provided. Unavoidable adverse effects are identified where mitigation is not expected to reduce the effects to less than significant levels.

2.6.5 Chapter 5.0: Alternatives to the Proposed Project

In accordance with *State CEQA Guidelines* Section 15126.6, the alternatives discussion in Section 5.0 describes a reasonable range of alternatives that could feasibly attain the basic objectives of the proposed project and that are capable of eliminating or reducing any significant adverse environmental effects.

2.6.6 Chapter 6.0: Other CEQA Considerations

Chapter 6.0 includes CEQA-mandated discussions on the following topics as required by Section 15126 of the *State CEQA Guidelines*: (1) significant irreversible environmental changes that would result from implementation of the proposed project; (2) significant adverse environmental impacts for which either no mitigation or only partial mitigation is feasible, and (3) growth-inducing impacts of the proposed project.

2.6.7 Chapter 7.0: Mitigation Monitoring and Reporting Program

PRC Section 21081.6 requires that agencies adopt a mitigation monitoring and reporting program for any project for which findings have been made pursuant to PRC Section 21081. Chapter 7.0 provides a list of all proposed project mitigation measures, defines the party responsible for implementation of those measures, and identifies the timing for implementation of each measure.

2.6.8 Chapter 8.0: List of Preparers and Persons Consulted

Chapter 8.0 provides a list of the Draft EIR preparers, technical report authors, and other experts included in the preparation of the Draft EIR and the organizations and persons consulted during preparation of the Draft EIR.

2.6.9 Chapter 9.0: References

Chapter 9.0 provides the references used in this Draft EIR.

2.7 INCORPORATION BY REFERENCE

As permitted in Section 15150 of the *State CEQA Guidelines*, an EIR may reference all or portions of another document that is a matter of public record or is generally available to the public. Information from the documents that have been incorporated by reference has been briefly summarized in the appropriate sections of this Draft EIR, along with a description of how the public may obtain and review these documents. These documents include:

- City of San Juan Capistrano General Plan Elements (as amended) (available online at: <http://sanjuancapistrano.org/Departments/Development-Services/Planning-Zoning/General-Plan>)
- City of San Juan Capistrano Municipal Code and other titles referenced herein (available online at: <http://www.qcode.us/codes/sanjuancapistrano/>)