



A  Sempra Energy utility

1919 S. State College Blvd
Anaheim, CA 92806-6114

April 21, 2016

City of Costa Mesa
77 Fair Dr PO Box 1200
Costa Mesa, CA 92628

Attn: Mino Ashabi

Subject: Environmental Impact Report for Year 2015-2035 General Plan; Costa Mesa

Thank you for providing the opportunity to respond to this Environmental Document. This letter is not to be interpreted as a contractual commitment to serve the proposed project but only as an information service. Its intent is to notify you that the Southern California Gas Company has facilities in the area where the above named project is proposed. Gas facilities within the service area of the project could be installed, altered or abandoned as necessary without any significant impact on the environment.

The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a Public Utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affect gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Information regarding construction particulars and any costs associated with initiating service may be obtained by contacting our area Service Center at 800-427-2200.

Sincerely,

A handwritten signature in black ink, appearing to read "Katrina Regan".

Katrina Regan
Planning Supervisor
SouthEast Region - Anaheim Planning & Engineering

KR:rl
EIR.doc



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April 18, 2016

REC'D APR 21 2016

Ms. Minoo Ashabi, Principal Planner
City of Costa Mesa
Development Services Department
77 Fair Drive, P.O Box 1200
Costa Mesa, CA 92628-1200

Subject: Environmental Impact Report for the City of Costa Mesa's Year 2015-2035 General Plan

Dear Ms. Ashabi:

The Orange County Transportation Authority (OCTA) has reviewed the above referenced document. The following comments are provided for your consideration:

In February 2015, the OCTA Board of Directors approved the 2016 Bus Service Plan (Link: http://www.octa.net/pdf/FINAL_2016_SERVICE_CHANGE.pdf). This plan will reallocate bus service with the intention of increasing ridership.

Under Chapter 3: Circulation Element, Figure C-8: Transit Corridors on page C-29 provides a map with the existing OCTA bus service by service type. Please include the OCTA bus route numbers on the map, as well as, reflect the upcoming changes as provided in the aforementioned 2016 Bus Service Plan.

Though the General Plan under "Goal C-4: Promote Transportation Demand Management, Transit, and Efficiency" under Policy C-4.B.8 on Page C-41 indicates that the City will work with OCTA to improve transit services, OCTA does not have sufficient revenue to increase bus service levels. If there is additional new revenue in the future, these resources will be allocated to bus service that meets OCTA's service criteria, including: sustaining ridership and increasing transit usage.

If you have any questions or comments, please contact me by phone at (714) 560-5907 or by email at dphu@octa.net.

Sincerely,

Dan Phu
Manager, Environmental Programs

-19-



MARK A. REFOWITZ
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RICHARD SANCHEZ
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OFFICE OF THE DIRECTOR

405 W. 5th STREET, 7th FLOOR
SANTA ANA, CA 92701
FAX: (714) 834-5506

March 25, 2016

Amy Wall
Assistant Director
Department of Developmental Services
Developmental Center Closure
1600 9th Street,
Sacramento, CA 94244-2020

Dear Ms. Wall:

The Orange County Health Care Agency (HCA) supports the City of Costa Mesa's General Plan use for the Fairview Developmental Center. The multi-use plan, which is the integration of a variety of land uses and intensities, will include a variety of residential, open space, and institutional uses. HCA has given thoughtful consideration to the ongoing need for services for the developmentally disabled and behavioral health communities that will be impacted by related transitions at the current site of the Fairview Developmental Center.

HCA has identified a need for a certain programs, which will demonstrate positive outcomes for those served as well as the community at-large. Services that have the greatest potential and uses include:

- **Health Resource Center/Federally Qualified Health Center (FQHC):** A satellite health clinic to treat the comorbid and complex medical conditions of clients. FQHCs must serve underserved populations and receive enhanced reimbursement for delivering services to populations in need. The benefit to the community is the availability of a clinic that serves underserved populations. The benefit to the FQHC is that it gets enhanced reimbursement, usually based on actual costs, and access to 340B discounted drug pricing, the Vaccines for Children Program, etc. This provides the opportunity to have a community-based clinic that can treat the former residents of the Fairview Developmental Center who will continue to reside in Orange County. These are complex clients who require specialized staff experienced in addressing and properly responding to their service needs. Current clinical staff of Fairview Developmental Center are potential employees of this FQHC. We anticipate that this clinic will be able to contract with CalOptima, our County-operated health system (COHS), and receive Medi-Cal reimbursement.

- **Supportive Housing:** Supportive housing is a combination of housing and services intended as a cost-effective way to help people live more stable, productive lives in their community. Supportive housing is a proven model for those who face the most diverse disabilities (e.g., intellectual disabilities, mobility and/or sensory impairments) or other serious challenges to a successful life. Supportive housing can be coupled with other services such as job training, life skills development, alcohol and drug abuse programs, community support services (e.g., child care, educational programs), and case management to populations in need of assistance. Supportive housing is intended to be a pragmatic solution that helps people have better lives. The primary goal of the program is to provide housing to people and to provide supportive services to assist individuals with treatment and development of the life skills necessary to remain in independent housing.

My staff has met with representatives of the City of Costa Mesa and discussed potential future uses of the Fairview Developmental Center complex that are consistent with both County and City goals. I stand ready to work collaboratively with the City of Costa Mesa and the State to develop the most comprehensive plan for the use of this property while compassionately assessing how to best meet the complex, special needs of the populations currently served and ultimately impacted by transitions related to the Center's closure.

Sincerely,



Mark A. Refowitz
HCA Director

MAR:lla 16-030



CITY OF NEWPORT BEACH

100 Civic Center Drive
Newport Beach, California 92660

949 644-3200
newportbeachca.gov/communitydevelopment

April 11, 2016

REC'D APR 14 2016

Via Electronic & Regular Mail
minoo.ashabi@costamesaca.gov

Minoo Ashabi, Principal Planner
City of Costa Mesa
Development Services Department
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628-1200

Re: Notice of Availability of the Draft Environmental Impact Report for the City of Costa Mesa's Year 2015 - 2035 General Plan

Dear Ms. Ashabi:

Thank you of the opportunity to comment on the Draft Environmental Impact Report (Draft EIR) for the City of Costa Mesa's Year 2015 - 2035 General Plan. The City of Newport Beach ("City") submits the comments below.

The Circulation Element Page C-6 states that the "cut-and-cover approach" for the SR-55 extension "will not occur within the year 2035 planning horizon due to the significant costs and planning required". However, Page 4.16-27 in the Draft EIR shows that the 2035 Build-out Highway Network includes the four lane cut-and-cover freeway extension. In addition, Table 4.16-11 appears to show the cut-and-cover improvements as being included in the intersection analysis for the applicable intersections along Newport Boulevard. This needs to be clarified and consistent. If the cut-and-cover is feasible from a cost and planning perspective within the planning horizon, this needs to be fully explained.

In the Circulation Element Page C-13, there are several roadway downgrades being proposed. Will the City of Costa Mesa request that the Orange County Transportation Authority (OCTA) initiate the Master Plan of Arterial Highways (MPAH) Amendment process for these roadways? Will there be cooperative studies prepared for the amendments that include the adjacent stakeholder jurisdictions? In particular, Newport Beach is interested in the West 17th Street Downgrade, the East 22nd Street Downgrade, and the proposed Bluff Road Deletion.

When the 19th Street Bridge study was completed, there were intersections identified as deficient in Costa Mesa. Are the recommended improvements in that study included in the Circulation Element or elsewhere in the General Plan?

Good luck on your General Plan update and please feel free to contact me at (949) 644-3232 or PAIford@newportbeachca.gov if you have any questions.

-22-

Sincerely,



Patrick J. Alford
Planning Program Manager

cc: David Kiff, City Manager
Kimberly Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

April 14, 2016

Minoo Ashabi, Principal Planner
City of Costa Mesa – Development Services
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628-1200

REC'D APR 15 2016

Subject: DEIR for the City of Costa Mesa General Plan Amendment (2015-2035)

Dear Ms. Ashabi:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the City of Costa Mesa General Plan Amendment in the context of the *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)*. We wish to offer the following comments and respectfully request consideration of these comments as you proceed with your DEIR and General Plan (GP) Amendment.

The City of Costa Mesa is located within the AELUP Notification Area for JWA. The DEIR and GP should address height restrictions and imaginary surfaces by discussing Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 as the criteria for determining height restrictions for projects located within the airport planning area. To ensure the safe operation of aircraft activity at JWA, structures anywhere in the JWA airport planning area should not exceed the applicable elevations defined in FAR Part 77 (Objects Affecting Navigable Air Space). We recommend that the General Plan should include height policy language and a mitigation measure in the EIR that states that no new buildings will be allowed to penetrate the FAR Part 77 imaginary surfaces for JWA to ensure the protection of its airspace.

Within the proposed Land Use Element, it states that the FAA standard that is of most concern in Costa Mesa is the horizontal surface for JWA. The General Plan references the old standard of 203.68 feet above mean sea level (AMSL) as the horizontal surface for JWA, but that figure should be updated to 206 feet AMSL.

Also with respect to building heights, development proposals within the City, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the FAA and Airport Land Use Commission (ALUC) notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed within the General Plan, the City may wish to consider a mitigation and condition of approval specifying this 200 feet above ground level height threshold. In addition, any project that penetrates the Notification Surface for JWA is required to file FAA

Form 7460-1. The proposed Land Use Element (on page LU-18) discusses the threshold stated above but, instead of referring to filing FAA Form 7460-1 Notice of Construction and Alteration, the Land Use Element refers to filing a Notice of Landing Area Proposal (Form 7480-1) which is specific to heliports.

Portions of the City of Costa Mesa fall within the 60 and 65 dB(A) CNEL noise contours for JWA. The DEIR and GP Update should include policies and mitigations for development within these contours, especially if residential development is considered. Per the *AELUP for JWA*, all residential units within the 65 dB CNEL contour are typically inconsistent in this area unless it can be shown conclusively that such units are sufficiently sound attenuated for present and projected noise exposure so as not to exceed an interior standard of 45 dB CNEL. However, the ALUC recommends that residential uses not be permitted within the 65 dB CNEL contour. As for residential development within the 60 dB CNEL contour, the ALUC may not find residential units incompatible in this area, but would strongly recommend that residential units be limited or excluded from this area unless sufficiently sound attenuated not to exceed an interior level of 45 dB.

We appreciate that the proposed Land Use Element addresses consistency with the *AELUP for Heliports* by including the following language to your GP Update:

“The City will ensure that development proposals including the construction or operation of a heliport or helistop comply fully with permit procedures under State law, including referral of the project to the ALUC by the applicant, and with all conditions of approval imposed or recommended by the Federal Aviation Administration (FAA), ALUC, and Caltrans, including the filing of a Form 7480-1 (Notice of Landing Area Proposal) with the FAA. This requirement shall be in addition to all other City development requirements.”

Section 21676(b) of the PUC requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Airport Land Use Commission pursuant to Section 21675, the local agency shall first refer the proposed action to the ALUC. To ensure land use compatibility with JWA, we recommend that the City include policy in its General Plan and a mitigation measure in the EIR, that states that the City shall refer projects to the Airport Land Use Commission (ALUC) for Orange County as required by Section 21676 of the California Public Utilities Code to determine consistency of projects with the *AELUP for JWA*.

With respect to project submittals, please note that the Commission wants such referrals to be submitted to the ALUC for a determination, between the Local Agency’s expected Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing.

Thank you again for the opportunity to comment on the DEIR. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com should any questions arise.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kari A. Rigoni".

Kari A. Rigoni
Executive Officer

DEPARTMENT OF TRANSPORTATION

DISTRICT 12

3347 MICHELSON DRIVE, SUITE 100

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REC'D APR 16 2016

April 14, 2016

Ms. Minoo Ashabi

Principal Planner

77 Fair Drive

City of Costa Mesa

Costa Mesa, CA 92626

File: IGR/CEQA

SCH#:2015111053

IGR Log #: 4573-A

SR: 55, SR-73, I 405

Dear Ms. Ashabi:

Thank you for the opportunity to review and comment on the **Draft Program Environmental Impact Report (DEIR) for the City of Costa Mesa 2015-2035 General Plan Amendment Project**. The City of Costa Mesa proposes the adoption of updates to Land Use, Circulation, Growth Management, Conservation, Noise, Safety, Historical & Cultural Resources, Community Design, and Open Space and Recreation Elements. The land use and Circulation Elements establish overall development capacity, serve as a policy guide for physical development and character, and provide for a balanced circulation system including "complete streets" and a bike master plan. Remaining elements updated for consistency with Land Use and Circulation Elements and to reflect current General Plan law. The 2015-2035 Plan will incorporate the Housing Element, which was previously adopted in January 2014 and is valid through 2021. The General Plan update will apply to all properties within the City of Costa Mesa and its sphere of influence. The planning area encompasses 15.7 square miles and has a total population of approximately 110, 000. The nearest State routes to the proposed sites are SR-55, SR-73 and I-405.

Caltrans is a responsible and commenting agency on this project and has the following Comments:

1. The DEIR does not include an analysis on the State facilities' mainlines (merge, diverge, weave and basic freeway) that are within the boundaries of the City of Costa Mesa. Please submit this analysis for our review and comments. As indicated in our previous letter dated December 7, 2015: "When analyzing impacts to the traffic on the Caltrans Transportation Facilities; note, that all Intersection Capacity Analysis conducted within Caltrans Right of Way shall be performed using the most recent Highway Capacity Manual Methodology. A Queue Analysis shall be conducted for the off-ramps to determine that traffic will not spill back to the Freeway Mainline."
2. The traffic analysis for Caltrans facilities should include, ramps, intersections, and the 95th percentile queues on the off-ramps and on the left-turn lanes to the on-ramps at the

signalized intersections. Also, provide a table of summary to indicate if the off-ramp and left-turn vehicle storage lanes have sufficient vehicle storage lengths.

3. Please provide traffic movement diagrams for AM and PM peaks for all traffic conditions, including traffic movement diagrams of trip generations only for the Current and the Buildout of the General Plan.
4. Traffic Study Page 2.2, Figure 2-1 and Page 3.19, Figure 3-4
Please explain the need for lane reduction on Newport Avenue segment south of 19th Street from a 7-lane (7M) configuration of the Existing Roadway System condition to a 6-lane (6M) configuration for the Year 2035 Buildout Roadway System condition.

Traffic Study- Page 2.3, Figure 2-2, Page 3.25 Figure 3-6 and Page 3.27 Figure 3-8
Please explain the reason for reduction of ADT volumes on Newport Avenue in the vicinity of 19th Street comparing the Existing ADT Volumes with the 2035 Current General Plan ADT Volumes and Proposed General Plan ADT Volumes. For example, Newport Avenue north of 19th Street has 92,000 ADT volumes for the existing condition while 2035 Buildout condition will only have 55,000 ADT volumes; also, Newport Avenue south of 19th Street has 66,000 ADT and 79,000 ADT for the Existing condition while Buildout condition will only have 31,000 ADT and 44,000 ADT volumes.

5. Please note that the Caltrans Highway Design Manual has been updated to include a new bicycle classification; Class IV Bikeways. Caltrans recommends to include this in Section 4.16 of the DEIR and Page C-15 of the Draft General Plan. Class IV – separated bikeways – Separated bikeways are for the exclusive use of bicycles and includes a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

Please continue to keep us informed of this project and any future developments that could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2241.

Sincerely,



MAUREEN EL HARAKE
Branch Chief, Regional-Community-Transit Planning
District 12



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
 www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
 CHARLTON H. BONHAM, Director



April 18, 2016

Ms. Claire Flynn
 City of Costa Mesa
 77 Fair Drive
 Costa Mesa, CA 92626
 claire.flynn@costamesaca.gov

REC'D APR 21 2016

Subject: Comments on the Draft Environmental Impact Report for the City of Costa Mesa 2015 to 2035 General Plan (SCH# 2015111068)

Dear Ms. Flynn:

The California Department of Fish and Wildlife (Department) has reviewed the draft environmental impact report (DEIR) for the City of Costa Mesa 2015 to 2035 General Plan Amendment project. The City of Costa Mesa (City) requested comments on the DEIR by April 18, 2016. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program. The City is a non-participating landowner under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP).

The project area is the City's entire sphere of influence; the City is located in the County of Orange and surrounded to the north by the City of Santa Ana, to the south by the City of Newport Beach, the west by the Cities of Huntington Beach and Fountain Valley, and the east by the City of Irvine. Fairview Park and Talbert Regional Park are included in this sphere of influence; Talbert Regional Park is part of the Central Coastal NCCP/HCP Reserve. The project proposes focused amendments to several elements of its General Plan, including Land Use, Circulation, Growth Management, Conservation, Open Space and Recreation, Noise, Safety, Community Design, and Historic and Cultural Resources.

The Department offers the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

1. The DEIR references Table CON-1 (BonTerra Consulting, 2000) when describing plant communities present within the project area. The Department is unclear why studies 16 years old were used to aggregate this data, as this may not be adequate to analyze potentially significant impacts to biological resources, nor does it reflect the City's efforts to restore or create plant communities. For example, Table CON-1 shows that southern tarplant (*Hemixonia parryi* ssp. *australis*; California Native Plant Society Inventory of Rare and Endangered Plants list 1B.1) as, "possibly present" when a population of southern tarplant was created in Fairview Park during wetlands restoration over the last several years.

Ms. Claire Flynn
City of Costa Mesa
April 18, 2016
Page 3 of 3

- b. an analysis of the likelihood of the spread of invasive SHBs as a result of the invasive species' proximity to above referenced activities;
- c. figures within a Biological Resources Technical Report (see comment 2) that depict potentially sensitive or susceptible vegetation communities within the project area, the known occurrences of invasive SHBs within the project area (if any), and invasive SHB's proximity to above referenced activities; and
- d. best management practices to reduce the spread of invasive SHBs. Examples of such BMPs and additional information can be found on the UCR's Eskalen lab website: <http://eskalenlab.ucr.edu/avocado.html>.

We appreciate the opportunity to comment on the DEIR for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. If you have any questions or comments regarding this letter please contact Jennifer Edwards at (858) 467-2717 or via email at Jennifer.Edwards@wildlife.ca.gov.

Sincerely,



Gail K. Sevens
Environmental Program Manager
South Coast Region

ec: Christine Medak (U.S. Fish and Wildlife Service)
Scott Morgan (State Clearinghouse)

April 15, 2016

VIA FEDERAL EXPRESS AND EMAIL

Minoo Ashabi, Principal Planner
City of Costa Mesa – Development Services Department
77 Fair Drive
Costa Mesa, CA 92626
Email: minoo.ashabi@costamesaca.gov

Re: Comments on Draft EIR for City of Costa Mesa Year 2015 – 2035 General Plan
SCH# 2015111068

Dear Ms. Ashabi:

On December 2, 2015 and January 26, 2016, the Department of General Services (DGS) provided comments on the Notice of Preparation for the City of Costa Mesa General Plan Draft Environmental Impact Report (DEIR). Those comments focused on the City's proposed policies, plans, and intent with respect to the Fairview Developmental Center (FDC) and future development on the site.

As explained in DGS's previous comments, the Department of Developmental Services (DDS) has submitted a closure plan for the FDC to the Legislature. (See <http://www.dds.ca.gov/fairviewNews/>). Senate Bill 82 signed in June 2015 (adding Government Code, § 14670.36; see attachment) authorizes the Director of DGS to lease up to 20 acres of the FDC site for the purpose of developing affordable housing for individuals with developmental disabilities (Shannon's Mountain). The success of Shannon's Mountain depends in large part on being able to retain flexibility in the number of units and density in order to attract affordable housing developers to propose economically feasible development for the site.

The state is concerned that the City's proposed 300-unit cap on the number of residential units and density and located on a 12-acre site for the Shannon's Mountain Project may unreasonably restrict the attractiveness of the site for the development that the Legislature and the Governor envisioned with SB 82 and frustrate the state's mandate to develop housing for developmentally disabled individuals.

The state lauds the City's goal in its proposed Land Use Element "to create new opportunities for housing and businesses, particularly in areas well served by transit and where reinvestment could enhance neighborhoods, districts, and nodes." But that goal would not be fulfilled with the short-sighted proposal to cap residential units in the FDC at 500 units, because doing so is likely to limit future decisions regarding transit service, as well as private investment and development decisions. This would particularly affect residents with developmental disabilities, who depend on public transit to a greater degree than other City residents. The City should consider allowing a greater number of

units in the FDC to maximize the reuse of a valuable infill site, help the City realize fewer external vehicle trips, and reduce greenhouse gases (GHG) and other air pollutant emissions. As the DEIR concludes that impacts associated with GHG emissions are significant and unavoidable, the City has an obligation to consider changes to the General Plan through alternative land use plans or mitigation that could help to reduce these impacts. DGS believes that allowing a greater number of units in the FDC, either through higher density land use designations or designating more land for more units, would improve the vehicle-miles-traveled by future FDC-area residents, visitors and employees.

A portion of the FDC is placed in the City's proposed Open Space Element; however, the FDC is already developed with 1.1 million square feet of improvements. The FDC is located in Planning Area 2, which is well-served by parks and open spaces and exceeds the park-to-population standard for neighborhood and community parks of 4.26 acres for every 1,000 persons and within ¼- to ½-mile walking distance to pedestrian access points. Planning Area 2 has 10.06 acres per 1,000 residents, and this ratio likely does not even include the shared use agreement for a portion of the FDC used for soccer fields. The additional amount of open space proposed to be designated within the FDC overburdens the state's property well in excess of the City's stated desired standard. With only 500 additional residential units, as proposed by the City, the area would require a minimum of 5.20 and a maximum of 5.73 acres of parks, depending on the housing product mix, not the 26.5 acres proposed in the General Plan.

The City's obligation to address its existing City-wide park service deficiency is better addressed through a wider distribution of such spaces across the City, not concentrated in the FDC area. Addressing it in the manner proposed for the FDC places a disproportionate burden on the state and future developers in this area, rather than more evenly distributing it city-wide. The FDC area is already well-served by the City-owned sports fields at the Jack Hammett Sports Complex located 1.8 miles northeast of the FDC, the private open space and recreation facilities such as the surrounding golf courses, the Orange County Fair and Event Center, and joint use of school facilities. Moreover, the City does not appear to have considered the fact that the state transferred the land for the adjacent two 18-hole golf courses to the City and land for the Fairview Regional Park to the County of Orange that was subsequently transferred to the City nor counted the golf courses or the state-owned fairgrounds in its open space/parks metrics. The City's proposed open space policies and implementation actions emphasize the need to pursue all means to expand and maximize benefits of a parks and recreation system. Therefore it does not seem reasonable to exclude the existing golf courses, fairgrounds and joint use facilities in the City's open space/parks calculations.

The proposed designation of 25 percent or 26.5 acres of state-owned land in the FDC for open space far exceeds the City's in-lieu fee program for parks. The City's parkland impact fee program indicates that a developer gets a credit for land dedicated and park improvements completed. But this fee program would also appear to apply to any proposed development in the FDC *after* the proposed re-designation of 25 percent of

the FDC area as open space, further burdening future developers of the FDC and significantly impeding the state's goal of developing affordable housing for the developmentally disabled.

Moreover, the City fails to consider the greater traffic impacts of concentrating so much of the City's additional recreational space in the FDC area, which increases vehicle trip lengths to this area from other areas of the City that do not have similar amenities and corresponding air pollutant and GHG emissions, as well as congestion on the roads leading to the FDC area.

The traffic study prepared for the DEIR indicates that the baseline used assumes a 350-bed hospital in the FDC; however, existing improvements already total 1.1 million square feet of buildings and supporting infrastructure. The traffic study assumes that in the future, 52 acres will be developed as public facilities and that it would generate only 434 average daily trips. Assuming a FAR of 0.25, this would support 566,000 square feet of development. A more appropriate trip generation rate would be Government Office Complex, which according to Trip Generation, 7th Edition, Institute of Transportation Engineers, Land Use 733, would generate 27.92 ADT per 1,000 square feet on weekdays, or 15,800 ADT for 566,000 square feet.

The traffic study further assumes that 26 acres in the FDC will be developed as passive park use, generating only 49 trips per day. The City has indicated, however, that its interest in this area is for soccer fields and ball parks for private athletic club use. According to Trip Generation, 7th Edition, Institute of Transportation Engineers, Land Use 488, one soccer field generates ± 71 weekday ADT, so 49 trips does not appear to be an accurate reflection of projected trip generation for these uses. Additionally, creating 26 acres of park and open space will require demolition some of the 1.1 million square feet of buildings and supporting infrastructure.

The range of alternatives in the DEIR only considers the comparative effects of leaving certain areas of the City's land use designations unchanged, including one in which the FDC simply retains its institutional designation. In its scoping comments dated December 2, 2015, DGS requested that the City analyze an alternative that assumes a mixed density development plan for the FDC that takes advantage of the existing built infrastructure, the region's High-Quality Transit Areas (HQTA), and the planned development (consistent with SB 82) to reduce per capita vehicle miles traveled and decrease per capita greenhouse gas emissions. The alternatives analysis presented in the DEIR does not acknowledge this suggested alternative, and the alternative analyzed in the DEIR that merely assumes a continued institutional use designation does not support the above goals. DGS reiterates its request for a good faith analysis of a more feasible and environmentally beneficial development alternative for the FDC. The state believes such a plan would better fulfill both the goals of the state for successful redevelopment of this area and the City's need for VMT, GHG, and air pollutant reductions.

The Department desires to be a cooperative partner with the City in facilitating the implementation of a shared vision for future development of the FDC. We hope that the City will consider these comments in good faith and reevaluate both its proposed land use designations and resulting impacts analysis to better accommodate both the state's mandate to feasibly develop housing for developmentally disabled individuals and CEQA's mandate to analyze and disclose as accurately as possible the potential resulting impacts of proposed development.

We would be happy to provide the City with any additional information it may require to improve its DEIR and proposed General Plan Update. We would also be pleased to meet and confer with the City prior to the issuance of the Final EIR to discuss our comments and suggestions for the FDC.

Thank you for your consideration of these comments.

Sincerely,



ROBERT W. MCKINNON
Assistant Branch Chief
Asset Management Branch

Enclosures

cc: Fariba Shahmirzadi, Assistant Deputy Director, Administrative Operations,
Department of Developmental Services
Marie W. Maddy, Chief, Facilities Planning and Support Section, Department of
Development Services



VIA HAND DELIVERY & EMAIL

October 6, 2015

The Honorable Stephen Mensinger
Mayor of the City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

RE: City of Costa Mesa Regular City Council Meeting, October 6, 2015;
Proposed General Plan Land Use Alternatives for the 2015-2025 General Plan
Update, Fairview Developmental Center

Dear Mayor Mensinger:

In June of this year, the California Legislature approved and the Governor signed into law Senate Bill 82 [SB82] (Chapter 23, Statutes of 2015) which added section 14670.36 to the Government Code.

This legislation authorizes the Director the Department of General Services, with the consent of the Director of the Department of Developmental Services, to lease up to 20 acres at the Fairview Developmental Center (FDC) at a price that will permit the development of affordable housing for people with developmental disabilities (Shannon's Mountain). This legislation also requires that a minimum of twenty percent (20%) of the housing units developed shall be available and affordable to individuals with developmental disabilities served by a regional center pursuant to the Lanterman Developmental Disabilities Services Act. In addition to meeting the affordability requirements, the developer of the project will be required to comply with Section 1720 of the Labor Code, for the purpose of prevailing wage requirements.

It has come to the state's attention that the city is updating their general plan and considering new land use designations for the FDC that would include a maximum of 500 dwelling units at a density of 15 dwelling units per acre (or a maximum of 25 dwelling units per acre with a density bonus). The state intends to proceed with the Shannon's Mountain project with the city as the lead agency for purposes of CEQA, building permits and inspections. However, at this time it is important to maintain maximum flexibility on the density for the Shannon's Mountain project since the project's financial feasibility will require a unit density greater than the proposed designation of 15 units per acre in order to meet the affordability goals. The state requests that the City include the 20 acres specified in SB 82 in the general plan update allowing a maximum of up to 40 units per acre, which density would be consistent with staff's initial recommendation (City Council/Planning Commission Joint Study Session on September 8, 2015) and with staff's recommendation to include the Residential Incentive Overlay into the general plan update allowing 40 dwelling units per acre for properties along

Attachments to Department of
General Services Letter Dated April
15, 2016 related to SB 82 is available
for review at the City Hall, Planning
Division



IRVINE RANCH WATER DISTRICT

15600 Sand Canyon Ave., P.O. Box 57000, Irvine, CA 92619-7000 (949) 453-5300

April 14, 2016

Minoo Ashabi
Principal Planner
City of Costa Mesa
Development Services Department
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628-1200

RECD APR 17 2016

Re: Draft Environmental Impact Report for Costa Mesa's Year 2015-2035 General Plan

Dear Minoo Ashabi:

Irvine Ranch Water District (IRWD) has received and reviewed the Draft Environmental Impact Report (DEIR) for the City of Costa Mesa's 2015-2035 General Plan. IRWD offers the following comments.

The DEIR page 4.17-2 should be revised to indicate that IRWD encompasses approximately 115,531 acres or 181 square miles in south-central Orange County. IRWD serves all of the City of Irvine and portions of Tustin, Santa Ana, Newport Beach, Lake Forest, Costa Mesa, Orange and unincorporated areas of Orange County. In 1997, IRWD began providing water service to the Santa Ana Heights community. IRWD serves a population of 380,000 and provides water to approximately 110,000 domestic connections, which includes residential, commercial, industrial, fire protection, public authorities, construction, landscape irrigation and agricultural users. For fiscal year 2013-2014, IRWD delivered 63,834 acre-feet of treated (potable) water, 2,665 acre-feet of untreated (non-potable) water and 31,932 acre-feet of recycled water for a total of 98,431 acre-feet.

The DEIR page 4.17-3 should also be revised to indicate that approximately 23 percent of IRWD's water is purchased from MWD. This imported water comes from the Colorado River via the Colorado River Aqueduct and Northern California via the State Water Project. The remaining 77 percent of the supply comes from local groundwater wells. To alleviate its dependency of imported water, in 1979 IRWD began to develop a series of local wells called the Dyer Road Well Field Project. These wells, ranging from 400 to 1,200 feet in depth, extract high quality water from the Orange County Groundwater Basin. This groundwater now accounts for 77 percent of IRWD's total potable water supply.

Additionally on page 4.17-3, the DEIR discusses the Water Resources Master Plan (WRMP). While WRMPs are important, they are not updated often which may result in outdated information. IRWD conducts additional analysis, Water Supply Assessments (WSAs), for specific projects or areas and they are updated more frequently than WRMPs. For sections of the

Minoo Ashabi
Comment Letter Page 2
April 14, 2016

DEIR that discuss future groundwater supply and imports, IRWD recommends the City of Costa Mesa use the information presented in the most recent WSA, completed earlier this month. A copy of the most recent WSA completed is attached for your reference. Please contact IRWD's Planning Division at (949) 453-5300 for questions regarding WSAs.

The DEIR on page 4.17-4 should be revised to indicate that IRWD's San Joaquin Reservoir was converted from potable use to recycled water in late 2004.

Finally, on page 4.17-9 the DEIR should reflect that IRWD's 2010 Urban Water Management Plan (UWMP) applies to the Santa Ana Heights area of Costa Mesa. IRWD, like Mesa Consolidated Water District, updates its UWMP every five years and is in the process of preparing its 2015 UWMP. IRWD's 2015 UWMP is scheduled for adoption in June 2016 and will be submitted to the Department of Water Resources by the July 1, 2016 deadline.

Thank you for the opportunity to review this IS/MND. Please contact either the undersigned at (949) 453-5325 or Jo Ann Corey, Engineering Technician III, at (949) 453-5326 if you have any questions.

Sincerely,



Fiona M. Sanchez
Director of Water Resources

Attachment – Water Supply Assessment

cc: Eric Akiyoshi, IRWD
Jo Ann Corey, IRWD

Water Supply Assessment Information

Purpose of Assessment

Irvine Ranch Water District (“IRWD”) has been identified by the City as a public water system that will supply water service (both potable and nonpotable) to the project identified on the cover page of this assessment (the “Project”). As the public water system, IRWD is required by Section 10910 *et seq.* of the Water Code to provide the City with an assessment of water supply availability (“assessment”) for defined types of projects. The Project has been found by the City to be a project requiring an assessment. The City is required to include this assessment in the environmental document for the Project, and, based on the record, make a determination whether projected water supplies are sufficient for the Project and existing and planned uses.

Water Code Section 10910 (the “Assessment Law”) contains the requirements for the information to be set forth in the assessment.

Prior Water Supply Assessments

IRWD does not allocate particular supplies to any project, but identifies total supplies for its service area. Because of IRWD’s aggregation of demands and supplies, each assessment completed by IRWD is expected to be generally similar to the most recent assessment, with changes as needed to take into account changes, if any, in demands and supplies, and any updated and corrected information obtained by IRWD. Previously assessed projects’ water demands will be included in the baseline. A newly assessed project’s water demand will have been included in previous water supply assessments for other projects (as part of IRWD’s “full build-out” demand) to the extent of any land use planning or other water demand information for the project that was available to IRWD.

The Project’s water demand was included (as part of IRWD’s “full build-out” demand) in previous water supply assessments performed by IRWD. In this water supply assessment, the project demand will be revised in accordance with updated information provided by the applicant and included in the “with project” demand. This Second Amended Assessment supersedes the Amended Assessment dated March 8, 2004, to adjust water demand figures as shown in Figures 1 through 8 based on reduced land use densities of the proposed Project development as requested by letter of the City of Orange dated April 1, 2016.

Supporting Documentation

IRWD prepares two planning documents to guide water supply decision-making. IRWD’s principal planning document is IRWD’s “Water Resources Master Plan” (“WRMP”). The WRMP is a comprehensive document compiling data and analyses that IRWD considers necessary for its planning needs. IRWD also prepares an Urban Water Management Plan (“UWMP”), a document required by statute. The UWMP is based on the WRMP, but contains defined elements as listed in the statute (Water Code Section 10631, *et seq.*), and, as a result, is more limited than the WRMP in the treatment of supply and demand issues. Therefore, IRWD primarily relies on its most recent WRMP. The UWMP is required to be updated in years ending with “five” and “zero,” and IRWD’s most recent update of that document was adopted June 13, 2011. IRWD’s next update of that document is anticipated in June 2016.

any) in place to move forward. These supplies are in various stages of planning, design, or construction.

- In general, supplies *under development* may necessitate the preparation and completion of environmental documents, regulatory approvals, and/or contracts prior to full construction and implementation.

IRWD is also evaluating the development of additional supplies that are not included in either *currently available* or *under-development* supplies for purposes of this assessment. As outlined in the WRMP, prudent water supply and financial planning dictates that development of supplies be phased over time consistent with the growth in demand.

Water supplies available to IRWD include several sources: groundwater pumped from the Orange County groundwater basin (including the Irvine Subbasin); captured local (native) surface water; recycled wastewater, and supplemental imported water supplied by MWD through the Municipal Water District of Orange County ("MWDOC"). The supply-demand comparisons in this assessment are broken down among the various sources, and are further separated into potable and nonpotable water sources.

Comparison of demand and supply. The three demand projections noted above (baseline, with-project and full build-out) are compared with supplies in the following ways:

- On a total *annual* quantity basis (stated in acre-feet per year (AFY)).
- On a *peak-flow* (maximum day) basis (stated in cubic feet per second (cfs)).
- Under three climate conditions: base (normal) conditions and single-dry and multiple-dry year conditions. (Note: These conditions are compared for *annual* demands and not for *peak-flow* demands. *Peak-flow* is a measure of a water delivery system's ability to meet the highest day's demand of the fluctuating demands that will be experienced in a year's time. Peak demands occur during the hot, dry season and as a result are not appreciably changed by dry-year conditions; dry-year conditions do affect *annual* demand by increasing the quantity of water needed to supplement normal wet-season precipitation.)

Summary of Results of Demand-Supply Comparisons

Listed below are Figures provided in this assessment, comparing projected potable and nonpotable water supplies and demands under the three development projections:

- Figure 1: Normal Year Supply and Demand – Potable Water
- Figure 2: Single Dry-Year Supply and Demand – Potable Water
- Figure 3: Multiple Dry-Year Supply and Demand – Potable Water
- Figure 4: Maximum-Day Supply and Demand – Potable Water
- Figure 5: Normal Year Supply and Demand – Nonpotable Water
- Figure 6: Single Dry-Year Supply and Demand – Nonpotable Water
- Figure 7: Multiple Dry-Year Supply and Demand – Nonpotable Water
- Figure 8: Maximum-Day Supply and Demand – Nonpotable Water

It can be observed in the Figures that IRWD's *supplies* remain essentially constant between normal, single-dry and multiple-dry years. This result is due to the fact that

available from these sources, based on legal entitlements, historical uses and information provided by MWD. In addition to MWD's existing regional supply assessments, this assessment has considered MWD information concerning recent events. See "**Recent Actions on Delta Pumping**," below.

- Information provided by MWD, as the imported water supplier, concerning the adequacy of its regional supplies, summarized herein, demonstrates MWD's inclusion of reserves in its regional supply assessments. In addition to MWD's existing regional supply assessments, this assessment has considered MWD information concerning recent events. See "**Recent Actions on Delta Pumping**," below.

- Although groundwater supply amounts shown in this assessment assume production levels within applicable basin production percentages described herein, production of groundwater can exceed applicable basin production percentages on a short-term basis, providing additional reliability during dry years or emergencies.

Recent Actions on Delta Pumping. The Sacramento/San Joaquin Delta (Delta) is a vulnerable component in both the State and Federal systems to convey water from northern portions of California to areas south of the Delta. Issues associated with the Delta have generally been known for years; however, most recently, the continuing decline in the number of endangered Delta smelt resulted in the filing of litigation challenging permits for the operation of the Delta pumping facilities. On August 31, 2007, a Federal court ordered interim protective measures for the endangered Delta smelt, including operational limits on Delta pumping, which have an effect on State Water Project (SWP) operations and supplies. On June 4, 2009, a federal biological opinion imposed rules that further restrict water diversions from the Delta to protect endangered salmon and other endangered fish species. At present, several proceedings concerning Delta operations are ongoing to evaluate options to address Delta smelt impacts and other environmental concerns. In addition to the regulatory and judicial proceedings to address immediate environmental concerns, the Delta Vision process and Bay-Delta Conservation Plan (BDCP) process are defining long-term solutions for the Delta. In addition, State and federal agencies and water user entities are currently engaged in the development of the BDCP/California WaterFix, which is aimed at making physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, south of Delta SWP water supplies and water quality (MWD UWMP). Prior to the 2007 court decision, MWD's Board approved a Delta Action Plan in May 2007 that described short, mid and long-term conditions and the actions to mitigate potential supply shortages and to develop and implement long-term solutions. To address uncertainties in expected SWP supplies, in October 2007, MWD prepared 2007 IRP Implementation Report, in which MWD estimated that it could see as much as up to a 22% reduction on average of its SWP supplies based on the court order. To comprehensively address the impacts of the SWP cut back on MWD's water supply development targets, in December 2007, MWD brought to its Board a strategy and work plan to update the long-term Integrated Resources Plan (IRP). As part of its ongoing long term planning, in its 2010 IRP Update, MWD identified changes to the long-term plan and established direction to address the range of potential changes in water supply planning. The 2010 IRP also discusses dealing with uncertainties related to impacts of climate change (see additional discussion of this below), as well as actions to protect endangered fisheries. MWD's reliability goal that full-service demands at the retail level will be satisfied for all foreseeable hydrologic conditions remained unchanged in the 2010 IRP Update. The 2010 IRP Update emphasizes an evolving approach and suite of actions to address the water supply challenges that are posed by uncertain weather patterns, regulatory and environmental restrictions, water quality impacts and changes in the state and the region.

As an alternative means of analyzing the effect of reduced MWD supplies on IRWD, Figures 1a, 2a, and 3a show IRWD's estimated supplies in all of the 5-year increments (average and single and multiple dry years) under a short-term MWD allocation scenario whereby MWD declares a shortage stage under its WSAP, and a cutback is applied to IRWD's actual usage rather than its connected capacity. IRWD's evaluation of reduced MWD supplies to IRWD as shown in Figures 1a, 2a and 3a conservatively analyzes the effect of up to a MWD level 5 Regional Shortage Level. In February 2009, IRWD updated Section 15 of its Rules and Regulations – Water Conservation and Water Supply Shortage Program and also updated its Water Shortage Contingency Plan which is a supporting document for Section 15. Section 15 of the Rules and Regulations serves as IRWD's "conservation ordinance". As stated in IRWD's Water Shortage Contingency Plan, use of local supplies, storage and other supply augmentation measures can mitigate shortages, and are assumed to be in use to the maximum extent possible during declared shortage levels. On April 14, 2015, MWD approved the implementation of its WSAP at a level 3 Regional Shortage Level and an effective 15% reduction in regional deliveries effective July 1, 2015, through June 30, 2016. As a result of IRWD's diversified water supplies, IRWD is reliant on MWD for only 20% of its total supplies. IRWD's evaluation of reduced MWD supplies to IRWD as shown in Figures 1a, 2a and 3a for a MWD level 5 Regional Shortage Level would include MWD's 2015 actions to implement a level 3 Regional Shortage Level and 15% reduction.

Under shortage scenarios, IRWD may need to supplement supplies with production of groundwater, which can exceed the applicable basin production percentage on a short-term basis, providing additional reliability during dry years or emergencies.³ In addition, IRWD has developed water banking projects in Kern County, California which may be called upon for delivery of supplemental banked water to IRWD under a short-term MWD allocation.⁴ IRWD may also convert non-potable water uses to recycled water as a way to conserve potable water. In addition, if needed resultant net shortage levels can be addressed by demand reduction programs as described in IRWD's Water Shortage Contingency Plan.

Listed below are Figures provided comparing projected potable water supplies and demands in all of the five year increments, under a temporary MWD allocation scenario:

- Figure 1a: Normal Year Supply and Demand (MWD Allocated) – Potable Water
- Figure 2a: Single Dry-Year Supply and Demand (MWD Allocated) – Potable Water
- Figure 3a: Multiple Dry-Year Supply and Demand (MWD Allocated) – Potable Water

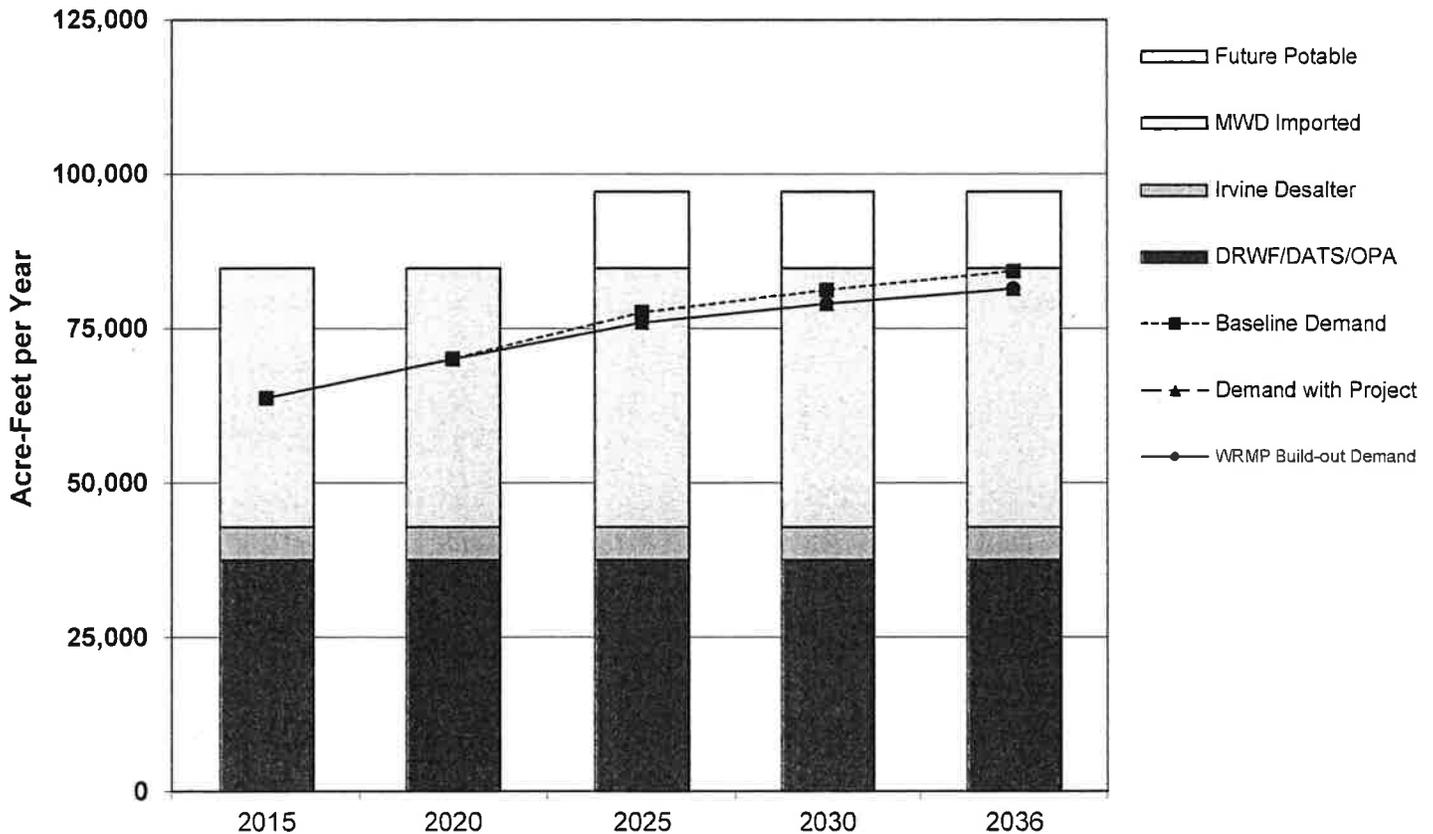
³ In these scenarios, it is anticipated that other water suppliers who produce water from the Orange County Basin will also experience cutbacks of imported supplies and will increase groundwater production and that Orange County Water District (OCWD) imported replenishment water may also be cutback. The OCWD's "2014-2015 Engineer's Report on the groundwater conditions, water supply and basin utilization" references a report (OCWD Report on Evaluation of Orange County Groundwater Basin Storage and Operational Strategy) which recommends a basin management strategy that provides general guidelines for annual basin refill or storage decrease based on the level of accumulated overdraft. It states, "Although it is considered to be generally acceptable to allow the basin to decline to 500,000 AF overdraft for brief periods due to severe drought conditions and lack of supplemental water... an accumulated overdraft of 100,000 AF best represents an optimal basin management target. This optimal target level provides sufficient storage space to accommodate anticipated recharge from a single wet year while also providing water in storage for at least 2 or 3 consecutive years of drought." MWD replenishment water is a supplemental source of recharge water and OCWD estimates other main supply sources for recharge are available.

⁴ IRWD has developed water banking projects (Water Bank) in Kern County, California and has entered into a 30-year water banking partnership with Rosedale-Rio Bravo Water Storage District (RRB) to operate IRWD's Strand Ranch portion of the Water Bank. The Water Bank can improve IRWD's water supply reliability by capturing lower cost water available during wet hydrologic periods for use during dry periods. The Water Bank can enhance IRWD's ability to respond to drought conditions and potential water supply interruptions.

demand deliveries. In addition, MWD discusses DWR's investments in improvements on the SWP and the long term Delta plan in its UWMP (pages 3-19 to 3-22). IRWD has also addressed supply interruption planning in its WRMP and 2010 UWMP.

Recent Actions Related to Drought Conditions. In response to the historically dry conditions throughout the state of California, on April 1, 2015, Governor Brown issued an Executive Order directing the State Water Resources Control Board (SWRCB) to impose restrictions to achieve an aggregate statewide 25 percent reduction in potable water use through February 2016. The Governor's Order also includes mandatory actions aimed at reducing water demands, with a particular focus on outdoor water use. On May 5, 2015, the SWRCB adopted regulations which required that IRWD achieve a 16% reduction in potable water use from the 2013 levels. On November 13, 2015, Governor Brown issued an Executive Order directing the SWRCB to extend the 2015 Emergency Regulation through October 31, 2016 if drought conditions continued. On February 2, 2016, the SWRCB adopted an extended and modified Emergency Regulation. As a result of the modification, IRWD's mandated reduction was changed from 16% to 9% effective March 1, 2016. On April 14, 2015, MWD approved actions to implement the Water Supply Allocation Plan at a level 3 Regional Shortage Level and a 15% reduction in regional deliveries effective July 1, 2015, through June 30, 2016. IRWD has and will continue to implement actions to reduce potable water demands during the drought; however, this does not affect IRWD's long-term supply capability to meet the demands. As discussed under "IRWD's Evaluation of Effect of Reduced MWD Supplies to IRWD" (see above), IRWD has effectively analyzed an imported water supply reduction up to a level 5 Regional Shortage Stage in Figures 1a, 2a, 3a. These Figures do not reflect a reduction in demands thus representing a more conservative view of IRWD's supply capability. In particular, the reduction in demand mandated by Senate Bill 7 in 2010, requiring urban retail water suppliers to establish water use targets to achieve a 20% reduction in daily per capita water use by 2020, has not been factored into the demands in this analysis. Similarly, notwithstanding the Governor's order, IRWD's conservative supply-sufficiency analysis in Figures 1a, 2a and 3a does not include the ordered reduction in potable demands.

**Figure 1
IRWD Normal-Year Supply & Demand - Potable Water**



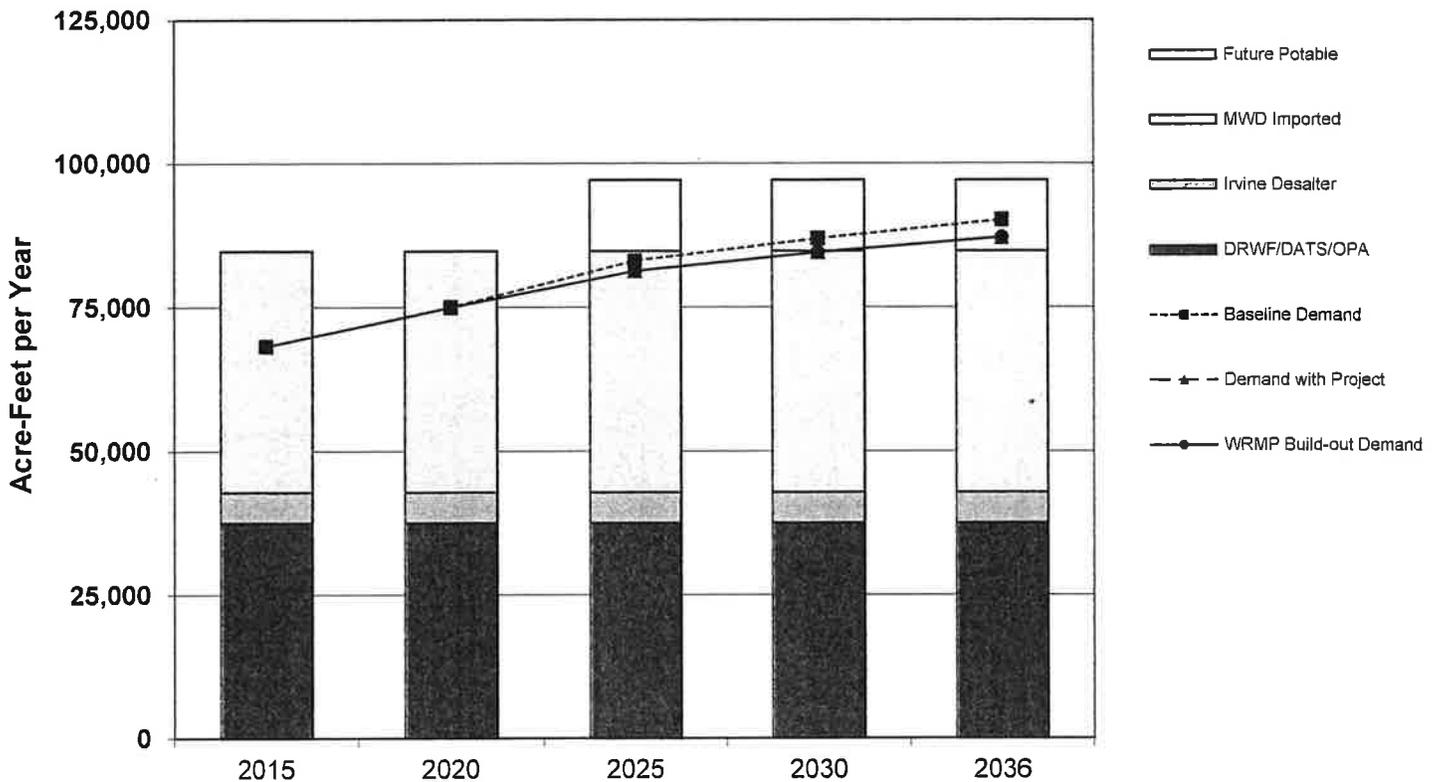
(in acre-feet per year)	2015	2020	2025	2030	2036
Current Potable Supplies					
MWD Imported (EOCF#2, AMP, OCF, Baker)	41,929	41,929	41,929	41,929	41,929
DRWF/DATS/OPA	37,533	37,533	37,533	37,533	37,533
Irvine Desalter	5,309	5,309	5,309	5,309	5,309
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	4,000	4,000	4,000	4,000
Supplies Under Development					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	91,100	95,100	107,452	107,452	107,452
Baseline Demand	63,753	70,137	77,635	81,261	84,276
Demand with Project	63,753	70,057	75,968	79,007	81,435
WRMP Build-out Demand	63,753	70,057	75,968	79,007	81,434
Reserve Supply with Project	27,347	25,043	31,484	28,445	26,017

Notes: By agreement, IRWD is required to count the production from the Irvine Subbasin in calculating available supplies for TIC developments (see Potable Supply-Groundwater).

MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

Baker Water Treatment Plant will be supplied untreated imported water and native water from Irvine Lake.

**Figure 3
IRWD Multiple Dry-Year Supply & Demand - Potable Water**



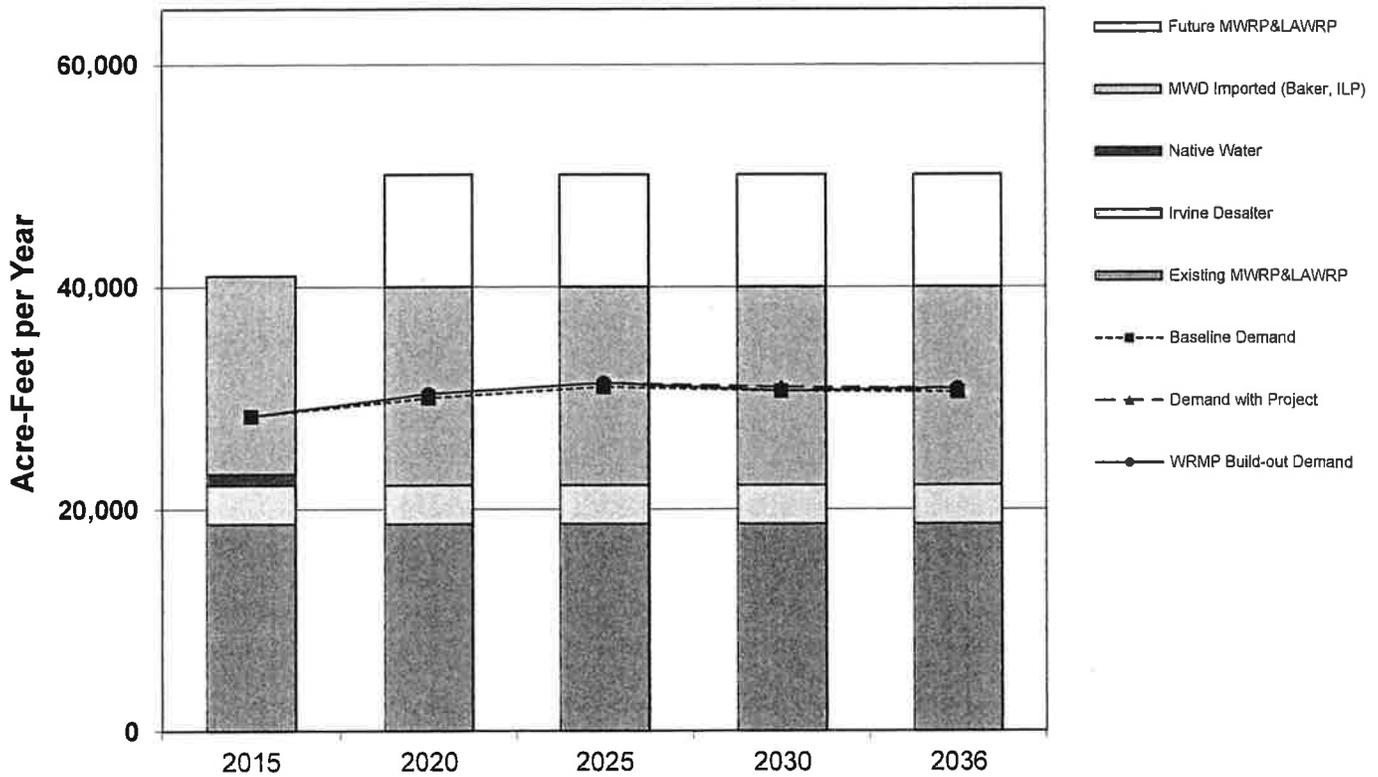
(in acre-feet per year)	2015	2020	2025	2030	2036
Current Potable Supplies					
MWD Imported (EOCF#2, AMP, OCF, B&S)	41,929	41,929	41,929	41,929	41,929
DRWF/DATS/OPA	37,533	37,533	37,533	37,533	37,533
Irvine Desalter	5,309	5,309	5,309	5,309	5,309
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portic)	-	1,000	1,000	1,000	1,000
Supplies Under Development					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	91,100	92,100	104,452	104,452	104,452
Baseline Demand	68,216	75,047	83,069	86,950	90,175
Demand with Project	68,216	74,960	81,285	84,538	87,136
WRMP Build-out Demand	68,216	74,960	81,285	84,538	87,135
Reserve Supply with Project	22,884	17,139	23,167	19,914	17,317

Notes: Supplies identical to Normal-Year based on Metropolitan's Urban Water Management Plan and usage of groundwater under drought conditions (OCWD Master Plan). Demands increased 7% from Normal-Year. By agreement, IRWD is required to count the production from the Irvine Subbasin in calculating available supplies for TIC developments (see Potable Supply-Groundwater).

MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

Baker Water Treatment Plant will be supplied untreated imported water and native water from Irvine Lake.

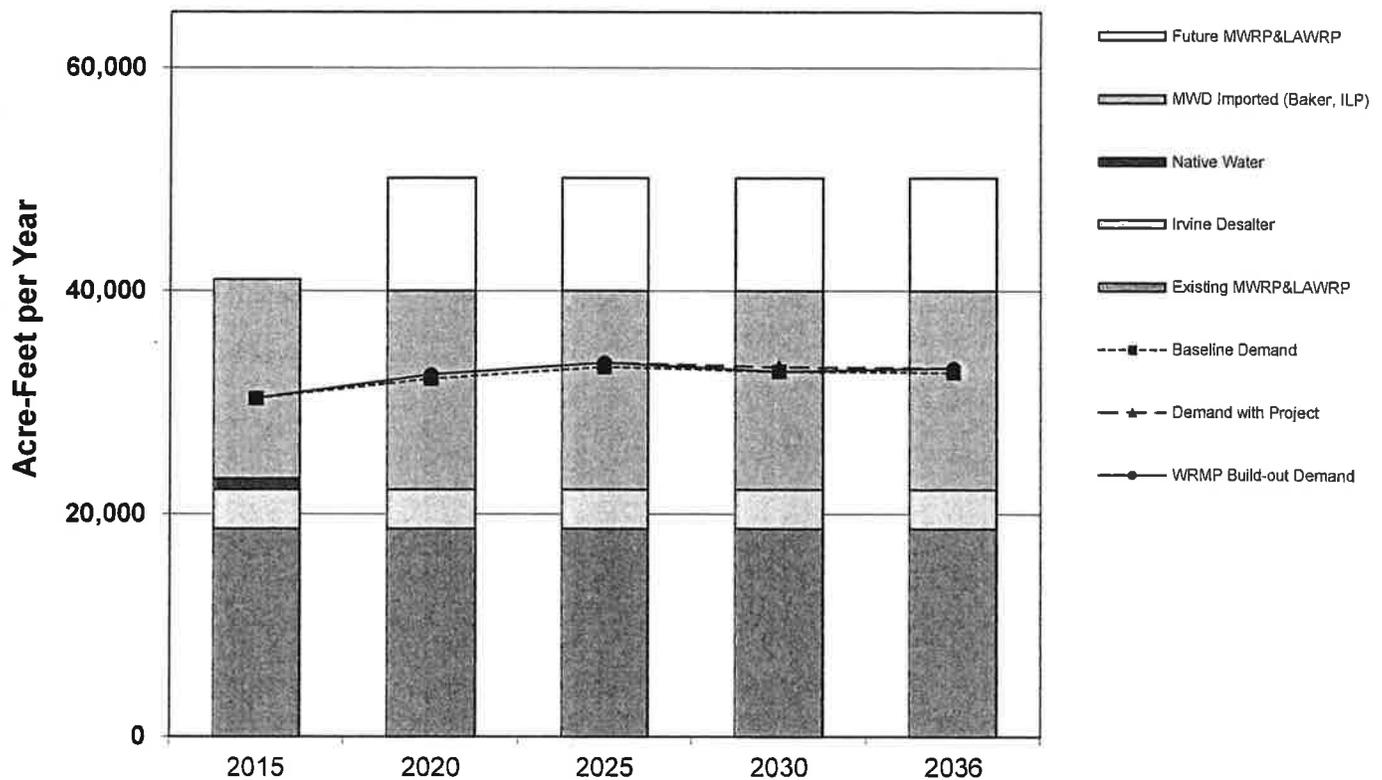
**Figure 5
IRWD Normal-Year Supply & Demand - Nonpotable Water**



(in acre-feet per year)	2015	2020	2025	2030	2036
<u>Current Nonpotable Supplies</u>					
Existing MWRP&LAWRP	18,657	18,657	18,657	18,657	18,657
Future MWRP&LAWRP	-	10,100	10,100	10,100	10,100
MWD Imported (Baker, ILP)	17,826	17,826	17,826	17,826	17,826
Irvine Desalter	3,514	3,514	3,514	3,514	3,514
Native Water	1,000	-	-	-	-
Maximum Supply Capability	40,997	50,097	50,097	50,097	50,097
Baseline Demand	28,381	30,013	31,010	30,625	30,540
Demand with Project	28,381	30,371	31,368	30,983	30,898
WRMP Build-out Demand	28,381	30,371	31,368	30,625	30,898
Reserve Supply with Project	12,616	19,726	18,728	19,472	19,199

Note: Downward trend reflects reduction in agricultural use over time.
 Native water will be treated to potable through the Baker Water Treatment Plant after 2016.
 MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

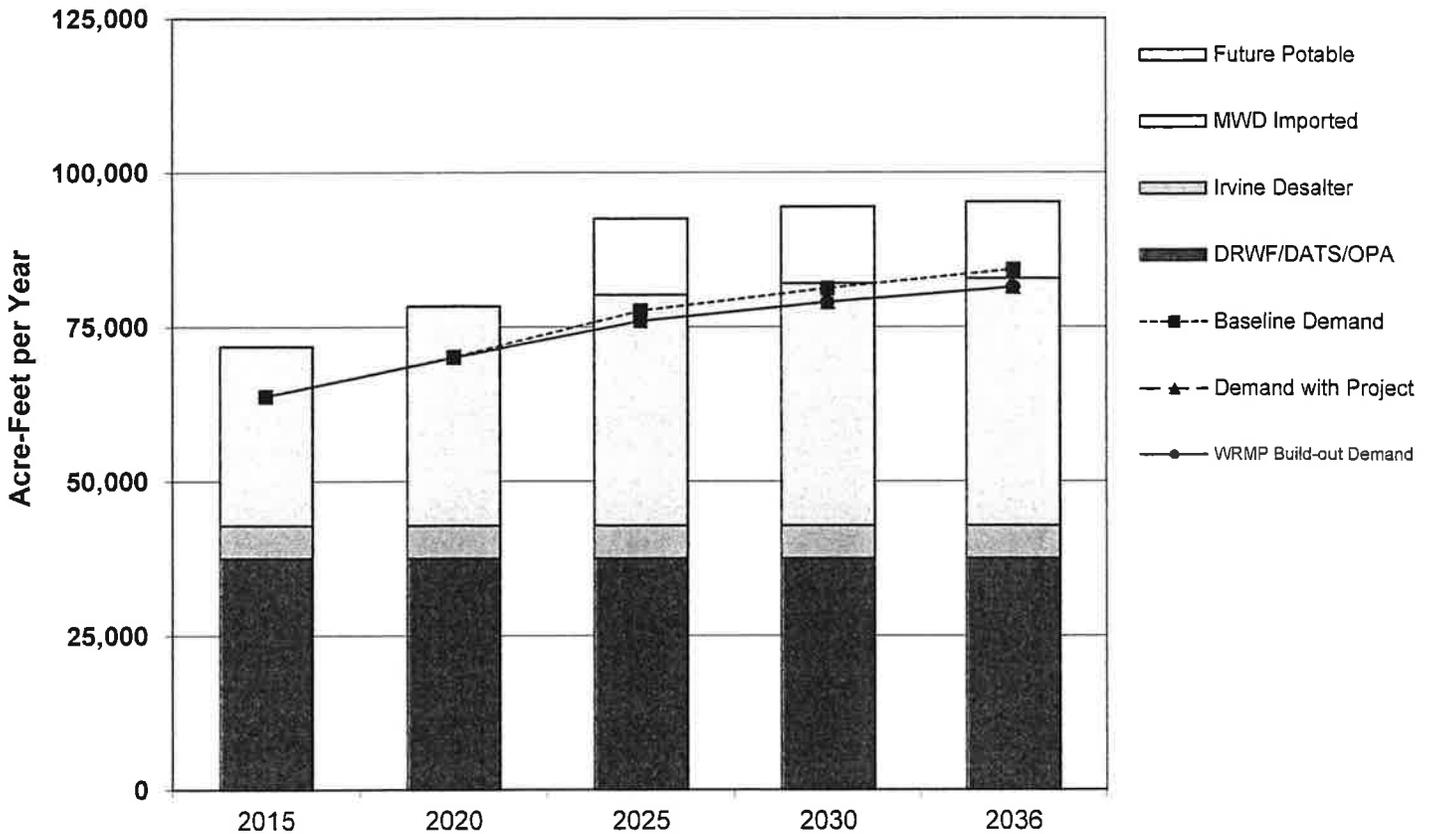
**Figure 7
IRWD Multiple Dry-Year Supply & Demand - Nonpotable Water**



(in acre-feet per year)	2015	2020	2025	2030	2036
Current Nonpotable Supplies					
Existing MWRP&LAWRP	18,657	18,657	18,657	18,657	18,657
Future MWRP&LAWRP	-	10,100	10,100	10,100	10,100
MWD Imported (Baker, ILP)	17,826	17,826	17,826	17,826	17,826
Irvine Desalter	3,514	3,514	3,514	3,514	3,514
Native Water	1,000	-	-	-	-
Maximum Supply Capability	40,997	51,097	50,097	50,097	50,097
Baseline Demand	30,215	31,870	32,838	32,415	31,988
Demand with Project	30,215	31,997	33,014	32,602	32,187
WRMP Build-out Demand	30,215	31,997	33,014	32,415	32,187
Reserve Supply with Project	10,781	19,100	17,083	17,495	17,910

Note: Downward trend reflects reduction in agricultural use over time.
 Native water will be treated to potable through the Baker Water Treatment Plant after 2016.
 MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

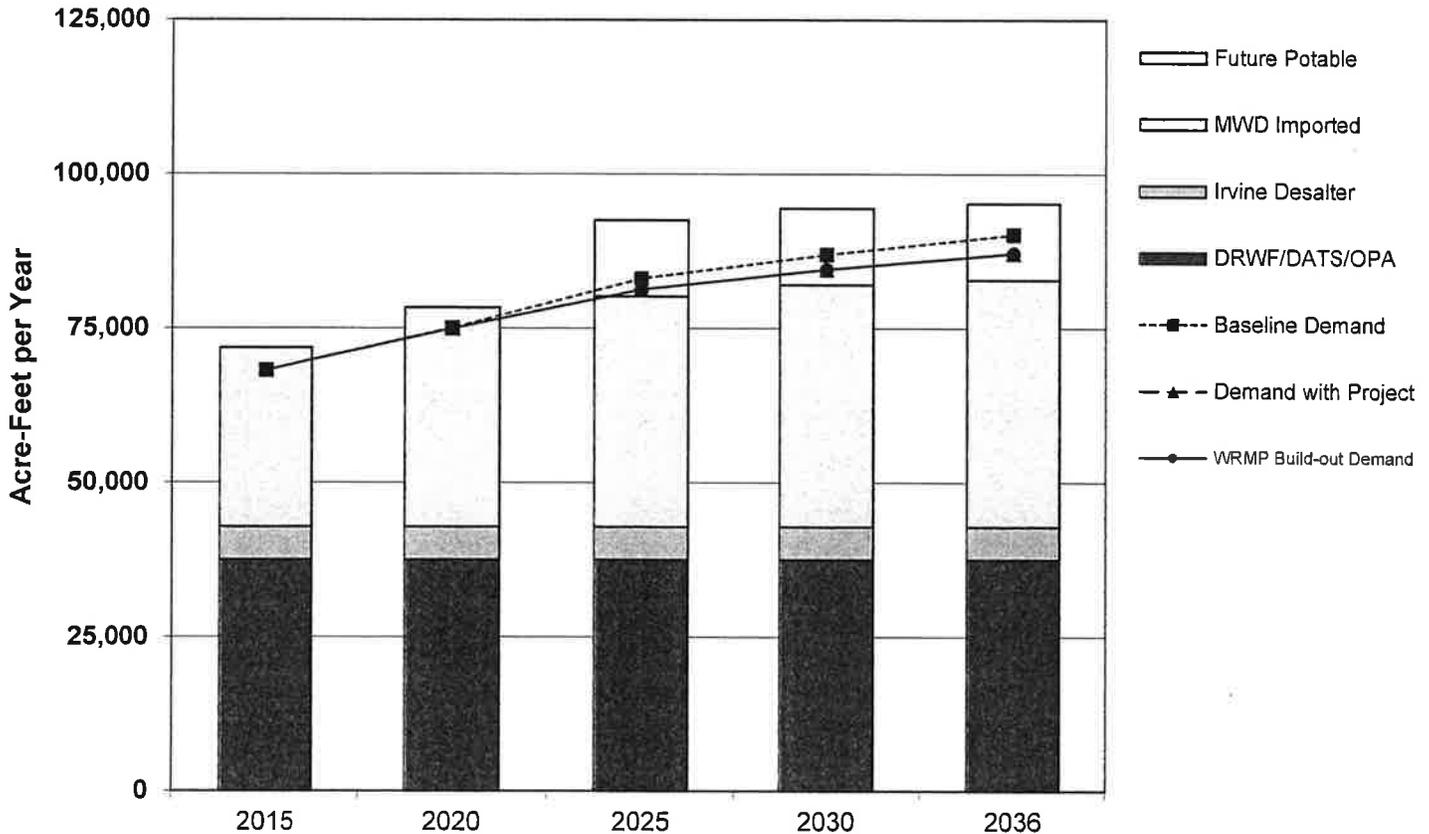
**Figure 1a
IRWD Normal-Year Supply & Demand - Potable Water
Under Temporary MWD Allocation***



(in acre-feet per year)	2015	2020	2025	2030	2036
<u>Current Potable Supplies</u>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	29,000	35,500	37,311	39,214	40,002
DRWF/DATS/OPA	37,533	37,533	37,533	37,533	37,533
Irvine Desalter	5,309	5,309	5,309	5,309	5,309
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	1,000	1,000	1,000	1,000
<u>Supplies Under Development</u>					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	78,170	85,670	99,834	101,737	102,525
Baseline Demand	63,753	70,137	77,635	81,261	84,276
Demand with Project	63,753	70,057	75,968	79,007	81,435
WRMP Build-out Demand	63,753	70,057	75,968	79,007	81,435
Reserve Supply with Project	14,417	15,614	23,866	22,730	21,090

*For illustration purposes, IRWD has shown MWD Imported Supplies as estimated under a short-term allocation, Shortage Stage 3 in all of the 5-year increments. However, it is likely that such a scenario would only be temporary. Under a MWD Allocation, IRWD could supplement supplies with groundwater production which can exceed applicable basin percentages on a short-term basis or transfer water from IRWD's water bank. IRWD may also reduce demands by implementing shortage contingency measures as described in the UWMP. Under a MWD Allocation, the Baker WTP would be limited to available MWD and native water only.

Figure 3a
IRWD Single Dry-Year Supply & Demand - Potable Water
Under Temporary MWD Allocation*



(in acre-feet per year)	2015	2020	2025	2030	2036
Current Potable Supplies					
MWD Imported (EOCF#2, AMP, OCF, Baker)	29,000	35,500	37,311	39,214	40,002
DRWF/DATS/OPA	37,533	37,533	37,533	37,533	37,533
Irvine Desalter	5,309	5,309	5,309	5,309	5,309
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	1,000	1,000	1,000	1,000
Supplies Under Development					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	78,170	85,670	99,834	101,737	102,525
Baseline Demand	68,216	75,047	83,069	86,950	90,175
Demand with Project	68,216	74,960	81,285	84,538	87,136
WRMP Build-out Demand	68,216	74,960	81,285	84,538	87,135
Reserve Supply with Project	9,955	10,710	18,548	17,199	15,389

*For illustration purposes, IRWD has shown MWD Imported Supplies as estimated under a short-term allocation, Shortage Stage 3 in all of the 5-year increments. However, it is likely that such a scenario would only be temporary. Under a MWD Allocation, IRWD could supplement supplies with groundwater production which can exceed applicable basin percentages on a short-term basis or transfer water from IRWD's water bank. IRWD may also reduce demands by implementing shortage contingency measures as described in the UWMP. Under a MWD Allocation, the Baker WTP would be limited to available MWD and native water only.

(b) Required information concerning currently available and under-development water supply entitlements, water rights and water service contracts:

(1) Written contracts or other proof of entitlement.^{5 6}

• POTABLE SUPPLY - IMPORTED⁷

Potable imported water service connections (currently available).

(i) Potable imported water is delivered to IRWD at various service connections to the imported water delivery system of The Metropolitan Water District of Southern California ("MWD"): service connections CM-01A and OC-7 (Orange County Feeder); CM-10, CM-12, OC-38, OC-39, OC-57, OC-58, OC-63 (East Orange County Feeder No. 2); and OC-68, OC-71, OC-72, OC-73/73A, OC-74, OC-75, OC-83, OC-84, OC-87 (Allen-McColloch Pipeline). IRWD's entitlements regarding service from the MWD delivery system facilities are described in the following paragraphs and summarized in the above Table ((2)(a)(1)). IRWD receives imported water service through Municipal Water District of Orange County ("MWDOC"), a member agency of MWD.

Allen-McColloch Pipeline ("AMP") (currently available).

(ii) Agreement For Sale and Purchase of Allen-McColloch Pipeline, dated as of July 1, 1994 (Metropolitan Water District Agreement No. 4623) ("AMP Sale Agreement"). Under the AMP Sale Agreement, MWD purchased the Allen-McColloch Pipeline (formerly known as the "Diemer Intertie") from MWDOC, the MWDOC Water Facilities Corporation and certain agencies, including IRWD and Los Alisos Water District ("LAWD"),⁸ identified as "Participants" therein. Section 5.02 of the AMP Sale Agreement obligates MWD to meet IRWD's and the other Participants' requests for deliveries and specified minimum hydraulic grade lines at each connection serving a Participant, subject to availability of water. MWD agrees to operate the AMP as any other MWD pipeline. MWD has the right to

⁵ In some instances, the contractual and other legal entitlements referred to in the following descriptions are stated in terms of flow capacities, in cubic feet per second ("cfs"). In such instances, the cfs flows are converted to volumes of AFY for purposes of analyzing supply sufficiency in this assessment, by dividing the capacity by a peaking factor of 1.8 (potable) or 2.5 (nonpotable), consistent with maximum day peaking factors used in the WRMP. The resulting reduction in assumed available annual AFY volumes through the application of these factors recognizes that connected capacity is provided to meet peak demands and that seasonal variation in demand and limitations in local storage prevent these capacities from being utilized at peak capacity on a year-round basis. However, the application of these factors produces a conservatively low estimate of annual AFY volumes from these connections; additional volumes of water are expected to be available from these sources.

⁶ In the following discussion, contractual and other legal entitlements are characterized as either potable or nonpotable, according to the characterization of the source of supply. Some of the nonpotable supplies surplus to nonpotable demand could potentially be rendered potable by the addition of treatment facilities; however, except where otherwise noted, IRWD has no current plans to do so.

⁷ See Imported Supply - Additional Information, below, for information concerning the availability of the MWD supply.

⁸ IRWD has succeeded to LAWD's interests in the AMP and other LAWD water supply facilities and rights mentioned in this assessment, by virtue of the consolidation of IRWD and LAWD on December 31, 2000.

District), MWD, Coastal Municipal Water District ("Coastal"), Anaheim and Santa Ana. A portion of IRWD's territory is within MWDOC and the remainder is within the former Coastal (which was consolidated with MWDOC in 2001). Under the IRWD MWDOC Assignment Agreement, MWDOC assigned 41 cfs of capacity to IRWD in the reaches of EOCF#2 upstream of the point known as Coastal Junction (reaches 1 through 3), and 27 cfs in reach 4, downstream of Coastal Junction. Similarly, under the IRWD Coastal Assignment Agreement, prior to Coastal's consolidation with MWDOC, Coastal assigned to IRWD 0.4 cfs of capacity in reaches 1 through 3 and 0.6 cfs in reach 4 of EOCF#2. Delivery of water through EOCF#2 is subject to the rules and regulations of MWD and MWDOC, and is further subject to application and agreement of IRWD respecting turnouts.

Orange County Feeder (currently available)

(vi) Agreement, dated March 13, 1956. This 1956 Agreement between MWDOC's predecessor district and the Santa Ana Heights Water Company ("SAHWC") provides for delivery of MWD imported supply to the former SAHWC service area. SAHWC's interests were acquired on behalf of IRWD through a stock purchase and IRWD annexation of the SAHWC service area in 1997. The supply is delivered through a connection to MWD's Orange County Feeder designated as OC-7.

(vii) Agreement For Transfer of Interest In Pacific Coast Highway Water Transmission and Storage Facilities From The Irvine Company To the Irvine Ranch Water District, dated April 23, 1984; Joint Powers Agreement For the Construction, Operation and Maintenance of Sections 1a, 1b and 2 of the Coast Supply Line, dated June 9, 1989; Agreement, dated January 13, 1955 ("1955 Agreement"). The jointly constructed facility known as the Coast Supply Line ("CSL"), extending southward from a connection with MWD's Orange County Feeder at Fernleaf Street in Newport Beach, was originally constructed pursuant to a 1952 agreement among Laguna Beach County Water District ("LBCWD"), The Irvine Company (TIC) and South Coast County Water District. Portions were later reconstructed. Under the above-referenced transfer agreement in 1984, IRWD succeeded to TIC's interests in the CSL. The CSL is presently operated under the above-referenced 1989 joint powers agreement, which reflects IRWD's ownership of 10 cfs of capacity. The 1989 agreement obligates LBCWD, as the managing agent and trustee for the CSL, to purchase water and deliver it into the CSL for IRWD. LBCWD purchases such supply, delivered by MWD to the Fernleaf connection, pursuant to the 1955 Agreement with Coastal (now MWDOC).

(the "DRWF Agreement"). The DRWF Agreement, among IRWD, OCWD and Santa Ana, concerns the development of IRWD's Dyer Road Wellfield ("DRWF"), within the Basin. The DRWF consists of 16 wells pumping from the non-colored water zone of the Basin and 2 wells (with colored-water treatment facilities) pumping from the deep, colored-water zone of the Basin (the colored-water portion of the DRWF is sometimes referred to as the Deep Aquifer Treatment System or "DATS".) Under the DRWF Agreement, an "equivalent" basin production percentage (BPP) has been established for the DRWF, currently 28,000 AFY of non-colored water and 8,000 AFY of colored water, provided any amount of the latter 8,000 AFY not produced results in a matching reduction of the 28,000 AFY BPP. Although typically IRWD production from the DRWF does not materially exceed the equivalent BPP, the equivalent BPP is not an extraction limitation; it results in imposition of monetary assessments on the excess production. The DRWF Agreement also establishes monthly pumping amounts for the DRWF. With the addition of the Concentrated Treatment System (CATS), IRWD has increased the yield of DATS.

Irvine Subbasin / Irvine Desalter (currently available)

(iv) First Amended and Restated Agreement, dated March 11, 2002, as amended June 15, 2006, restating May 5, 1988 agreement ("Irvine Subbasin Agreement"). TIC has historically pumped agricultural water from the Irvine Subbasin. (As in the rest of the Basin of which this subbasin is a part, the groundwater rights have not been adjudicated, and OCWD provides governance and management under the Act.) The 1988 agreement between IRWD and TIC provided for the joint use and management of the Irvine Subbasin. The 1988 agreement further provided that the 13,000 AFY annual yield of the Irvine Subbasin would be allocated 1,000 AFY to IRWD and 12,000 AFY to TIC. Under the restated Irvine Subbasin Agreement, the foregoing allocations were superseded as a result of TIC's commencement of the building its Northern Sphere Area project, with the effect that the Subbasin production capability, wells and other facilities, and associated rights have been transferred from TIC to IRWD, and IRWD has assumed the production from the Subbasin. In consideration of the transfer, IRWD is required to count the supplies attributable to the transferred Subbasin production in calculating available supplies for the Northern Sphere Area project and other TIC development and has agreed that they will not be counted toward non-TIC development.

A portion of the existing Subbasin water production facilities produce water which is of potable quality. IRWD could treat some of the water produced from the Subbasin for potable use, by means of the Desalter and other projects. Although, as noted above, the Subbasin has not been adjudicated and is managed by OCWD, TIC reserved water rights from conveyances of its lands as development over the Subbasin has occurred, and under the Irvine Subbasin Agreement TIC has transferred its rights to IRWD.

(v) Second Amended and Restated Agreement Between Orange County Water District and Irvine Ranch Water District Regarding the Irvine Desalter Project, dated June 11, 2001, and other agreements referenced therein. This agreement provides for the extraction and treatment of subpotable groundwater from the Irvine Subbasin, a portion of the Basin. As is the case with the remainder of the Basin, IRWD's entitlement to extract this water is not adjudicated, but the use of

Water Reclamation Plant Expansion (currently available)

IRWD completed construction of the Michelson Water Reclamation Plant Phase 2 Capacity Expansion Project to tertiary capacity of 28 MGD. With this expansion, IRWD increased its tertiary treatment capacity on the existing MWRP site to produce sufficient recycled water to meet the projected demand in the year 2036. Additional reclamation capacity will augment local nonpotable supplies and improve reliability.

•NONPOTABLE SUPPLY - IMPORTED¹⁰

Baker Pipeline (currently available)

Santiago Aqueduct Commission Joint Powers Agreement, dated September 11, 1961, as amended December 20, 1974, January 13, 1978, November 1, 1978, September 1, 1981, October 22, 1986, and July 8, 1999 (the "SAC Agreement"); Agreement Between Irvine Ranch Water District and Carma-Whiting Joint Venture Relative to Proposed Annexation of Certain Property to Irvine Ranch Water District, dated May 26, 1981 (the "Whiting Annexation Agreement"). Service connections OC-13/13A, OC-33/33A. The imported untreated water pipeline initially known as the Santiago Aqueduct and now known as the Baker Pipeline was constructed under the SAC Agreement, a joint powers agreement. The Baker Pipeline is connected to MWD's Santiago Lateral. IRWD's capacity in the Baker Pipeline includes the capacity it subleases as successor to LAWD, as well as capacity rights IRWD acquired through the Whiting Annexation Agreement. (To finance the construction of AMP parallel untreated reaches which were incorporated into the Baker Pipeline, replacing original SAC untreated reaches that were made a part of the AMP potable system, it was provided that the MWDOC Water Facilities Corporation, and subsequently MWDOC, would have ownership, and the participants would be sublessees.) IRWD's original capacities in the Baker Pipeline include 52.70 cfs in the first reach, 12.50 cfs in each of the second, third and fourth reaches and 7.51 cfs in the fifth reach of the Baker Pipeline. These existing Baker Pipeline capacities have been apportioned to the Baker WTP participants based on Baker WTP capacity ownership. IRWD retains 10.5 cfs of the pipeline capacity for potable supply through the Baker WTP and retains 36 cfs in Reach 1U of the Baker Pipeline capacity for nonpotable supply (See also footnote 10, page 27). Water is subject to availability from MWD.

•NONPOTABLE SUPPLY - NATIVE

Irvine Lake (currently available)

(i) Permit For Diversion and Use of Water (Permit No. 19306) issued pursuant to Application No. 27503; License For Diversion and Use of Water (License 2347) resulting from Application No. 4302 and Permit No. 3238; License For Diversion

¹⁰ See Imported Supply - Additional Information, below, for information concerning the availability of the MWD supply.

Subbasin Agreement under Potable Supply - Groundwater; paragraph (iv), above.

(ii) See discussion of the Irvine Desalter project under Potable Supply - Groundwater, paragraph (v), above. The Irvine Desalter project will produce nonpotable as well as potable water.

•IMPORTED SUPPLY - ADDITIONAL INFORMATION

As described above, the imported supply from MWD is contractually subject to availability. To assist local water providers in assessing the adequacy of local water supplies that are reliant in whole or in part on MWD's imported supply; MWD has provided information concerning the availability of the supplies to its entire service area. In MWD's UWMP, MWD has extended its planning timeframe out through 2040 to ensure that MWD's UWMP may be used as a source document for meeting requirements for sufficient supplies. In addition, the MWD UWMP includes "Justifications for Supply Projections" (Appendix A-3) that details the planning, legal, financial, and regulatory basis for including each source of supply in the plan. The MWD UWMP summarizes MWD's planning initiatives over the past 15 years, which includes the Integrated Resources Plan (IRP), the IRP 2015 Update, the WSDM Plan, Strategic Plan and Rate Structure. The reliability analysis in MWD's 2015 IRP Update showed that MWD can maintain reliable supplies under the conditions that have existed in past dry periods throughout the period through 2040. The MWD UWMP includes tables that show the region can provide reliable supplies under both the single driest year (1977) and multiple dry years (1990-92) through 2040. MWD has also identified buffer supplies, including additional State Water Project groundwater storage and transfers that could serve to supply the additional water needed.

It is anticipated that MWD will revise its regional supply availability analysis periodically, if needed, to supplement the MWD UWMP in years when the MWD UWMP is not being updated.

IRWD is permitted by the statute to rely upon the water supply information provided by the wholesaler concerning a wholesale water supply source, for use in preparing its UWMPs. In turn, the statute provides for the use of UWMP information to support water supply assessments and verifications. In accordance with these provisions, IRWD is entitled to rely upon the conclusions of the MWD UWMP. As referenced above under Summary of Results of Demand-Supply Comparisons - Recent Actions on Delta Pumping, MWD has provided additional information on its imported water supply.

MWD's reserve supplies, together with the fact that IRWD relies on MWD supplies as supplemental supplies that need not be used to the extent IRWD operates currently available and under-development local supplies, build a margin of safety into IRWD's supply availability.

(2) Adopted capital outlay program to finance delivery of the water supplies.

All necessary delivery facilities currently exist for the use of the *currently available* and *under-development* supplies assessed herein, with the exception of

service contractholders that receive a water supply from, or have existing water supply entitlements, water rights and water service contracts to, that source(s):

Water has been received from all listed sources. A small quantity of Subbasin water is used by Woodbridge Village Association for the purpose of supplying its North and South Lakes. There are no other public water systems or water service contractholders that receive a water supply from, or have existing water supply entitlements, water rights and water service contracts to, the Irvine Subbasin.

4. Information concerning groundwater included in the supply identified for the Project:

(a) Relevant information in the Urban Water Management Plan (UWMP):

See Irvine Ranch Water District 2010 UWMP, sections 4-D through 4-J.

(b) Description of the groundwater basin(s) from which the Project will be supplied:

The Orange County Groundwater Basin ("Basin") is described in the Groundwater Management Plan ("GMP") 2015 Update Final Draft, dated June 17, 2015¹². The rights of the producers within the Basin vis a vis one another have not been adjudicated. The Basin is managed by the Orange County Water District (OCWD) for the benefit of municipal, agricultural and private groundwater producers. OCWD is responsible for the protection of water rights to the Santa Ana River in Orange County as well as the management and replenishment of the Basin. Current production from the Basin is approximately 331,000 AFY.

The Department of Water Resources has not identified the Basin as overdrafted in its most current bulletin that characterizes the condition of the Basin, Bulletin 118 (2003). The efforts being undertaken by OCWD to eliminate long-term overdraft in the Basin are described in the OCWD MPR, including in particular, Chapters 4, 5, 6, 14 and 15 of the MPR. In addition to Orange County Water District (OCWD) reports listed in the Assessment Reference List, OCWD has also prepared a Long Term Facilities Plan ("LTFP") which was received by the OCWD Board in July 2009, and was last updated in November 2014. The LTFP Chapter 3 describes the efforts being undertaken by OCWD to eliminate long-term overdraft in the Basin.

Although the water supply assessment statute (Water Code Section 10910(f)) refers to elimination of "long-term overdraft," overdraft includes conditions which may be managed for optimum basin storage, rather than eliminated. OCWD's Act defines annual groundwater overdraft to be the quantity by which production exceeds the natural replenishment of the Basin. Accumulated overdraft is defined in the OCWD Act to be the quantity of water needed in the groundwater basin forebay to prevent landward movement of seawater into the fresh groundwater body. However, seawater intrusion control facilities have been constructed by OCWD since the Act was written, and have been effective in preventing landward movement of seawater. These facilities allow greater

¹² OCWD has also prepared a Long-Term Facilities Plan which was received and filed by its Board in July 2009, and last updated in November 2014.

2008	36,741	4,539	0	16
2007	37,864	5,407	0	6
2006	37,046	2,825	0	268
2005	36,316	2,285	628	357
2004	30,265	1,938	3,079	101
2003	24,040	2,132	4,234	598
2002	25,855	2,533	5,075	744

(d) Description and analysis of the amount and location of groundwater projected to be pumped by IRWD from the Basin:

IRWD has a developed groundwater supply of 35,200 AFY from its Dyer Road Wellfield (including the Deep Aquifer Treatment System), in the main portion of the Basin.

Although TIC's historical production from the Subbasin declined as its use of the Subbasin for agricultural water diminished, OCWD's and other historical production records for the Subbasin show that production has been as high as 13,000 AFY. Plans are also underway to expand IRWD's main Orange County Groundwater Basin supply (characterized as *under-development* supplies herein). (See Section 2 (a) (1) herein). IRWD anticipates the development of additional production facilities within both the main Basin and the Irvine Subbasin. However, such additional facilities have not been included or relied upon in this assessment. Additional groundwater development will provide an additional margin of safety as well as reduce future water supply costs to IRWD.

The following table summarizes future IRWD groundwater production from currently available and under-development supplies.

(In AFY)

Year (ending 6/30)	DRWF ¹⁴	Future GW ¹⁵	IDP (Potable)	IDP (Nonpotable)
2020	43,300	0	5,640	3,898
2025	43,300	12,352	5,640	3,898
2035	43,300	12,352	5,640	3,898
2040	43,300	12,352	5,640	3,898

(e) If not included in the 2010 UWMP, analysis of the sufficiency of groundwater projected to be pumped by IRWD from the Basin to meet to meet the projected water demand of the Project:

¹⁴ See Potable Supply - Groundwater, paragraph (iii), above. DRWF non-colored production above 28,000 AFY and colored water production above 8,000 AFY are subject to contractually-imposed assessments. In addition, seasonal production amounts apply. This also includes 1,000 AFY for the OPA well and 6,300 for Wells 21&22.

¹⁵ Under development.

5. **This Water Supply Assessment is being completed for a project included in a prior water supply assessment. Check all of the following that apply:**

- Changes in the Project have substantially increased water demand.
- Changes in circumstances or conditions have substantially affected IRWD's ability to provide a sufficient water supply for the Project.
- Significant new information has become available which was not known and could not have been known at the date of the prior Water Supply Assessment.

6. References

Water Resources Master Plan, Irvine Ranch Water District, Updated 2007

Section 15 of the Rules and Regulations – Water Conservation and Water Supply Shortage Program, Irvine Ranch Water District, February 2009

Water Shortage Contingency Plan, Irvine Ranch Water District, February 2009

2010 Urban Water Management Plan, Irvine Ranch Water District, June, 2011

Southern California's Integrated Water Resources Plan, Metropolitan Water District of Southern California, March 1996

Proposed Framework for Metropolitan Water District's Delta Action Plan, Metropolitan Water District of Southern California, May 8, 2007

2007 IRP Implementation Report, Metropolitan Water District of Southern California, October 7, 2007

Board Letter, Action plan for updating the Integrated Resources Plan, Metropolitan Water District of Southern California, December 11, 2007

2010 Integrated Resources Plan Update, Metropolitan Water District of Southern California, October 2010

2015 Integrated Resources Plan Update, Metropolitan Water District of Southern California, January 2016

Draft 2015 Urban Water Management Plan, Metropolitan Water District of Southern California, March 2016

Master Plan Report, Orange County Water District, April, 1999

Groundwater Management Plan, Orange County Water District, March, 2004

Final Draft Long-Term Facilities Plan, Orange County Water District, January 2006

Long-Term Facilities Plan 2014 Update, Orange County Water District, November 2014

April 6, 2016

Lisa Sabo, President
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Minoo Ashabi, Principal Planner
City of Costa Mesa – Development Services Department
77 Fair Drive,
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Re: Draft Environmental Impact Report for the 2015-2035 General Plan March 4, 2016,
State Clearinghouse No. 2015111068

Dear Ms. Ashabi,

The Orange County Fairgrounds Preservation Society (OCFPS) is submitting comments with regards to the Draft Environmental Impact Report for the 2015-2035 General Plan March 4, 2016, State Clearinghouse No. 2015111068

OCFPS is a group of stakeholders including businesses and community members, of the 32nd District Agricultural Association (32nd DAA), more commonly known as the Orange County Fairgrounds and Orange County Fair and Event Center.

In 2012, OCFPS reached a settlement agreement regarding the continued operation of the Pacific Amphitheatre located on the 32nd DAA property (2012 Pac Amp Settlement Agreement). The 2012 Pac Amp Settlement Agreement included existing noise standards, required the hiring and usage of a qualified sound monitor for all events in the Pacific Amphitheatre and required that all users of the Pacific Amphitheatre and talent be contractually obligated to obey the noise limits and directions of the qualified sound monitor.

In Section 4 Environmental Impact Analysis, Noise 4.12, noise limits imposed by the terms of the 1990 Order are incorporated as part of the above referenced draft EIR. OCFPS requests that the entire agreement 2012 Pacific Amphitheatre Settlement Agreement be incorporated in the above referenced draft EIR. A copy of the 2012 Pacific Amphitheatre Settlement Agreement is attached to this document.

Sincerely,



Lisa Sabo
OCFPS President

SETTLEMENT AND RELEASE AGREEMENT
ORANGE COUNTY FAIRGROUNDS PRESERVATION SOCIETY vs. 32ND DISTRICT
AGRICULTURAL ASSOCIATION, a public agency,

(Orange County Superior Court, Case No. 30-2012-00538751)

This Settlement and Release Agreement ("Agreement") is being made by and among the following Parties: (1) Orange County Fairgrounds Preservation Society ("SOCIETY") and (2) 32nd District Agricultural Association, a California public agency ("ASSOCIATION"). SOCIETY and ASSOCIATION may be referred to herein individually as a "Party" or collectively as "Parties."

I. BACKGROUND RECITALS

1.1 ASSOCIATION is a California state institution that operates the Orange County Fairgrounds.

1.2 SOCIETY is a California non-profit corporation organized to preserve the Orange County Fairgrounds as a valuable public asset consistent with the rights of the surrounding residents of the City of Costa Mesa.

1.3 As part of the operation of the Orange County Fairgrounds, the ASSOCIATION adopted a Master Plan for the Development of the Fairgrounds (the "Master Plan"). In the fall of 2011, the Board of Directors of the ASSOCIATION approved the initiation of a planning process for the implementation of the Master Plan with respect to the Pacific Amphitheater providing for the reengineering of the berm, the relocation of the main entry north of the existing entry and the creation of paved multi-purpose areas in the space created by the reengineered berm (the "Project"). The proposed extent of the Project is described in Exhibit A.

1.4 The parties are in disagreement with respect to whether the initiation of the planning process amounted to a project within the meaning of the California Environmental Quality Act.

1.5 On December 15, 2011, the Board of Directors of the ASSOCIATION elected to treat the implementation of the Pacific Amphitheater improvements as a project under CEQA, reconsidering its previous action and approved proceeding with the design of Project.

1.6 On December 21, 2011, the ASSOCIATION filed a Notice of Determination with respect to the Project.

1.7 In the past there have been disputes among the ASSOCIATION, operators of the Pacific Amphitheater and homeowners living in adjacent neighborhoods with respect to the appropriate noise level standards that should apply to events at the Pacific Amphitheater.

1.8 In 1980, the City of Costa Mesa and the ASSOCIATION entered into a settlement agreement that, among other things, addressed noise related issues in residential zones.

1.9 In 1990, the court in the matter of Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association (Orange County Superior Court No. 42 07 28 and 55 65 08) established certain stair step sound level standards applicable to events at the Pacific Amphitheater.

1.10 Since 2003, when the ASSOCIATION commenced conducting events in the Pacific Amphitheater, the ASSOCIATION has employed a sound monitor (the "Sound Monitor") to monitor sound levels during Pacific Amphitheater events in the adjacent neighborhoods to ensure compliance with the Sound Level Standard. Since that time, very few complaints about noise from the Pacific Amphitheater have been received and all were resolved by the Sound Monitor by requiring the noise levels to be adjusted.

1.11 On January 20, 2012, SOCIETY filed a Petition for Writ of Mandate challenging the Project under the California Environmental Quality Act ("CEQA"), Public Resources Code, Sections 21000 *et seq.*, naming the ASSOCIATION as Respondent. The civil proceeding is known as Orange County Fairgrounds Preservation Society v. 32nd District Agricultural Association, a public agency, (Orange County Superior Court, Case No. 30-2012-00538751) ("Pacific Amphitheater Action"). That matter is now pending before Judge John C. Gastelum in Department C 09.

1.12 SOCIETY and ASSOCIATION desire to settle the Pacific Amphitheater Action once and for all in order to avoid the expense and delay of litigation and without any admission of liability.

1.13 The specific terms and conditions of this Agreement, as set forth in detail below, are a compromise and do not necessarily reflect the Parties' views of what may be required under CEQA or other laws.

1.14 Before executing this Agreement, each of the Parties consulted with separate, independent attorneys of their own respective choosing in order to review the terms and provisions of this Agreement and to satisfy themselves that executing it is in their respective best interests.

Against this background and for a valuable consideration, the receipt and sufficiency of which is now acknowledged, the Parties agree as follows:

2. OBLIGATIONS OF THE PARTIES

2.1 Obligations of ASSOCIATION

2.1.1 Marketing Notice of Complaint System. The ASSOCIATION will maintain a complaint system both by telephone and internet which accepts and monitors complaints arising out of Pacific Amphitheater operations and promptly refers those complaints to the persons authorized to take remedial actions on the complaints. For sound complaints for an event at the Pacific Amphitheater, this referral shall be substantially immediate. The ASSOCIATION shall include advisements of contact information for the complaint system in its mailings to the nearby residential community including College Park, Mesa Del Mar and any other residential areas which may be

substantially impacted by operation of the Pacific Amphitheater and shall post the complaint system and contact information on its website.

2.1.2 **Construction of Improvements.** The ASSOCIATION shall cause improvements to the Pacific Amphitheater to be in compliance with the Master Plan which was the subject of the EIR Certified on August 23, 2003. The ASSOCIATION agrees that the Project shall be designed so that the sound attenuation aspects of the Pacific Amphitheater shall be at least as effective as the current configuration. Upon completion of the Project, the ASSOCIATION shall conduct appropriate analysis to confirm that this design standard has been met. The Parties agree that the Project as defined herein is consistent with the Master Plan. Any further changes to the Project or the Pacific Amphitheater shall be reviewed as required by law. The ASSOCIATION shall continue to study sound attenuation for the Pacific Amphitheater in connection with any further improvements to the Pacific Amphitheater and shall incorporate improvements and methods of operation which reasonably reduce sound levels reaching the residential neighborhoods from the Pacific Amphitheater at the discretion of the ASSOCIATION.

2.1.3 **Sound Limits for Events at the Pacific Amphitheater.** The residential zones sound level standards and limits applicable to the Pacific Amphitheater shall be as follows (the "Pac Amp Sound Level Standards"):

(a) Pacific Amphitheater Events During the Fair Season. For the purposes of this Agreement the term "Fair Season" shall mean one week prior to and one week following the state approved schedule for the Orange County Fair.

Sound Level Standards

<u>Sound Level</u>	<u>Time Period</u>	<u>Day of Week</u>
55 dB(A)	07:00 a.m. – 10:30 p.m.	Sun. – Thur.
50 dB(A)	10:30 p.m. – 07:00 a.m.	Sun. – Thur.
55 dB(A)	07:00 a.m. – 11:00 p.m.	Fri. – Sat.
50 dB(A)	11:00 p.m. – 07:00 a.m.	Fri. – Sat.

(b) Events Outside of the Fair Season

Sound Level Standards

<u>Sound Level</u>	<u>Time Period</u>	<u>Day of Week</u>
50 dB(A)	07:00 a.m. – 10:30 p.m.	Sun. – Thur.
45 dB(A)	10:30 p.m. – 07:00 a.m.	Sun. – Thur.
50 dB(A)	07:00 a.m. – 11:00 p.m.	Fri. – Sat.

50 dB(A)

11:00 p.m. - 07:00 a.m.

Fri. - Sat.

The sound levels emanating from the Pacific Amphitheaters shall not exceed:

1. The applicable Sound Level Standard for a cumulative period of more than thirty (30) minutes in any hour; or
2. The applicable Sound Level Standard plus five (5) dB(A) for a cumulative period of more than fifteen (15) minutes in any hour; or
3. The applicable Sound Level Standard plus ten (10) dB(A) for a cumulative period of more than five (5) minutes in any hour; or
4. The applicable Sound Level Standard plus fifteen (15) dB(A) for a cumulative period of more than one (1) minutes in any hour; or
5. The applicable Sound Level Standard plus twenty (20) dB(A) for any period of time.

In the event the ambient noise level exceeds any of the first four sound limit categories set forth above, the cumulative period applicable to the category shall be increased to reflect the ambient noise level. In the event the ambient sound level exceeds the fifth sound level category, the maximum allowable sound level shall be increased to reflect the ambient noise level.

2.1.4 Sound Level Monitoring. The ASSOCIATION shall monitor compliance with the Pac Amp Sound Standard as follows:

(a) The ASSOCIATION shall employ a sound professional or professionals (the "Monitor") to monitor sound levels in the surrounding residential neighborhoods during all Pacific Amphitheater events. The Monitor shall have the authority to require the sound system in the Pacific Amphitheater to be adjusted in order to comply with the Pac Amp Sound Level Standard. Prior to the first seasonal event at the Pacific Amphitheater utilizing amplified speech or music, the Monitor shall calibrate the sound system in order to comply with the Pac Amp Sound Level Standard.

(b) The monitoring to be conducted shall consist of aural observations and periodic readings from sound level meters. In the event the Monitor determines that the sound levels observed or measured exceed the Pac Amp Sound Standard in the Monitor's professional opinion, the Monitor shall cause the sound equipment within the Pacific Amphitheater to be adjusted in order to meet the Pac Amp Sound Standard.

(c) In the event of a noise complaint received from a residential neighborhood during a Pacific Amphitheater event, the Monitor shall proceed to the location of the residence from which the complaint was received and shall reasonably

promptly cause the sound equipment within the Pacific Amphitheater to be adjusted in order to conform to the Pac Amp Sound Level Standard if necessary.

(d) In the event SOCIETY believes that the Pac Amp Sound Level Standard is not being met, the SOCIETY may request and, if so requested, Monitor shall conduct a noise level analysis (the "Compliance Analysis") at the location specified in the courts order in the case of Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association (Orange County Superior Court No. 42 07 28 and 55 65 08), 947 Serra Way, Costa Mesa, CA. The SOCIETY shall be advised of the time and place of the Compliance Analysis, which shall occur during the next performance at the Pacific Amphitheater, and shall have the opportunity to attend and observe the Compliance Analysis. In the event the Monitor determines that no violation of the Pac Amp Sound Level Standard is occurring and SOCIETY makes a subsequent demand for a Compliance Analysis during the same Fair Season that also demonstrates that no violation of the Pac Amp Sound Standard is occurring, SOCIETY shall reimburse the ASSOCIATION for the cost of any such subsequent Compliance Analysis in the amount of One Thousand Dollars (\$1,000).

2.1.5 Compliance Riders and Monitoring. The ASSOCIATION shall not permit any event at the Pacific Amphitheater unless the persons staging and putting on the event have agreed to comply with this Agreement and the directions of the Sound Level Monitor. The ASSOCIATION shall cause any event at the Pacific Amphitheater involving amplified speech or music to be in compliance with this Agreement at its expense. This compliance effort shall include, but is not limited to, employment of the Monitor to evaluate sound levels in the adjacent neighborhoods during events at the Pacific Amphitheater and to respond to complaints as provided in Section 2.1.4. Any complaints and all related sound level meter recordings shall be retained, noted and summarized in a report as to the number, the observed or sound level recorded, if any, and location of any complaints and compliance with this Agreement within 30 days after each event at the Pacific Amphitheater. The complaints, the record of the sound level meter recordings, and reports shall be public records of the ASSOCIATION, open for public inspection upon request, and maintained by the ASSOCIATION as required by law as a public records.

2.1.6 Avoidance of Simultaneous Events. Excluding events during the Fair, Pacific Amphitheater events shall not be scheduled during peak traffic hours or within one hour of the commencement or completion of another independent event on the Fairgrounds with a forecasted attendance of 10,000 persons or more.

2.1.7 Costs and Fees. The ASSOCIATION shall pay the Richard Spix, counsel for the SOCIETY, the sum of \$7,500.00 as costs and fees.

2.2 Obligations of Petitioner SOCIETY

2.2.1 Dismissal of Pacific Amphitheater Action. Not more than five (5) days after SOCIETY's attorney's receipt of the payments referenced above in Paragraph 2.1.7, SOCIETY shall cause a Request for Dismissal to be filed with the Orange Superior Court

in the Pacific Amphitheater Action, requesting the Court dismiss the Pacific Amphitheater Action in its entirety as to all parties with prejudice. Upon his receipt of a conformed copy of the Request for Dismissal and entry of Dismissal from the Court, SOCIETY's attorney shall provide a copy of the same to ASSOCIATION. Notwithstanding anything herein to the contrary, ASSOCIATION's actual disbursement of the amounts referenced above in Paragraph 2.1.7 to SOCIETY's attorney is and shall be an express condition precedent to their filing of the Request for Dismissal.

3. GENERAL PROVISIONS

3.1 Reliance on Representations/Warranties. Each representation and warranty made in this Agreement by any of the Parties has substantially induced the other Parties to enter into this Agreement. Each Party acknowledges and affirms that the other Parties are entitled to rely on that Party's representations and warranties without independent verification and that such reliance is reasonable under the circumstances of this Agreement.

3.2 Integration. This Agreement, including its Exhibit, which are integral and essential parts of the Agreement, constitutes and contains the entire agreement and understanding between the Parties concerning the subject matter of this Agreement. Unless otherwise expressly stated herein, this Agreement supersedes and replaces all prior negotiations and all agreements, proposed or otherwise, whether written or oral, concerning its subject matter. Notwithstanding the foregoing, except to the extent expressly provided in this Agreement, no other agreement or policy adopted or entered into by the ASSOCIATION is intended to be modified in any way. This Agreement shall be given independent vitality notwithstanding any other agreement or policy adopted or entered into by the ASSOCIATION.

3.3 Cooperation. The Parties shall cooperate in performing their obligations under this Agreement, execute all supplementary documents that may be required or convenient to the fulfillment of their obligations, and take all additional actions that may be necessary or appropriate to give full force and effect to the terms and conditions of this Agreement and that are not inconsistent with such terms and conditions. Each Party, diligently and in good faith, shall undertake all actions and procedures reasonably required to carry out the purpose and intent of this Agreement.

3.4 Notices. Any and all notices or other communications required or permitted by this Agreement or by law to be served on or given to any of the Parties shall, unless otherwise required by law, be in writing and be deemed duly served and given (a) when personally delivered to the Party to whom it is directed; or (b) when deposited with the United States Postal Service and sent via certified mail (return receipt requested), first-class postage prepaid. The following addresses shall be used for any and all notices:

For Orange County Preservation Society	Richard L. Spix The Law Offices of Spix and Martin 1505 East 17th Street, Suite 230 Santa Ana, California 926705
--	---

For 32nd District Agricultural Association	Roger A. Grable
--	-----------------

Manatt, Phelps & Phillips, LLP
695 Town Center Drive, 14th Floor
Costa Mesa, California 92626

However, any Party may change the address to which notices or other communications are to be given under this Agreement by sending a notice of the change to the other Parties at their last address to have been designated under this Agreement.

3.5 Mutual Drafting, Use of Titles. The Parties participated equally in negotiating and drafting this Agreement, and nothing in it shall be construed against any particular Party on the basis that this Agreement was drafted by that Party. Headings and titles are used throughout this Agreement solely for the convenience of the Parties and are not an integral part of it.

3.6 Severability. If any term, condition, or application of this Agreement is held to be invalid, such invalidity shall not affect the Agreement's other terms, conditions, or applications that can be given effect without the invalid term, condition, or application. To this end, the Agreement is declared to be severable.

3.7 Waiver/Modification/Remedy Selection. No forbearance of enforcement or waiver of any breach of any term or condition of this Agreement shall be, nor shall it be construed to be, a waiver of any other breach of this Agreement, and no waiver shall be binding unless made in writing and signed by the Party waiving the breach. No change in the terms or conditions of this Agreement shall have any force or effect unless expressed in a writing signed by the Parties. A Party's pursuit or enforcement of fewer than all available remedies in the event of any breach or default under this Agreement shall not preclude that Party from pursuing or enforcing other or all available remedies in the event of any other breach or default under this Agreement unless otherwise prohibited by law.

3.8 Persons/Entities Bound. This Agreement shall be binding on and inure to the benefit of the Parties, jointly and severally, and to their successors, members, directors, officers, associates, employees, and agents.

3.9 Notice and Cure Procedure. Prior to initiating a judicial proceeding arising out of or in connection with this Agreement, the objecting Party shall first notify the responding Party in writing of its purported breach or failure, giving the responding a reasonable opportunity from receipt of such notice to cure such breach or failure. If the responding Party does not (a) cure the default; or (b) provides a mutually acceptable plan to cure the default, then the complaining Party may pursue its judicial remedies in accordance with this Agreement.

3.10 Enforcement by SOCIETY. The ASSOCIATION acknowledges that any action or proceeding arising out of this Agreement will satisfy the elements of the California Code of Civil Procedure Section 1021.5 that: the action enforces an important public right, involves a large number of persons, and that the burden of private enforcement outweighs the benefit conferred by the litigation. The ASSOCIATION further acknowledges that a breach of this Agreement constitutes irreparable harm and that damages would be inadequate within the

meaning of California Code of Civil Procedure Section 527 for all purposes in any action or proceeding.

3.11 Efficacy of Copy Counterparts. This Agreement may be executed in counterparts, and each executed counterpart shall have the efficacy of a signed original. Photographic duplications of executed counterparts may be used, in the absence of any genuine issue as to their authenticity, in lieu of originals for any purpose. Each Party's executing signature may be transmitted to the others via facsimile, and such facsimile signature shall have the same effect as an original signature.

3.12 Effective Date. Unless otherwise explicitly set forth above, this Agreement shall take effect immediately upon its having been signed by each of the Parties.

3.13 Governing Law. This Agreement shall be governed by, and all rights and liabilities under it shall be determined in accordance with, the laws of the State of California.

3.14 Legal Expenses and Costs. Except as provided in Paragraph 2.1.7, the Parties shall each bear their respective attorney fees and other legal expenses and costs incurred in connection with the Pacific Amphitheater Action through the Effective Date and incurred in connection with the negotiation and execution of this Agreement.

3.15 Authority to Bind. Each person signing this Agreement represents that he or she has full legal authority to bind the Party on whose behalf the person signs.

Signed

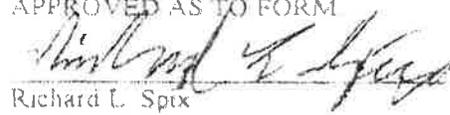


President
Orange County Fairgrounds Preservation
Society

Date 7-23 2012

APPROVED AS TO FORM

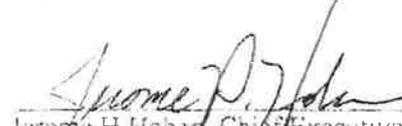
By



Richard L. Spix
The Law Office of Spix and Martin
Counsel for Orange County Fairgrounds
Preservation Society

Date 8-9 2012

By

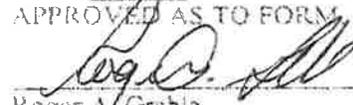


Jerome H. Hoban, Chief Executive Officer
32nd District Agricultural Association

Date 8-13 2012

APPROVED AS TO FORM

By



Roger A. Grable
Manatt, Phelps & Phillips, LLP
Counsel for 32nd District Agricultural
Association

Date 8-16 2012

PH-1



www.kennedycommission.org
17701 Cowan Ave., Suite 200
Irvine, CA 92614
949 250 0909
Fax 949 263 0647

April 11, 2016

Chair Robert L. Dickson, Jr. and Planning Commissioner Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Received
City of Costa Mesa
Development Services Department

APR 11 2016

RE: Draft Environmental Impact Report (EIR) for 2015-2035 General Plan

Dear Chair Dickson and Planning Commission Members:

The Kennedy Commission (the Commission) is a broad based coalition of residents and community organizations that advocates for the production of homes affordable for families earning less than \$20,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with jurisdictions in Orange County to create effective policies that has led to the new construction of homes affordable to lower income working families. As the City moves forward with the Draft Environmental Impact Report (DEIR) for the 2015-2035 General Plan, the Commission urges the City to consider the following:

1. Prioritize the development of affordable homes by including an additional land use alternative that specifically supports and encourages the development of homes affordable to lower income working households.
2. Re-classify the findings under Population/ Housing Impacts 4.13B and 4.13C regarding the displacement of existing housing and residents from “less than significant impact” to “potentially significant impact” necessitating the construction of replacement housing. The DEIR should be re-evaluated to acknowledge that the General Plan amendments do propose policies that **will** result in the displacement of substantial numbers of existing housing and numbers of people, necessitating the construction of replacement housing elsewhere in the City. While the proposed land use changes do not authorize a specific construction project, the proposed changes allows for development incentives that encourages future developments to occur. These future developments can potentially result in significant and direct impacts.

According to the DEIR, the proposed land use changes were identified as less than significant due to the “... likelihood that motels being used as housing would be removed is speculative, and ... the potential for a ‘substantial number of people’ being displaced is speculative.”¹ However, the likelihood of removing motels that are currently being used as long term housing in the City is **not** speculative. The potential for a substantial number of tenants being displaced is **not** speculative. The proposed conversion of the Costa Mesa Motor Inn (CMMI) to multi-family residential development and the displacement of many lower income long term tenants at the CMMI is currently happening. In addition,

¹ Draft Environmental Report for the City of Costa Mesa’s Year 2015-2035 General Plan, p. 4.13-10, March 2016.

the City also acknowledges and anticipates the implementation of the proposed land uses will be utilized to reduce specific uses such as motels citywide.²

The City should re-evaluate the potential significant impacts on motel tenants who would be displaced from proposed market-rate residential developments. Generally, motels provide last resort affordable housing for many lower income households and proposed market-rate residential developments will displace many at-risk families and lead them to homelessness. According to the DEIR, the report states:

“... because any specific property redevelopment would occur in the future, the specific number of person using that particular motel for long-term occupancy is not known at this time. The type of residential development that would replace existing commercial uses, including motels, is also unknown, but could include new commercial uses, including hotel or motel uses, or new residential development that includes affordable housing which, based on the densities, could accommodate and encourage development of housing for low-income persons.”³

Redevelopment of specific projects will certainly happen in the future but the City already has one specific example of a proposed development, the CMMI, that is currently benefitting from the development incentives (i.e., change in land-use and increase in density) provided by the Residential Incentive Overlay. The type of residential development replacing the CMMI will be 224 unit apartment complex at a site specific density of 54 du/ac, which notably is significantly higher than the Overlay's density of 40 du/ac. While the specific number of long-term occupants are not known at this time for future developments, the City has already identified that there are approximately 160 occupied rooms at the CMMI and of that, 49 rooms are occupied by 66 long-term residents.⁴ Because the proposed development includes zero units affordable to the lower income tenants who currently live in the CMMI, all these existing tenants will be displaced, including the 49 rooms that have been identified and grandfathered as long-term tenants.

The DEIR identifies that the proposed amended Land Use Plan could increase residential development in the Focus Areas by 4,040 units.⁵ Of that total, 3,062 units have allowable densities of 40 du/ac which can accommodate the development of affordable housing.⁶ However, default densities of 30 du/ac and greater do not necessarily produce homes that are affordable to lower income working households. The proposed development at the

² Notice of Preparation City of Costa Mesa General Plan Amendment Program EIR, City of Costa Mesa, p. 4, November 16, 2015.

³ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-9, March 2016.

⁴ City Council Agenda Report: General Plan amendment GP-14-04/ Rezone R-14-04/ Zoning Code Amendment CO-14-02/ And Master Plan PA-14-27 For Costa Mesa Apartments at 2277 Harbor Boulevard, City of Costa Mesa, p. 5, November 3, 2015.

⁵ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-6, March 2016.

⁶ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-6, March 2016.

CMMI is a cautionary example of project utilizing the Residential Overlay and not producing affordable homes.

The proposed development at the CMMI benefitted from the residential overlay and development incentives (i.e., change in land-use and increase in density) and did not set aside any homes that would be affordable to lower income households. While 20 units will be set-aside for moderate income families, the proposed rents, \$1,600 - \$1,800 are out-of-reach and not affordable to current CMMI tenants or potential lower income tenants in the City.

3. **Fairview Developmental Center:** Reinstate the General Plan land use overlay at the Fairview Developmental Center site that allows a development capacity of 1,000 du at a maximum density of 40 du/acre (not the currently proposed 500 du at 25 du/ac) as identified in the City Council/ Planning Commission Joint Study Session on September 8, 2015. Considering the state is requiring a set-aside for the developmentally disabled, the site presents the greatest potential and opportunity for the development of affordable homes. The State Department of General Services (DGS) also submitted a letter that was submitted to the Costa Mesa City Council on October 6, 2016, stating “**The state requests that the City include the 20 acres specified in SB 82 in the general plan update allowing a maximum of up to 40 units per acre...**” It is clear that DGS supports a maximum density of 40 du/ac at the Fairview site.

The density of 40 du/ac is also consistent to the other proposed residential incentive overlays along Harbor Boulevard, Newport Boulevard and SoBECA. At 40 du/ac versus 25 du/ac, the site will construct more units that will generate more rent subsidies/ revenue needed for the developmentally disabled households living at the Fairview Developmental Center. By decreasing the density to 25 du/ac versus 40 du/ac, the potential value of the center also decreases.

In addition, the City should conduct a financial analysis regarding the feasibility of proposing an affordable housing development at a lower density versus a higher density to be better informed as to which densities would facilitate a more successful development.

4. **South Harbor Boulevard Mixed-Use:** Approve the Harbor Mixed-Use Overlay that allows a maximum residential density of 20 du/ac **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households.

5. **Sakioka Site 2**: Approve a General Plan land use overlay at Sakioka Site 2 that allows a maximum residential density at 80 du/acre for up to 660 units **ONLY IF** new residential developments proposed at the site set-aside 20 percent of homes as affordable to lower income working households. In the City's 2014-2021 Housing Element, the Sakioka Site 2 was identified a potential opportunity site for the development of homes affordable to lower income households.⁷
6. **Harbor & Newport Boulevard Residential Overlay**: Approve a residential incentive overlay that includes new high density residential uses of up to 40 du/acre along Harbor Boulevard and Newport Boulevard **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households. In addition, motels located in the overlay should not be included unless any future/new residential developments that are proposed on these sites dedicate at least 20 percent of the homes to lower income working households.
7. **SoBECA Overlay**: Approve a maximum of 450 units at a density of 40 du/acre at the SoBECA Urban Plan Area **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households.
8. Conduct a study to evaluate the economic impacts of the proposed development incentives (i.e., land use changes/ rezoning and density increases) in the "focus areas."
9. Collaborate with the Costa Mesa Affordable Housing Coalition and community stakeholders to develop effective land use changes and residential incentive overlays in the General Plan Update that will increase affordable home opportunities for lower income working households.

Please keep us informed of any updates to the City's General Plan Update and if you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org.

Sincerely,



Cesar Covarrubias
Executive Director

cc: Kathy Esfahani, Costa Mesa Affordable Housing Coalition

⁷ Housing Element for the Costa Mesa General Plan 2013-2021, p. 56, January 21, 2014.

PH-1



Building Industry Association of Southern California, Inc.
ORANGE COUNTY CHAPTER

April 11, 2016

Chair Robert Dickson and Planning Commission Members
City of Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, CA 92626

RE: COMMENTS ON THE GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

Dear Chair Dickson and Planning Commission Members:

The Building Industry Association of Southern California, Orange County Chapter (BIA/OC) is a non-profit trade association of over 1,100 companies employing over 100,000 people affiliated with the home building industry. The Orange County Chapter represents the largest member base within BIA Southern California. Our mission is to champion housing as the foundation of vibrant and sustainable communities.

As a key stakeholder in Orange County, the BIA/OC would like to offer our support for the City's General Plan update. In reviewing the document, we are pleased to see the environmentally positive land use elements being contemplated within this plan. Adding more housing in centrally located Costa Mesa, close to jobs and essential services, will help in balancing Orange County's jobs to housing ratio, assist in alleviating traffic, and contribute to State mandated environmental and regional planning policies.

Over the next 25 years, the Southern California Association of Governments (SCAG) predicts a population increase of 400,000 residents in Orange County. Additionally, according to a recent report by the California Legislative Analyst's Office, Orange County needs an additional 7,000 homes per year to meet demand. State wide, that number increases to a staggering 100,000 homes. By considering reasonable higher density housing, Costa Mesa will be adequately prepared to absorb this influx and contribute to the overall housing stock of the County and the State.

PRESIDENT
JIM YATES
RANCHO MISSION VIEJO

VICE PRESIDENT
PHIL BODEM
TAYLOR MORRISON

TREASURER
MIKE GARTLAN
KB HOME

SECRETARY
RICK WOOD
TRI POINTE HOMES

IMMEDIATE PAST PRESIDENT
JOAN MARCUS-COLVIN
THE NEW HOME COMPANY

TRADE CONTRACTOR V.P.
ALAN BOUDREAU
BOUDREAU PIPELINE CORPORATION

ASSOCIATE VICE PRESIDENT
MARK HIMMELSTEIN
NEWMAYER & DILLION, LLP

MEMBER-AT-LARGE
LAURA ARCHULETA
JAMBOREE HOUSING

MEMBER-AT-LARGE
SCOTT STARKEY
STARKEY COMMUNICATIONS

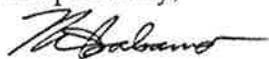
CHIEF EXECUTIVE OFFICER
MICHAEL BALSAMO

24 Executive Park, Suite 100
Irvine, California 92614
949.553.9500 | biaoc.com

As always, we remain a resource to the City on important issues that are related to the well-being of our local communities.

Thank you for your time and thoughtful consideration.

Respectfully,



Michael Balsamo
Chief Executive Officer

Received
City of Costa Mesa
Development Services Department

APR 11 2016

PUBLIC  **LAW CENTER**

PROVIDING ACCESS TO JUSTICE
FOR ORANGE COUNTY'S LOW INCOME RESIDENTS

April 18, 2016
Chair Robert Dickson, Jr. and Planning Commission Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

RE: Draft Environmental Impact Report (EIR) for 2015-2035 General Plan

Dear Chairman Robert L. Dickson, Jr. and Planning Commission Members:

This letter is a comment on the 2015-2016 Draft EIR Report. This letter is written on behalf of the Costa Mesa Motel Residents Association ("CMMRA"). CMMRA consists of long-term residents that have made the motels of Costa Mesa their home. A majority of the members of CMMRA currently reside at Costa Mesa Motor Inn ("CMMI"), the location of the proposed project. In general, the members of CMMRA and the other residents of the motel are low-, very-low-, and extremely-low-income families, veterans, and other residents, many of whom are disabled.

The CMMRA encourages the Planning Commission to take the following steps:

1. The City should conduct its analyses of affordable housing development using both fixed site and scattered site models for preserving/creating affordable housing for the current motel residents who consider themselves part of the Costa Mesa community. The City can and should develop a model that integrates housing for disabled persons, elderly persons, and low-income working families into each of their proposed sites and all residential density proposals.

The Commission has openly opined that they felt the motel standard of living was inadequate—they have the chance to remedy their own concerns by developing adequate, low-income housing in this instance.

2. Make provisions with preference for the low-income families who utilize motels, integrating target percentages for affordable units or homes in each proposed development. The developments should address housing types both for residents who utilize motels for their affordability and stability and for those who use motels as housing of last resort.
3. Address the dislocation of low-income motel residents who call Costa Mesa their home and include them as a concretely impacted group in the EIR report. As a result, reclassify the findings under the Population/Housing Impacts to be "significant" or "potentially significant." The report is incorrect when it says that the "specific number of persons using that particular motel for long-term occupancy" is unknown. Multiple statistical reports have been conducted and thus the city does know how many long-term occupants

are currently living in motels and would be adversely affected. Thus, they also know the scope of the likely population displacement.

The City overtly acknowledges that the proposed land uses will reduce motel rooms citywide, so this negative impact on existing motel residents is not speculative, but highly likely, and the report should accurately reflect this reality.

4. Address and make provisions for relocation services and other necessary resources for those low-income residents who might be forced to move out of their units as a result of development at each site. Adopt a plan for homelessness prevention that can accommodate effected residents.

It is this City's obligation to merge the interests of redevelopment and the interests of meeting the needs of its residents. The City wants these properties to be redeveloped, continually citing them as eyesores. Therefore, the City must work together with owners and affordable housing experts to redevelop these sites to include low-income housing, especially for the current long-term occupants in Costa Mesa motels.

Please keep us informed of any updates to the City's General Plan Update and if you have any questions, please contact us at (714) 541-1010.

Sincerely,



Lili Graham

Richard Walker

Public Law Center Attorneys on behalf of CMMRA

Costa Mesa Affordable Housing Coalition

April 18, 2016

Chair Robert L. Dickson, Jr. and Planning Commission Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

RE: Draft Environmental Impact Report (DEIR) for 2015-2035 General Plan

Dear Chair Dickson and Planning Commission Members:

The Costa Mesa Affordable Housing Coalition (the Coalition) believes the DEIR is seriously deficient: It fails to report accurately and fully the negative impacts certain proposed General Plan amendments will have on the already meager supply of affordable housing available to lower income residents of our city. Specifically, the Coalition believes the proposed “residential incentive overlays” for Harbor Boulevard and Newport Boulevard (collectively, the motel zone overlays) will lead to the massive displacement of lower income motel residents. Moreover, the DEIR ignores this expected adverse impact, mischaracterizing the impact as “less than significant” and thus not requiring the construction of replacement housing. This City must correct this significant error in the “Population/Housing” section of the DEIR.

The City Council majority has been very clear about its intentions in regard to the proposed motel zone overlays. Repeatedly, the Council majority has expressed the hope these overlays will “incentivize” a change of use in the motel properties located along Harbor Boulevard and Newport Boulevard which serve as last resort housing for Costa Mesa’s poor. As the City well knows, these motels, collectively consisting of 789 rooms, have become a significant source of de facto affordable housing in Costa Mesa because there is such a dearth of affordable housing available for lower income households.

Disregarding the housing needs of lower income motel residents, the City Council majority has proposed the motel zone overlays as a way to lure motel owners into converting their properties from their current use as de facto affordable housing into a new use: market rate, high density housing for upper income residents. Of course, virtually none of the current motel residents could afford to rent these new market rate apartments. Consequently, the conversion of motels into market rate apartments would necessarily displace hundreds, perhaps thousands of lower income motel residents. Moreover, because Costa Mesa has almost no affordable housing for these residents to move into, it is highly likely this massive displacement of motel residents will result in increased homelessness and overcrowding in the City, as well as the forced migration of motel residents from Costa Mesa to find affordable housing elsewhere.

To mitigate this severe adverse impact, the Coalition has asked the City to include in the motel zone overlays a requirement that 20% of the new apartments be affordable to low and very low income residents. The Council, however, has not acted on this request. Consequently, if the

motel zone overlays are adopted as currently proposed, motel residents will be displaced on a massive scale as motel owners take advantage of the lucrative “residential incentive” offered by the City.

In a stunning denial of this reality, the DEIR states as findings under Population/Housing Impacts 4.13.B and 4.13.C that the proposed motel zone overlays will have “less than significant” impact, will *not* “result in the displacement of substantial numbers of people,” and will *not* necessitate “the construction of replacement housing elsewhere.” (**Draft EIR, 4.13-8 - 4.13-10**) These defective findings flow from three “pie in the sky” assumptions (fictions, really) set forth in Impacts 4.13.B and 4.13.C.

Fiction #1

The DEIR states the hoped-for conversion of motels into market rate apartments will *not* result in a net loss of affordable housing because the increased densities offered in the city (40 units per acre in motel zone overlays, 80 units per acre in Sakioka Lot 2) will necessarily result in the construction of new affordable housing. What is the basis of this finding? The DEIR blithely assumes affordable housing will be constructed because “the City would have zoning in place to accommodate housing for lower-income households.” (**DEIR, 4.13-9**)

The fallacy in this reasoning is readily apparent from the recent example of the Costa Mesa Motor Inn. With the City’s encouragement and blessing, this 236-room motel will be demolished and replaced by new market rate apartments at a density of 54 units per acre. *Of the 224 new units, not a single unit will be affordable to lower income households.* Clearly, the mere fact the allowable density will “accommodate” lower income housing is no guarantee any of the resulting housing will actually *be* lower income housing. Unless the City requires a percentage of new units to be affordable to lower income families, the motel zone overlays will result in no new affordable housing and, instead, will cause a dramatic loss of affordable housing.

Fiction #2

The DEIR states the “likelihood that motels being used as housing would be removed is speculative, and . . . the potential for a ‘substantial number of people’ being displaced is speculative.” ~(**DEIR, 4.13-9-10**)~ This statement is almost laughable. It ignores the fact the City is creating the motel zone overlays precisely because the Council majority believes the overlays will result in the conversion of motels into market rate apartments—a goal the majority has long sought. Moreover, the statement ignores the powerful nature of the incentive offered. Again, the Costa Mesa Motor Inn stands as a cautionary example. The City’s offer to allow the motel owner to build high density market rate apartments (at 54 units per acre) in a commercial zone was an irresistible financial windfall for the property owner. The Costa Mesa Motor Inn owner jumped at the opportunity.

The other motel owners in the city are no less savvy than the owner of the Costa Mesa Motor Inn. Consequently, the following doomsday scenario is entirely predictable, not speculative: If the City adopts the motel zone overlays as proposed, with their supercharged financial incentive for converting motel properties into high density, market rate apartments, the City will lose a significant existing supply of de facto affordable housing. In fact, the City could eventually lose

all 789 rooms. That loss would be catastrophic for the City's lower income households who rely on motels as last resort housing.

Fiction #3

The final bit of magical thinking in the DEIR is that private social services agencies operating in the City (including HOPE Institute, Human Options, Orange Coast Interfaith Shelter, Serving People in Need, Share Our Selves, Mercy Housing, Families Forward) will be able to meet the housing needs of displaced motel residents. Strikingly, the DEIR fails to include any discussion of the actual services these groups provide or any analysis of their ability to house the hundreds or thousands of motel residents who could be displaced if motels close and are replaced with market rate apartments.

The undeniable truth is that there is no existing supply of available affordable housing in Costa Mesa that can accommodate the hundreds of households living in motels today. The need for affordable housing in our community is undeniable.

Costa Mesa must act to encourage the construction of new affordable housing. Until such housing is created, the City should do *nothing* to accelerate the loss of existing affordable homes. But accelerating loss is exactly what the proposed motel zone overlays will do—the zones will make nearly 800 existing affordable homes vanish. There is nothing fictional or speculative about that.

The City should correct the DEIR so everyone in Costa Mesa knows what is really at stake in this decision on the General Plan amendments.

Sincerely,

Kathy Esfahani

Kathy Esfahani
For The Costa Mesa Affordable Housing Coalition

April 18, 2016

Ms. Mino Ashabi
City of Costa Mesa – Development Services Department
77 Fair Drive
Costa Mesa, CA 92626

RE: Draft Environmental Impact Report (EIR) for 2015-2035 General Plan

Dear Ms. Ashabi:

The Kennedy Commission (the Commission) is a broad based coalition of residents and community organizations that advocates for the production of homes affordable for families earning less than \$20,000 annually in Orange County. Formed in 2001, the Commission has been successful in partnering and working with jurisdictions in Orange County to create effective policies that has led to the new construction of homes affordable to lower income working families. As the City moves forward with the Draft Environmental Impact Report (DEIR) for the 2015-2035 General Plan, the Commission urges the City to consider the following:

1. Incorporate and implement the recommendations outlined in the Costa Mesa Affordable Housing Coalition's letter dated April 18, 2016.
2. Prioritize the development of affordable homes by including an additional land use alternative that specifically supports and encourages the development of homes affordable to lower income working households.
3. Re-classify the findings under Population/ Housing Impacts 4.13B and 4.13C regarding the displacement of existing housing and residents from "less than significant impact" to "potentially significant impact" necessitating the construction of replacement housing. The DEIR should be re-evaluated to acknowledge that the General Plan amendments **do** propose policies that **will** result in the displacement of substantial numbers of existing housing and numbers of people, necessitating the construction of replacement housing elsewhere in the City. While the proposed land use changes do not authorize a specific construction project, the proposed changes allows for development incentives that encourages and facilitates future developments to occur. These future developments, encouraged by the benefits provided in the residential overlay, can potentially result in significant and direct impacts.

According to the DEIR, the proposed land use changes were identified as less than significant due to the "... likelihood that motels being used as housing would be removed is speculative, and ... the potential for a 'substantial number of people' being displaced is speculative."¹ However, the likelihood of removing motels that are currently being used

¹ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-10, March 2016.

as long term housing in the City is **not** speculative. The potential for a substantial number of tenants being displaced is **not** speculative. The term **“speculative” should be removed from the DEIR** because these events are currently happening in the City and the leading example is the Costa Mesa Motor Inn (CMMI). The plans to convert the CMMI to a multi-family residential development has been submitted and approved by the City and the displacement of many lower income long term tenants at the CMMI is currently happening. It is also important to note that the **City also acknowledges and anticipates the implementation of the proposed land uses will be utilized to reduce specific uses such as motels citywide.**²

The City should re-evaluate the potential significant impacts on motel tenants who would be displaced from proposed market-rate residential developments. Generally, motels provide last resort affordable housing for many lower income households and proposed market-rate residential developments will displace many at-risk families and lead them to homelessness. According to the DEIR, the report states:

“... because any specific property redevelopment would occur in the future, the specific number of person using that particular motel for long-term occupancy is not known at this time. The type of residential development that would replace existing commercial uses, including motels, is also unknown, but could include new commercial uses, including hotel or motel uses, or new residential development that includes affordable housing which, based on the densities, could accommodate and encourage development of housing for low-income persons.”³

Redevelopment of specific projects will certainly happen in the future but the City already has one specific example of a proposed development, the CMMI, that is currently benefitting from the development incentives (i.e., change in land-use and increase in density) provided by the Residential Incentive Overlay. The type of residential development replacing the CMMI will be 224 unit apartment complex at a site specific density of 54 du/ac, which notably is significantly higher than the Overlay’s density of 40 du/ac. While the specific number of long-term occupants are not known at this time for future developments, the City has already identified that there are approximately 160 occupied rooms at the CMMI and of that, 49 rooms are occupied by 66 long-term residents.⁴ Because the proposed development includes zero units affordable to the lower income tenants who currently live in the CMMI, all these existing tenants will be displaced, including the 49 rooms that have been identified and grandfathered as long-term tenants.

² Notice of Preparation City of Costa Mesa General Plan Amendment Program EIR, City of Costa Mesa, p. 4, November 16, 2015.

³ Draft Environmental Report for the City of Costa Mesa’s Year 2015-2035 General Plan, p. 4.13-9, March 2016.

⁴ City Council Agenda Report: General Plan amendment GP-14-04/ Rezone R-14-04/ Zoning Code Amendment CO-14-02/ And Master Plan PA-14-27 For Costa Mesa Apartments at 2277 Harbor Boulevard, City of Costa Mesa, p. 5, November 3, 2015.

The DEIR identifies that the proposed amended Land Use Plan could increase residential development in the Focus Areas by 4,040 units.⁵ Of that total, 3,062 units have allowable densities of 40 du/ac which can accommodate the development of affordable housing.⁶ However, default densities of 30 du/ac and greater do not necessarily produce homes that are affordable to lower income working households. The proposed development at the CMMI is a cautionary example of a proposed development utilizing and benefiting from the Residential Overlay and not producing affordable homes for lower income households.

The proposed CMMI development benefitted greatly from the Residential Overlay and development incentives (i.e., change in land use and increase in density) that the developer was previously not entitled to. These City approved development incentives should be considered as a form of a public subsidy because the incentives are giveaways that provide significant windfalls and increase the property value of the proposed development. The City approved incentives/ public subsidies underscore a problem that the City fails to ensure the giveaways are provided in the exchange of community benefits such as the development of affordable homes for lower income households. The developer for the proposed development at the CMMI did not set aside any homes that would be affordable to lower income households. While 20 units will be set-aside for moderate income families, the proposed rents, \$1,600 - \$1,800 are out-of-reach and not affordable to current CMMI tenants or potential lower income tenants in the City. In addition, by increasing the existing base density at the proposed development, the City is effectively circumventing the use of a density bonus (SB 1818) for proposed projects, which would have facilitated the development of new affordable homes for lower income households in the City.

The City's proposed land use changes, including the development incentives in the Residential Overlay, has significant value to it that will undoubtedly encourage and facilitate future developments. The implementation of the proposed land use changes should be thoroughly analyzed to identify all the significant impacts that will be imposed on the residents and community. Because future developers will benefit from the proposed land use changes, relocation assistance and replacement housing for displaced tenants at proposed developments should be thoroughly analyzed for significant impacts.

- 4. Fairview Developmental Center:** Reinstate the General Plan land use overlay at the Fairview Developmental Center site that allows a development capacity of 1,000 du at a maximum density of 40 du/acre (not the currently proposed 500 du at 25 du/ac) as identified in the City Council/ Planning Commission Joint Study Session on September 8,

⁵ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-6, March 2016.

⁶ Draft Environmental Report for the City of Costa Mesa's Year 2015-2035 General Plan, p. 4.13-6, March 2016.

2015. Considering the state is requiring a set-aside for the developmentally disabled, the site presents the greatest potential and opportunity for the development of affordable homes. The State Department of General Services (DGS) also submitted a letter that was submitted to the Costa Mesa City Council on October 6, 2016, stating “**The state requests that the City include the 20 acres specified in SB 82 in the general plan update allowing a maximum of up to 40 units per acre...**” It is clear that DGS supports a maximum density of 40 du/ac at the Fairview site.

The density of 40 du/ac is also consistent to the other proposed residential incentive overlays along Harbor Boulevard, Newport Boulevard and SoBECA. At 40 du/ac versus 25 du/ac, the site will construct more units that will generate more rent subsidies/ revenue needed for the developmentally disabled households living at the Fairview Developmental Center. By decreasing the density to 25 du/ac versus 40 du/ac, the potential value of the center also decreases.

In addition, the City should conduct a financial analysis regarding the feasibility of proposing an affordable housing development at a lower density versus a higher density to be better informed as to which densities would facilitate a more successful development.

5. **South Harbor Boulevard Mixed-Use:** Approve the Harbor Mixed-Use Overlay that allows a maximum residential density of 20 du/ac **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households.
6. **Sakioka Site 2:** Approve a General Plan land use overlay at Sakioka Site 2 that allows a maximum residential density at 80 du/acre for up to 660 units **ONLY IF** new residential developments proposed at the site set-aside 20 percent of homes as affordable to lower income working households. In the City’s 2014-2021 Housing Element, the Sakioka Site 2 was identified a potential opportunity site for the development of homes affordable to lower income households.⁷ In addition, by increasing the existing base density, the City is effectively circumventing the use of a density bonus (SB 1818) for proposed projects, which would have facilitated the development of new affordable homes for lower income households in the City.
7. **Harbor & Newport Boulevard Residential Overlay:** Approve a residential incentive overlay that includes new high density residential uses of up to 40 du/acre along Harbor Boulevard and Newport Boulevard **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households. In addition, motels located in the overlay should not be included unless any

⁷ Housing Element for the Costa Mesa General Plan 2013-2021, p. 56, January 21, 2014.

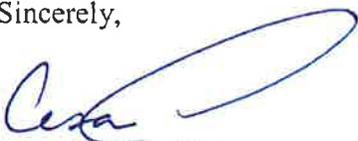
Ms. Minoo Ashabi
April 18, 2016
Page 5 of 5

future/new residential developments that are proposed on these sites dedicate at least 20 percent of the homes to lower income working households. In addition, by increasing the existing base density, the City is effectively circumventing the use of a density bonus (SB 1818) for proposed projects, which would have facilitated the development of new affordable homes for lower income households in the City.

8. **SoBECA Overlay:** Approve a maximum of 450 units at a density of 40 du/acre at the SoBECA Urban Plan Area **ONLY IF** new residential developments proposed in the overlay set-aside 20 percent of homes as affordable to lower income working households. In addition, by increasing the existing base density, the City is effectively circumventing the use of a density bonus (SB 1818) for proposed projects, which would have facilitated the development of new affordable homes for lower income households in the City.
9. Conduct a study to evaluate the economic impacts of the proposed development incentives (i.e., land use changes/ rezoning and density increases) in the “focus areas.”
10. Collaborate with the Costa Mesa Affordable Housing Coalition and community stakeholders to develop effective land use changes and residential incentive overlays in the General Plan Update that will increase affordable home opportunities for lower income working households.

Please keep us informed of any updates to the City’s General Plan Update and if you have any questions, please feel free to contact me at (949) 250-0909 or cesarc@kennedycommission.org.

Sincerely,



Cesar Covarrubias
Executive Director

cc: Kathy Esfahani, Costa Mesa Affordable Housing Coalition



Tribune Real Estate

April 18, 2016

Minoo Ashabi, Principal Planner
City of Costa Mesa – Development Services Department
77 Fair Drive, P.O. Box 1200
Costa Mesa, CA 92628-1200

Re: Former LA Times Printing Press Property Draft EIR Comments

Dear Ms. Ashabi,

On behalf of the Joint Venture of Kearny Real Estate Company and Tribune Media, which owns the Los Angeles Times site located at 1375 Sunflower Avenue, we offer the following comments on the Draft Environmental Impact Report (“Draft EIR”) for the Costa Mesa Year 2015-2035 General Plan. As a general matter, we are supportive of the City’s long-awaited effort to update its General Plan, and are appreciative of your efforts.

To that end, we offer the following technical comments and corrections:

First, the owner of the Los Angeles Times site is referred to as “Tribune Publishing” throughout the document. The current owner of the Property is in fact a joint venture of Kearny Real Estate Company and Tribune Media Company. Moreover, the ownership of the property isn’t relevant to the environmental impacts of the project. We respectfully request that the ownership references be updated to simply reflect the property as the “former LA Times printing press property” for identification, and use the word “owner” with reference to the former LA Times printing press property to avoid confusion.

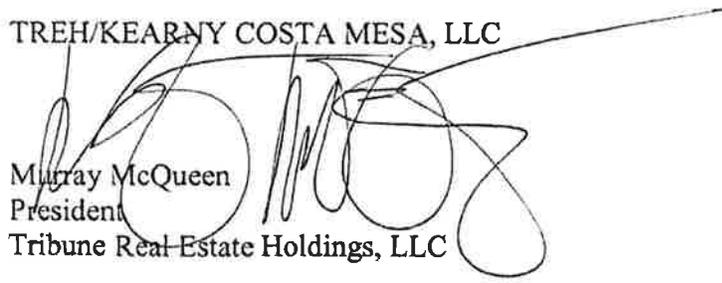
Second, the Draft EIR, at page 4.8-6 includes the Los Angeles Times North Tanks on Table 4.8-4 (Leaking Underground Storage Tanks). This reflects outdated and therefore inaccurate information that we respectfully request be updated to reflect current information. Specifically, there are no leaking tanks on the site, and the remedial extraction system concluded its work in April 2014. Groundwater monitoring has been occurring in accordance with Orange County Health Care Authority (“OCHCA”) monitoring requirements. The OCHA is reviewing data collected to-date to determine whether the site satisfies the criteria for no further action. Groundwater sampling will continue until OCHCA so determines. The most recent monitoring data is attached for further reference.

Finally, we understand that the General Plan designates the Los Angeles Times site as Commercial Center. However, page 4.10-6, states that the Los Angeles Times site would be designated as Urban Center Commercial. We request that this and all such references be corrected to reflect the proper General Plan designation of Commercial Center.

Thank you for the opportunity to comment on the Draft EIR, and we look forward to working with you as the General Plan process moved forward.

Very truly yours,

TREH/KEARNY COSTA MESA, LLC



Murray McQueen
President
Tribune Real Estate Holdings, LLC

Encl.

Attachment to Tribune Real Estate
Letter Dated April 18, 2016 related to
Underground Tanks and Remediation
status is available for review at the
City Hall, Planning Division


PUBLIC LAW CENTER
PROVIDING ACCESS TO JUSTICE
FOR ORANGE COUNTY'S LOW INCOME RESIDENTS

April 18, 2016
Chair Robert Dickson, Jr. and Planning Commission Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

REC'D APR 21 2016

RE: Draft Environmental Impact Report (EIR) for 2015-2035 General Plan

Dear Chairman Robert L. Dickson, Jr. and Planning Commission Members:

This letter is a comment on the 2015-2016 Draft EIR Report. This letter is written on behalf of the Costa Mesa Motel Residents Association ("CMMRA"). CMMRA consists of long-term residents that have made the motels of Costa Mesa their home. A majority of the members of CMMRA currently reside at Costa Mesa Motor Inn ("CMMI"), the location of the proposed project. In general, the members of CMMRA and the other residents of the motel are low-, very-low-, and extremely-low-income families, veterans, and other residents, many of whom are disabled.

The CMMRA encourages the Planning Commission to take the following steps:

1. The City should conduct its analyses of affordable housing development using both fixed site and scattered site models for preserving/creating affordable housing for the current motel residents who consider themselves part of the Costa Mesa community. The City can and should develop a model that integrates housing for disabled persons, elderly persons, and low-income working families into each of their proposed sites and all residential density proposals.

The Commission has openly opined that they felt the motel standard of living was inadequate—they have the chance to remedy their own concerns by developing adequate, low-income housing in this instance.

2. Make provisions with preference for the low-income families who utilize motels, integrating target percentages for affordable units or homes in each proposed development. The developments should address housing types both for residents who utilize motels for their affordability and stability and for those who use motels as housing of last resort.
3. Address the dislocation of low-income motel residents who call Costa Mesa their home and include them as a concretely impacted group in the EIR report. As a result, reclassify the findings under the Population/Housing Impacts to be "significant" or "potentially significant." The report is incorrect when it says that the "specific number of persons using that particular motel for long-term occupancy" is unknown. Multiple statistical reports have been conducted and thus the city does know how many long-term occupants

are currently living in motels and would be adversely affected. Thus, they also know the scope of the likely population displacement.

The City overtly acknowledges that the proposed land uses will reduce motel rooms citywide, so this negative impact on existing motel residents is not speculative, but highly likely, and the report should accurately reflect this reality.

4. Address and make provisions for relocation services and other necessary resources for those low-income residents who might be forced to move out of their units as a result of development at each site. Adopt a plan for homelessness prevention that can accommodate effected residents.

It is this City's obligation to merge the interests of redevelopment and the interests of meeting the needs of its residents. The City wants these properties to be redeveloped, continually citing them as eyesores. Therefore, the City must work together with owners and affordable housing experts to redevelop these sites to include low-income housing, especially for the current long-term occupants in Costa Mesa motels.

Please keep us informed of any updates to the City's General Plan Update and if you have any questions, please contact us at (714) 541-1010.

Sincerely,



Lili Graham

Richard Walker

Public Law Center Attorneys on behalf of CMMRA

PH-1

RECEIVED
CITY CLERK

16 APR 11 AM 10:37

CITY OF COSTA MESA
BY SH Count-off

To: Mrs. Brenda Green, City Clerk

RE: Planning Commission 04/11/16

Public Hearing, item 1

Date: 04/11/2016

I am filing an objection to the above item. The comments and public input is, according to your documents, open for one more week. I question the ability to cut short the time for residents to make comments and submit emails and letters. Hopefully, this was a typographical error and will be corrected, forthwith.



Sincerely,

Mary Spadoni

Costa Mesa, CA 92627

April 11, 2016

TO: ROBERT L. DICKSON, JR. Chair, Costa Mesa Planning Commission
 JEFF MATHEWS, Vice Chair, Costa Mesa Planning Commissioner
 STEPHAN ANDRANIAN, Costa Mesa Planning Commissioner
 COLIN MCCARTHY, Costa Mesa Planning Commissioner
 TIM SESLER, Costa Mesa Planning Commissioner

As per Page 9 of the Planning Commission's agenda for tonight's meeting, I read, "The Draft EIR and Technical Appendices will be available for review and comment for 45 [forty-five] days commencing March 4, 2016 at 8:00 am and ending on April 18, 2016 at 5:00 pm.

Costa Mesa's Office of the City Clerk provided me with a CD that has the large PDF of the Proposed General Plan, the Draft EIR and all Technical Appendices. I was intending to further study this material and submit comments all during this coming week.

On Page 14 of tonight's agenda, I read "...Costa Mesa Planning Commission hereby recommends...PASSED AND ADOPTED this 11th day of April, 2016."

I request that you not pass Item 1 of tonight's agenda. Please respect the citizens of Costa Mesa by following the letter of the law and providing us with the full 45-day period in which to submit our comments.

Respectfully submitted,



Flo Martin,

49-year resident of Costa Mesa, CA

Received
 City of Costa Mesa
 Development Services Department

APR 11 2016

PH-1

COLGAN, JULIE

Subject: Violation of process of CEQA

From: C B

Sent: Monday, April 11, 2016 4:38 PM

To: GREEN, BRENDA <brenda.green@costamesaca.gov>; DUNN, MICHAEL <MICHAEL.DUNN@costamesaca.gov>; HATCH, THOMAS <THOMAS.HATCH@costamesaca.gov>

Subject: Violation of process of CEQA

Attn: Tom Hatch

City Manager/CEO of Costa Mesa
Brenda Green-City Clerk of Costa Mesa

Hello,

I am writing to voice my objection to what I believe a gross violation of due process of the California Environmental Quality Act-CEQA.

Listed as notice on the planning commission agenda for April 11, 2016:

Agenda notice for tonights Planning Commission:

Approve by adoption of Planning Commission Resolutions for the following actions:

1. Recommend that the City Council certify Draft Environmental Impact Report (DEIR) – SCH No. 2015111068 and;
2. Recommend that the City Council adopt 2015-2035 General Plan

<http://www.costamesaca.gov/index.aspx?page=1966>

The DEIR cannot certify and/or adopt the General Plan prior to the close of the comment period, which was noticed as March 4 2016 through April 18 2016.

"The General Plan and Draft Environmental Impact Report and Technical Appendices are available for review and comment for 45 days commencing March 4, 2016 at 8:00 am and ending on April 18, 2016 at 5:00 pm. Written comments on the Draft EIR must be submitted by April 18, 2016 by 5:00 pm to the City of Costa Mesa."

Please correct this error and clarify to the public that a mistake has been made. I also suggest that the comment period be extended as result of this error in notification.

Thank you,
Cindy Black

-90-

PH-1

COLGAN, JULIE

Subject: Costa Mesa Planning Commission - April 11, 2016 agenda, Public Hearing Item No. 1

From: Cynthia McDonald [REDACTED]

Sent: Monday, April 11, 2016 10:26 AM

To: GREEN, BRENDA <brenda.green@costamesaca.gov>

Subject: Costa Mesa Planning Commission - April 11, 2016 agenda, Public Hearing Item No. 1

I hereby object to a hearing being held on Public Hearing Item No. 1 on the agenda for the April 11, 2016 Planning Commission meeting. This item incorrectly states that the Planning Commissioners will be voting to send the Draft Environmental Impact Report ("DEIR") to the City Council, however the comment period for the DEIR has not lapsed and written comments can still be submitted. The Planning Commission cannot take action until the comment period has lapsed and all comments have been submitted. Further, the agenda states that the Planning Commissioners can recommend that the City Council adopt the General Plan. That cannot happen because we do not have a final EIR yet.

Thank you for your consideration.

Cynthia McDonald
[REDACTED]

Cynthia McDonald

April 18, 2016

VIA EMAIL ONLY

City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Re: Comments to Draft Environmental Impact Report prepared in connection with
General Plan update

Ladies and Gentlemen:

The following are my comments to the Draft Environmental Impact Report ("DEIR") and some, but not all, of my comments with respect to the Draft General Plan ("DGP"). Please make these comments and requests for additional information and/or modification to the DEIR and DGP part of the public record.

Overall Cohesive Plan for the City

The General Plan does not include a vision of how the City will develop an overall cohesive plan for the City for the next 20 years. While it contains suggestions that developers focus on creating gathering spots in their projects, there is no specific direction for that. Mention is made that the Triangle should be considered the downtown area. The closest thing we have to a central gathering place is the Neighborhood Community Center ("NCC"), which is slated to be reduced in size, rather than expanded. Walking in that area is not enjoyable and no new bike lanes are currently planned so that we can avoid automobile trips and transform the city to a bikeable/walkable city. There are no transit centers or hubs planned near the NCC or South Coast Plaza. The zoning for new housing along Harbor and Newport Boulevards is not specified to be strictly the true mixed-use type of development that would encourage people to get out of their cars and visit businesses on foot or by bike. While the most dense/intense land uses are focused away from the neighborhoods with single-family homes, the health and safety of the residents are jeopardized by the proposed changes to land use because of the impacts of increased traffic levels, air pollution and lack of adequate open space.

Vision Statements

While the vision statements are a welcome addition to the DGP, the residents suggested changes to the vision statements and requested additional statements that were ignored. What we see are vision statements that reflect the needs of developers, and not the direction that the residents want for the City. Protecting the residents is the primary responsibility of the City, and yet protecting and promoting the health, safety and quality of life of the residents is ignored.

Aesthetics

Impact 4.1.A, 4.1.B found on page 4.1-5 states:

“Impacts to scenic vistas and resources would be less than significant with implementation of draft General Plan policies.”

In the following paragraph it further explains

“As described above, scenic vistas within the City are limited to large areas of undeveloped land that offer views of scenic resources such as Upper Newport Bay, the Santa Ana River, and the Santa Ana Mountains. The proposed project will not alter scenic vistas located in existing parks or open space areas as none are subject to land use change. New development built on the Segerstrom Home Ranch and Sakioka Lot 2 sites could impact existing views of the Santa Ana Mountains since current land use policy allows buildings of heights greater than two stories; the proposed General Plan land use policies will continue this condition. However, with the implementation of the following Community Design Policies CD-5.A through CD-5.F below, potential impacts on scenic vistas and resources would be less than significant:”

What follows is Policy CD-5.A which provides for the preservation and optimization of natural views and open spaces in Costa Mesa. However, there is no assurance that views can be preserved because the buildings in the Segerstrom Home Ranch project are limited only by FAR and could be anywhere from five (5) to twelve (12) stories in height. These buildings have the potential to impede the view of the Santa Ana Mountains for residents who live west of that project. This impact needs to be added to the DEIR.

Land Use Element

The proposed changes will have irreversible impacts on the residents, some of which result in the form of air pollution, greenhouse gas emissions and noise pollution, which are discussed below.

There are also impacts to the quality of life of the residents. There is no plan for the City to create either central or neighborhood gathering spots, no inclusionary agreement for affordable housing and the proposed high-density housing is not located in walkable/bikeable areas or near

a transit center. Removal of height limitations for buildings south of the San Diego Freeway will degrade the quality of life for the residents.

With respect to the Existing Land Use Distribution on 4.10-1 of the DEIR, the Santa Ana Colleen Street Island has already been incorporated into the City.

The DEIR does not address what happens to displaced residents as a result of the rezoning of “problem motels” to high-density mixed-use residential. The City seems to think these people will move elsewhere, but since so many have family in the area, including children attending Newport-Mesa schools, and a few have employment, this subject matter needs to be addressed. Further, this displacement is an intentional attempt to change the demographics of the City.

Environmental Impacts

Air Pollution and Greenhouse Gas Emissions

As noted on page 2.4-1 of the DEIR:

“ . . . the updated General Plan Amendments has the potential to result in significant, unavoidable environmental effects with regard to the following environmental issue areas:

- Air Quality Aesthetics (due to inconsistency with regional plans)
- Greenhouse Gas Emissions (due to inconsistency with regional plans)”

On page 4.3-15 of the DEIR, we see that the proposed General Plan Amendments will have the impact of the deterioration of air quality caused by the addition of 9,271 more dwelling units, 21,166 more residents and about 5.6 million square feet of nonresidential development. That section of the DEIR says:

“This could result in potentially significant impacts because air quality attainment goals could be delayed since the strategies adopted in the AQMP would not account for land use changes in the planning area.”

In other words, the City does not have a plan in place that can deal with the air pollution that comes with all this new development. Further, it says:

“Therefore, the proposed General Plan is inconsistent with the growth projections in the RTP/SCS and would be inconsistent with the 2012 AQMP.”

Despite that, the DEIR states that:

“the following policies in the updated General Plan support attainment of air quality goals through assessment and mitigation of future development projects . . .”

What is listed after that, among other things, are policies of the General Plan that would mitigate the impacts of the proposed development, some of which came out of the proposed Active Transportation Plan (“ATP”). However, those policies in the ATP were reclassified as “recommendations” at the time the City Council approved it. Mitigation needs to be something that is a concrete measure that can be taken to prevent an impact. It cannot be something that falls into the category of being a choice that might be opted for, or a wish list. Unless the City Council is going to change the DGP so that all the “recommendations” in the ATP are restored to policies, the DEIR needs to be edited to eliminate any reference to those policies/recommendations.

Not having an adequate plan to deal with air pollution puts the health of the residents at risk. I note that the monitoring station is located in an area that benefits from unimpeded breezes off the ocean due to its location near Costa Mesa Golf Course and Fairview Park and is not near the existing emission locations shown on Figure 4.3.2. There are other areas that receive a greater impact of air pollution, for example, the corner of Baker and Bear Streets which not only is impacted by the air pollution of three (3) nearby freeways, but also a busy arterial and the airport. While repurposing some of the light industrial in the SoBECA area might help air quality, it is not going to come close to eliminating the air pollution coming from the freeways, airport and the adjoining industrial park. Should the City allow a mixed-use component of 40-50* dwelling units per acre to be introduced to that area and other areas in the city, it would be at a significant risk to the health of all residents. *50 dwelling units with a density bonus applied.

There currently exists a toxic carbon monoxide “hot spot” at Hyland and MacArthur. Any increase in traffic caused by an increase in the use of land by elevating the allowable FAR in areas close to that hot spot would require mitigation. Expansion of the Los Angeles Times building is not likely to reduce that problem as it will bring an increase in traffic to that area over what currently exists. Any repurposing of the building needs to be accompanied by a plan to reduce auto and truck traffic. The adjacent rail line is an opportunity to provide pedestrian/bicycle access to that parcel and others in the area and should be incorporated into any redevelopment plan.

With respect to greenhouse gases, the California Air Resources Board has identified a cap and trade program as one of the strategies it will be using to reduce greenhouse gases. The City needs to anticipate that it will be required to be a part of that program and institute a plan to reduced greenhouse gases. As noted in Impact 4.7.B:

“The proposed General Plan Amendments have the potential to conflict with the 2012 SCAG RTP/SCS and CARB Scoping Plan—and thereby not attain GHG reductions

targets—because land use policy does not support the same level of population growth projected. **Impacts at the program level are significant and unavoidable.** [Emphasis added]

In addition, I note there is no mention of the impacts by the proposed Banning Ranch development. While the City is not responsible for that development, it is certain to be a part of the cumulative effects of the proposed General Plan Amendments. That cumulative impact and the impact of the proposed General Plan Amendments are unacceptable and need to be modified and a plan needs to be instituted to mitigate or eliminate those impacts.

Noise

In Section 4.12 of the DEIR much discussion is made to accommodating development of additional commercial, residential and mixed-use development in the specific focus areas and some attention is given to the impacts of the noise generated by that development. Mitigation includes Policy N-2-A which provides:

“Require the use of walls, berms, interior noise insulation, double-paned windows, and other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to arterials, freeways, or adjacent to industrial or commercial uses.”

Page 4.12-16 contains the following explanation of Impact 4.12.C:

“Future population growth within the planning area would result in increased traffic and the need for roadway and intersection improvements necessary to maintain desired levels of service, despite this increase in traffic. Increases in traffic could result in permanent increases in ambient noise levels, e.g., where a roadway segment is proposed to be expanded with additional travel lanes over the long-term to achieve level of service standards. Roadway noise could also increase on an existing roadway that will carry increasing traffic volumes. In either set of circumstances, roadway noise levels could increase to beyond the levels considered acceptable for the adjacent land uses. This issue is addressed under Impact 4.12.C.”

However, no mitigation is provided for pedestrians and bicyclists who are continuously exposed to these increased noise levels. Further, no explanation is given as to how the City intends to mitigate the noise that is echoed off tall buildings or the sound walls that are required to mitigate noise so that it does not travel beyond the arterial into adjacent buildings.

Zoning

The rezoning of selected properties along Harbor Boulevard and Newport Boulevard from commercial to mixed-use overlay is nothing more than spot zoning in those areas, as the adjacent

properties will not be rezoned as well. This constitutes a targeted action by the City designed to benefit certain property owners and not others. Further, the impacts of traffic due to the eastside of Newport Boulevard being a one-way arterial will direct the traffic back into the Eastside neighborhood bringing air pollution impacts noted above. In addition, in the prior General Plan buildings south of the San Diego Freeway were limited to no taller than four (4) stories in height. The General Plan Amendments indicate that there is no limitation to which development must conform—all is needed to exceed this height is permission from the City Council. This shows a complete disregard for the wishes of the residents to retain the low profile coastal town feel.

Circulation (Transportation and Traffic) Element

At the end of Section 4.16 of the DEIR there is a statement that no mitigation is necessary because no impacts would result. While it is noted that an intersection is not considered to be at failure level to the City unless it is rated as a LOS of “F”, we have two intersections that currently attain LOS “D” at peak hours. One of those is Newport Boulevard and 17th Street, which is at “D” at both the AM and PM peak hours. The other is Newport Boulevard and 18th Street/Rochester Street in the PM peak hour. Many residents, myself included, feel that a LOS of “D” is unacceptable.

With the proposed General Plan Amendments, Table 4.16-13 shows **twenty-one (21)** additional intersections that will attain LOS “D” at one or more peak hours. While some of those intersections will be “improved” to add lanes by 2035, that mitigation effort will only exacerbate the problems faced by pedestrians and bicycles trying to cross wide intersections. If bicyclists and pedestrians cannot cross a street safely, then mobility is severely limited, access is denied, and cycling and walking as a mode of travel is discouraged.

More than two percent (2%) of the residents of Costa Mesa ride a bicycle to work and that number is growing. It is imperative that the City reverse its decision to label the policies in the ATP recommendations. Those policies were written as a direct response from residents requesting better and safer connectivity and facilities in the City. Further, as noted above, to use those policies as mitigation for impacts, they need to be classified as such.

Policy C-4.A.3 proposes implementation of “park-once approaches for multiuse districts and regional destinations areas”, which are commonly known as “parking districts.” While the concept of parking districts is a good one, implementation would require the hiring of additional parking enforcement personnel. On page 4.15-54 it is stated that:

“These policies, in conjunction with the parking supply and design standards requirements of the City’s Zoning Code, would ensure that adequate parking is provided on a project-by-project basis. Impacts would be less than significant.”

However, since the need for additional parking enforcement personnel would be ongoing, the impact on the City budget would be significant. The DEIR does not indicate that these parking districts would be located in areas with business improvement districts that would fund the cost

of the additional personnel. Clarification is needed to fully assess the impacts of these parking districts.

Table 4.16-6 indicates that there are currently 1,018,790 ADTs generated in the City and an estimated 1,244,140 ADT. This does not appear to include the 150,000 additional passthrough trips we currently experience or whether the passthrough trips are anticipated to increase. Was a calculation made to increase the trips in accordance with a density bonus that could be applied to selected properties? Please provide that information.

While mention is given to the downgrade of the Gisler Avenue/Garfield Avenue crossing of the Santa Ana River to a "Right-of-Way Reserve" status on the Orange County Master Plan of Arterial Highways, it is not clear if this is a fait accompli. If a formal change in status has not occurred, what will be the impact(s)? Please provide more information.

One glaring omission from the Circulation Element is the traffic impacts from the Banning Ranch project in Newport Beach. While that project is not part of the proposed General Plan Amendments, seven (7) intersections will be impacted by the Banning Ranch project, many of which are included in the twenty-one (21) impacted intersections show on Table 4.16-13. Will the addition of Banning Ranch traffic cause any of those seven (7) intersections to drop in level of service? Please provide a detailed answer to this, including what level of service is anticipated with the addition of Banning Ranch traffic given the current plans for that project.

In looking at this data and factoring in that there will be some impacts felt by the Banning Ranch project, I believe the statement that no mitigation is necessary is false. The additional traffic that comes with the proposed General Plan Amendments is one of the greatest impacts on the quality of life for the residents of Costa Mesa and steps need to be taken to eliminate those impacts.

Open Space

On page 4.14-9 of the DEIR it states:

"The City of Costa Mesa currently does not meet its goal of providing 4.26 acres of parkland per 1,000 persons."

Further down the page it is stated:

"As of 2015, the City had an estimated population of 110,524 residents. Based on the City's park standard goal of 4.26 acres for every 1,000 persons, approximately 471 acres of parkland are required to meet the City's goal. Assuming a build-out population of 131,690 residents, 561 acres would need to be acquired to achieve the goal."

On page 4.14-10 of the DEIR it asserts:

“Given the paucity of vacant land within the planning area, it could be reasonably assumed that acquisition and provision of an additional 561 acres of parkland would not [be] feasible. However, this impact is not considered significant since the possible inability of the City to meet its goal would not result in any direct or indirect environmental impact.”

Costa Mesa is comprised of more than just buildings and people. The most “livable” cities are as known for their open space. Having open space in cities provides many advantages: formal and informal sports and recreation, preservation of natural environments, provision of green space and even urban storm water management. Thus green space must be a key consideration in Costa Mesa if the health of a city and its residents are both considered important.

There is a growing body of research showing a connection between human health and well-being and the design and structure of towns, cities and regions. It is believed that planning decisions have a key role to play in combating growing levels of obesity and helping prevent lifestyle-related diseases through facilitating physical activity and positive mental health. The health benefits associated with access to public open space and parks include better perceived general health, reduced stress levels, reduced depression and more. An evaluation of the largest 85 cities in the United States found the health savings from parks was an estimated \$3.08 billion.

Thus, there are significant impacts from continually falling behind on acquiring new parkland for use by the residents. The City needs to identify priority areas for new parkland and pursue the acquisition and construction of facilities on that land. Failure to do so will result in substantial deterioration of existing facilities.

With respect to Fairview Park, on page OSR-18 of the DGP it states:

“Due to its size, Fairview Park is one of the parks that may be repurposed to include other public amenities. However, a balance between passive and active open space opportunities within the park will continue to be a key consideration.”

Due to the sensitive environmental and archeological issues of Fairview Park, this park must be left in a natural state and only requires efforts with respect to remediation or enhancement of that natural state. Simply stated: leave it alone.

Population and Housing

Data found on page 4.13-6 of the DEIR indicates that the City anticipates the addition of 11,078 more residents by 2035 or an increase of 9.76%. It also indicates the addition of 4,040 dwelling units by that same year (an increase of 9.48%). The increase in jobs is anticipated to be 17,147 more jobs by 2035 (19.64%). Note that some of these numbers do not comport with the numbers

found on page 4.3-15 of the DEIR. Please provide an apples-to-apples comparison or a corrected set of numbers.

It is not indicated what type of industries that anticipate this increase in employment and the wage levels of these new workers. The unavailability of suitable affordable housing for employees has proven to be a problem in the past for industries in that they are not able to retain skilled employees for this reason. It is important that the City adopt an inclusionary housing ordinance for this reason.

In addition, on page 4.13-6 of the DEIR it indicates there are 8,032 net acres in the City. In the second column of Table LU-2 on page LU-11 of the DGP it indicates there are 8,044. However, adding the numbers in that column, the number is actually 7,942.20. Please review the calculations in both documents and adjust for inconsistencies.

Utilities and Service Systems

Impact 14.d found on page 14.17-12 states:

“Implementation of the proposed General Plan Amendments would not require new or expanded water supply entitlements to be secured, and the proposed General Plan Amendments incorporate policies aimed at conserving water supplies.”

This indicates that there will be no impact by the addition of 9,271 dwelling units and 21,166 more residents to the City. Residents have been required to minimize water consumption because of the current drought conditions. Our water supply has not been completely replenished by the recent rains and we have been told that we need to continue curtailing our water consumption. To say that providing water service to 21,166 new residents will have no impact to the current residents is incredible. Please provide a detailed plan and policies for how the City is going to handle the lack of water and still add water service without any impact.

Alternatives

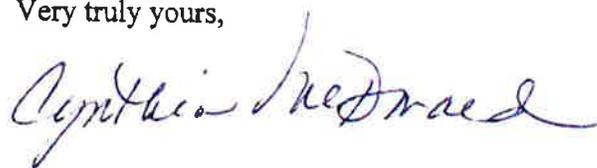
None of the proposed alternatives reflect the concerns or wishes of the residents that were expressed in the outreach meetings. Those concerns include, but are not limited to acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation, and increasing homeownership to balance the ratio between homeownership to rental housing. In addition, affordable housing is a concern, particularly with respect to housing for seniors and those who have low and very low incomes.

City of Costa Mesa
April 18, 2016
Page 10

Please note that any request for information contained herein may not be my final request, as when I receive additional information that may generate more questions. Therefore, I reserve my right to make additional information requests. In addition, there are typographical, mathematical and other errors in the DGP that I will address separately when time allows.

Thank you for your attention and I look forward to reviewing the City's response.

Very truly yours,

A handwritten signature in blue ink that reads "Cynthia McDonald". The signature is written in a cursive style with a large, sweeping initial "C".

Cynthia McDonald

/cm

ASHABI, MINOO

Subject: FW: Comments to the DEIR

From: Robin Leffler

Sent: Monday, April 18, 2016 4:49 PM

To: FLYNN, CLAIRE <CLAIRE.FLYNN@costamesaca.gov>; General Plan <GeneralPlan@ci.costa-mesa.ca.us>

Subject: Comments to the DEIR

In the areas I looked at most closely there seem to be discrepancies in some of the figures presented for traffic and housing.

The traffic consultant who spoke at the 4/4/16 Planning Commission said the General Plan Update would generate only 10,000 more trips than build-out of the current General Plan. During the 4/5/16 City Council meeting a different consultant, one hired to analyze impacts from the "Smart Growth" voter initiative, reported traffic would increase by 15,015 trips if the proposed General Plan Updates were fully built. I am concerned that the City Council will not know which figures to rely on, or if either is accurate. These analyses are at odds, and the discrepancy must be resolved before the EIR is deemed complete.

From the 9/8/15 Joint City Council and Planning Commission Study session, the traffic analyst supplied data to the City Council, Planning Commission and Public (attachment 5, pg 41), that said Hospitals (incl. the Fairview Hospital Property) are deemed to generate 6,108 existing trips. With proposed Updates, the Property would generate 1,579 trips, for a stated loss of -4,529 trips from current GP. The motel properties are deemed to generate 12,793 existing trips and the same if the current GP is built out. With the proposed Updates, there would be a stated loss of -7,466 trips. Since neither Fairview Hospital or many of the Motels have been operating at peak capacity for many years the lower trip numbers are not accurate for existing conditions. The EIR should provide a more realistic view of the probable changes in traffic conditions before the EIR is deemed complete.

There also seem to be approximately 5000 housing units that are missing in the final analyses. (At this point they are MIA. Please send in a recovery unit to determine if they are dead, wounded, or POW. If possible, bring them out alive... (- sorry, this stuff gets so serious, I just had to do that.)) There does appear to be an approximate 5000 unit discrepancy. Before the EIR is deemed complete, the discrepancy must be accounted for. This will also affect final traffic figures and may affect other areas such as rental/ownership ratio or jobs/housing ratios.

All joking aside, it is critically important that Decision makers have an accurate idea of how traffic could change before they make their decision on the acceptability of the EIR.

Thank you for your consideration,
Robin Leffler

ASHABI, MINOO

Subject: FW: Draft EIR Comments

From: Anna Vrska

Sent: Monday, April 18, 2016 4:29 PM

To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>

Cc: GREEN, BRENDA <brenda.green@costamesaca.gov>; ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>

Subject: Draft EIR Comments

Good Afternoon,

The following are my comments to the Draft Environmental Impact Report. Please make them part of the public record.

The changes to certain parts of the City by the proposed General Plan Amendments are unacceptable because of the impacts those changes will have on residents. Those impacts are:

- Additional density that does not bring more homeownership opportunities to the City, but instead brings more apartments;
- Loss of height limitations on buildings south of the 405 freeway;
- Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;
- No plan to provide affordable housing for seniors and low and very-low income residents;
- No concrete plan to add walkability and bikeability to the City;
- Increased parking issues;
- Lowering the level of service at 21 intersections in the City to the level of congestion experienced at Newport Boulevard and 17th Street;
- Increased air pollution and greenhouse gas emissions;
- Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;
- Inadequate protective measures for biological and archeological resources at Fairview Park;
- Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population; and
- No plan to address the scarcity of water sources.

None of the alternatives offered by the City mitigate these impacts. The alternatives do not address protecting the health, safety and quality of life of the residents.

The Draft Environmental Impact Report needs to be rewritten to address the concerns of the residents including acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation,

increasing homeownership to balance the ratio between homeownership to rental housing, and providing for more affordable housing.

Thank you.

Anna Vrska

ASHABI, MINOO

From: FLYNN, CLAIRE
Sent: Monday, April 18, 2016 12:13 PM
To: ASHABI, MINOO; Laura Stetson; Jose M. Rodriguez
Subject: FW: GP Draft EIR

From: Ralph Taboada
Sent: Monday, April 18, 2016 12:01 PM
To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>
Cc: GREEN, BRENDA <brenda.green@costamesaca.gov>; ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>
Subject: GP Draft EIR

I have many concerns about the draft EIR. I do not believe it adequately addresses the following:

1. -- loss of height limitations on buildings especially south of the 405 freeway
2. -- no plan for replacement housing for residents displaced by redevelopment of selected properties
3. -- no plan to provide affordable housing for seniors and low and very low income residents
4. -- no concrete plan to add walkability and bikeability to the City
5. -- lowering of level of service at 21 intersections in the City to the level of congestion experienced at Newport Blvd and 17th Street.
6. -- additional density that does not bring more homeownership opportunities to the City but instead brings in more apartments
7. -- increased noise levels as a result of the canyon effect created by tall buildings
8. -- inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population
9. -- increased air pollution and greenhouse gas emissions
10. -- no plan to address the scarcity of water resources

The EIR needs to be revised because it does not address protecting the health, safety, and quality of life of Costa Mesa residents. The draft needs to be revised because it does not address the concerns of residents such as acquiring more open space, maintaining neighborhood character, bikeability and the walkability of public streets.

Thank you
Ralph Taboada

ASHABI, MINOO

Subject: FW: Draft environmental impact report

From: Lisa Lawrence

Sent: Monday, April 18, 2016 12:51 PM

To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>

Cc: ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>; GREEN, BRENDA <brenda.green@costamesaca.gov>

Subject: Draft environmental impact report

To whom it may concern,

The changes to certain parts of the City by the proposed General Plan Amendments are unacceptable because of the impacts those changes will have on the residents. Those impacts are as follows:

- Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;
- No plan to provide affordable housing for seniors and low and very-low income residents;
- No concrete plan to add walkability and bikeability to the City;
- Increased parking issues;
- Lowering the level of service at 21 intersections in the City to the level of congestion experienced at Newport Boulevard and 17th Street;
- Increased air pollution and greenhouse gas emissions;
- Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;
- Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population; and
- No plan to address the scarcity of water sources.

Thank you for your consideration,

Sincerely,

Lisa Lawrence

Sent from my iPhone

ASHABI, MINOO

Subject: FW: Comments to the DEIR associated with General Plan update

From: William Harader

Sent: Monday, April 18, 2016 9:57 AM

To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>

Subject: Comments to the DEIR associated with General Plan update

The changes to certain parts of the City by proposed General Plan Amendments are not acceptable because of the impacts those changes will have on C.M.residents. Those impacts are the following:

Additional density that does not bring more homeownership opportunities to the City, but instead brings more apartments.

Need for height limitations on buildings south of 405 freeway;

Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;

No plan to provide affordable housing for seniors and low income residents;

No concrete plan to add walkability and bikeability to the City;

Increased parking issues;

Lowering the level of service at 21 intersections in the City to the level of congestion experienced at NB Blvd. and 17th St.;

Increased air pollution and greenhouse gas emissions;

Increased air noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;

Inability to provide new parks and open space to keep up with substantial deterioration of existing facilities by the increase in use due to increase in population; and

No plan to address the scarcity of water sources.

There are virtually none of the alternatives offered by the City to mitigate these impacts. The alternatives do not address protecting the health, safety, and quality of life of the residents. The Draft Environmental Impact Report needs to be rewritten to address the concerns of residents to acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation, increasing homeownership to balance the ratio between homeownership to rental housing,, and providing for more affordable housing.

Thank you for your consideration.

William C. Harader

ASHABI, MINOO

Subject: FW: [BULK]

Importance: Low

From: Elaine Dethlefsen

Sent: Monday, April 18, 2016 12:39 PM

To: GREEN, BRENDA <brenda.green@costamesaca.gov>

Subject: [BULK]

Importance: Low

I writing you to express my deep concern with the purposed General Plan Amendments. These are a few of items that concern me.

By allowing more and more apartments, this will increase the transit population, and decreases the homeowner population. Apartment dwellers do not have a vested interest in the community.

By not enforcing the height limitations on buildings, this has a big impact on the neighborhoods. Costa Mesa seems to be on a fast track to try and the second Los Angeles. Right now this city is a good example of very poor planning of neighborhood and business concerns. It is as if someone is throwing darts at the map of Costa Mesa, and where the dart lands, that is where the new buildings go up.

There is not any mention of plans for senior living, low income, biking accommodations, and new parks. I don't mean "sports fields".

Neither the city council, the planning commission, or the purposed draft address the following:

- Increased parking issues

- Air pollution and green house gas emissions

- Increase noise pollution from construction, cars, and high buildings creating canyons of pollution/noise.

- Increase water usage

- Increase need for fire and police Please keep in mind, the crime rate in Costa Mesa if now at **33%**.

- Increase in traffic. Right now it is impossible to travel in Costa Mesa at certain times of the day without running into a traffic jam.

- The negative impact of this unbridled building on the citizens' quality of life

This unchecked building phase that the government of Costa Mesa is forcing upon the citizens of Costa Mesa has got to STOP.

There are new houses going up at the end of my street right now. When I look at the houses, they do not have any yards, they are two story, and there is not any parking for the owners/guests. Can you explain where the children of these homeowners are going to play? Where are going to park?

The architecture does not fit with the neighborhood. Who is the architect for these projects??? The new apartments and homes going up all over town looks like a five year old designed them . They are all square boxes.

Thank you for your attention to this matter.

Elaine Dethlefsen

ASHABI, MINOO

Subject: FW: General plan draft EIR resident comment- please add to the report and make part of the public record.

From: Laurene Keane

Sent: Monday, April 18, 2016 3:10 PM

To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>; GREEN, BRENDA <brenda.green@costamesaca.gov>; ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>

Subject: General plan draft EIR resident comment- please add to the report and make part of the public record.

To Whom it May Concern:
Re: Draft EIR General plan-Costa Mesa

The following are my comments to the Draft Environmental Impact Report. Please make them part of the public record.

The changes to certain parts of the City by the proposed General Plan Amendments are unacceptable to me because of the impacts those changes will have on the residents.

The impacts that concern me are as follows:

- Additional density that does not bring more homeownership opportunities to the City, but instead brings more apartments;
- Loss of height limitations on buildings south of the 405 freeway;
- Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;
- No plan to provide affordable housing for seniors and low and very-low income residents;
- No concrete plan to add walkability and bikeability to the City;
- Increased parking issues;
- Lowering the level of service at 21 intersections in the City to the level of congestion experienced at Newport Boulevard and 17th Street;
- Increased air pollution and greenhouse gas emissions;
- Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;
- Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population; and
- No plan to address the scarcity of water sources.

None of the alternatives offered by the City mitigate these impacts. The alternatives do not address protecting the health, safety and quality of life of the residents. The Draft Environmental Impact Report needs to be rewritten to address the concerns of the residents, including acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation, increasing homeownership to balance the ratio between homeownership to rental housing, and providing for more affordable housing.

I have attended many meetings where residents have voiced their concerns, and offered suggestions I would like to see included in the General plan.

Thank you for your consideration.
Laurene Keane
Costa Mesa Resident

ASHABI, MINOO

Subject: FW: General Plan Amendments

From: Georgette Quinn

Sent: Monday, April 18, 2016 6:33 AM

To: MONAHAN, GARY <GARY.MONAHAN@costamesaca.gov>; RIGHEIMER, JIM <JIM.RIGHEIMER@costamesaca.gov>; FOLEY, KATRINA <KATRINA.FOLEY@costamesaca.gov>; GENIS, SANDRA <SANDRA.GENIS@costamesaca.gov>; Mayor <Mayor@costamesaca.gov>

Subject: General Plan Amendments

Hello, I am concerned about the fact that the city council is making changes to our city without listening to the residents. We could accept change if the changes took into consideration the of making Costa Mesa a city that is livable to all. Not just cramming in wherever you can high density housing that will bring in the following impacts:

- Additional density that does not bring more homeownership opportunities to the City, but instead brings more apartments;
- Loss of height limitations on buildings south of the 405 freeway;
- Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;
- No plan to provide affordable housing for seniors and low and very-low income residents;
- No concrete plan to add walkability and bikeability to the City;
- Increased parking issues;
- Lowering the level of service at 21 intersections in the City to the level of congestion experienced at Newport Boulevard and 17th Street;
- Increased air pollution and greenhouse gas emissions;
- Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;
- Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population; and
- No plan to address the scarcity of water sources.

None of the alternatives offered by the City mitigate these impacts. The alternatives do not address protecting the health, safety and quality of life of the residents. The Draft Environmental Impact Report needs to be rewritten to address the concerns of the residents including acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation, increasing homeownership to balance the ratio between homeownership to rental housing, and providing for more affordable housing.

Thank you for your consideration.

Georgette M. Quinn OHST

Subject: FW: DEIR Comments

On Apr 18, 2016, at 12:33 PM, Judy Lindsay wrote:

The following are my comments to the Draft Environmental Impact Report. Please make them part of the public record.

The changes to certain parts of the City by the proposed General Plan Amendments are unacceptable because of the impacts those changes will have on the residents. Those impacts are as follows:

- Additional density that does not bring more homeownership opportunities to the City, but instead brings more apartments;
- Loss of height limitations on buildings south of the 405 freeway;
- Displacement of residents as a result of redevelopment of selected properties without a plan to provide replacement housing;
- No plan to provide affordable housing for seniors and low and very-low income residents;
- No concrete plan to add walkability and bikeability to the City;
- Increased parking issues;
- Lowering the level of service at 21 intersections in the City to the level of congestion experienced at Newport Boulevard and 17th Street;
- Increased air pollution and greenhouse gas emissions;
- Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads;
- Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to increase in population; and
- No plan to address the scarcity of water sources.

None of the alternatives offered by the City mitigate these impacts. The alternatives do not address protecting the health, safety and quality of life of the residents. The Draft Environmental Impact Report needs to be rewritten to address the concerns of the residents including acquiring more open space, maintaining neighborhood character, bikeability and walkability of public streets, safe and efficient traffic circulation, increasing homeownership to balance the ratio between homeownership to rental housing, and providing for more affordable housing.

Thank you for your consideration.

Judy Lindssay

ASHABI, MINOO

Subject: FW: Development Planning

From: Corinne Stover

Sent: Monday, April 18, 2016 11:32 AM

To: ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>; GREEN, BRENDA <brenda.green@costamesaca.gov>; FLYNN, CLAIRE <CLAIRE.FLYNN@costamesaca.gov>; rdickson.cmpc@gmail.com; twsesler@gmail.com; colinkmccarthy@yahoo.com; sandranian@yahoo.com; aventru@ca.rr.com

Subject: Development Planning

April 18, 2016

From: Corinne P. Stover

To: Cary Armstrong
City of Costa Mesa Development Department

Two-hundred forty-one years ago, Paul Revere rode through the countryside warning his countrymen, "The British are coming!" (According to poet Henry Wadsworth Longfellow, anyway.)

On this April 18th, your Costa Mesan "countrymen/women" hope to impress upon the Planning Department Planning Commission the need for a close look at what is being developed in this city.

In a time of severe drought, the concept "less is more" applies to a need for being qualitative about development.

it is not feasible to continue building quantitatively, filling available areas with apartments! In my opinion, the live-work concept was not thoroughly "vetted" for Costa Mesa. The developer, thinking it a good idea, did not plan funding for a monitoring system for compliance!

The Environmental Impact Report (EIR) is not meant to stymie development. It gives parameters for quality development.

Isn't that why we have criteria for compliance? Isn't it fitting for developers and planners to think first to accommodate compliance, rather than plan for modifications?

Where is quality when projects continually provoke modification? This is what I see happening in Costa Mesa: minimize area between buildings, let 2nd floors overhang lower floors, rooftops as "open space."

To paraphrase Longfellow, "The *Developers* are here!" This countrywoman wants our city's growth to be smart, waterwise, design-worthy, and allow for more mobility. Compliance begins and ends in the development department, equipped with all the concerns of its constituents from Summer, 2013. There were no hammers at those meetings! "The man with a hammer walks in search of a nail."

Copies: Brenda Green

Claire Flynn

Planning Commissioners:

Robert Dickson, Jr.,

Tim Sesler,

Colin McCarthy

Stephan Andranian

Jeff Matthews

April 18, 2016 (city general plan draft eir)

RECEIVED
CITY CLERK

City Council and Staff:

16 APR 18 PM 3:37

The following are my comments regarding the Draft Environmental Impact Report. Please make them part of the public record.

CITY OF COSTA MESA
BY SW

A very detailed Draft EIR still leaves several important issues in need of additional research and serious consideration.

WATER:

The draft EIR mentions several probable impacts of future development. I will focus on two where the problems are obvious to any educated layman: “**necessity for additional water resources**” and impact on “groundwater recharge by **increasing impervious surfaces that could hinder percolation of drainage into subsurface aquifers.**”

Unfortunately, what was hoped to be a short-term drought is now seen as a likely long-term arid period. Several articles have recently been published warning that “Even when the epic drought ends,...California will still be losing water” (Jay Miglietti, Senior water scientist at NASA JPL. *L.A. Times*, April 16, 2016).

Unfortunately, the reduction of permeable surfaces is already common in permitted developments with first, reduced required setbacks, and then additional variances and the allowance of rooftop decks as “open space.” These practices must be stopped. In addition, any further reduction of permeable surfaces must not be permitted. The increased high density construction proposed in the draft general plan must not be allowed.

“**Necessity for additional water resources**” is **painfully obvious**. Our water district has done an outstanding job managing our resources through engineering and through encouraging conservation by residents resulting in Costa Mesa meeting its goal of a 20% reduction. The EIR duly recognizes these efforts.

However, *it is an unacceptable premise that additional technological advances and sacrifice on the part of residents will increase* to accommodate the increased population invited through the General Plan draft. Many residents have risen to the challenge. However, questions such as “Why should I take shorter showers in order to bring in excessive new population?” are increasingly voiced. There is no justification for a statement that more of the same, following the already substantial cutbacks, will reduce water consumption enough to accommodate this increasing population.

In order to claim “less than significant impacts” the city is obligated to **provide proof** through additional studies, and not just general statements. Among other studies, **average water usage per residence should be tallied, and the additional water cuts necessary per family based on the number of additional residences projected should be published. Current residents deserve to know what this increased density means in terms of less water for their families.**

In addition, credible projections for possible additional state-wide shortages must be researched and considered.

RESIDENTIAL DENSITY AND RESPECT FOR CITY RESIDENTS:

Current residents have spoken clearly that we wish to maintain the suburban atmosphere of Costa Mesa. Years ago, density and height limitations were discussed at length and maintenance of low-rise building south of the 405 was affirmed.

More recently, a couple years ago, the city held a "Great Outreach," inviting families from all over the city. Two outcomes which should be honored but have been ignored are notable:

1. Speakers—most of whom had not spoken in a public forum before--lined up to say, essentially, "Leave the Westside alone."
2. A presentation of building types among which the attendees were supposed to choose was presented in a meeting room. The choices for style and density were, essentially choices between "bad" and "worse." Eventually there was a general rebellion on the part of the attendees saying that **none of the choices were acceptable**. Since that request for public opinion, however, the city councilmen have ignored the will of the people and approved development far worse than the worst that the presenters had to offer.

ELIMINATION OF LOW-INCOME HOUSING VIA HARRASSMENT OF MOTEL OWNERS

While addition of low-income housing is a difficult problem, the current push for elimination of such housing is unconscionable. Developers are often given incentives and/or variances to tear down modest low-rise housing and put in the crowded, intrusive developments I mentioned above.

Even worse, through a concerted effort of harassment of motel owners and persistent demonizing of the motels and their residents, the limited amount of last-resort housing is being diminished. It's important to note that this housing is available through mutual agreements between the residents and the private business owners, with no demands for additional taxation or city interference. Besides the elimination of this mutually and privately agreed upon decision, the city is also interfering in private enterprise in a most unseemly manner.

Until and unless reasonable alternatives become available, the current private-sector solutions should absolutely be encouraged.

PARKING:

Despite the repeated protestations by councilmen that "Costa Mesa" has the tightest parking requirements in the county, it is obvious that parking issues are serious and getting worse.

We regularly hear requests in Council meetings for resident permit only parking. Excessive and increasing overflow parking is intruding on many neighborhoods and interfering with the "quiet enjoyment" of our homes and neighborhoods. This problem could be easily addressed, but the councilmen turn a deaf ear, and continue to make the problem worse. Sufficient resident and guest parking could easily be required of all new development—based on current parking needs and habits—not those of 20 years ago. Appropriate studies and inclusion in the general plan can easily be accomplished if the council heeds the demands of the public

In areas where excessive parking is already a problem, the city has some obligation to develop creative solutions. "Mitigation" is already sorely needed. Increase of this problem is inexcusable and avoidable.

AIR QUALITY:

Air quality seems to be an area where significant impacts are acknowledged. While hard for a resident to see or quantify, it is extremely important. Air pollution is obviously diminished with increased traffic and idling at overburdened intersections. Reduction of the density which many residents are objecting to can help to protect our air quality.

Thank you for your attention, and a special thank you to city staff members who work so hard to meet competing demands.

Tamar Goldmann

A handwritten signature in cursive script that reads "Tamar Goldmann". The signature is written in dark ink and has a fluid, connected style.

April 18, 2016

Greetings Draft Environmental Impact (DEIR) Review Staff,

Here are a few of my comments on the (DEIR) and references in the DEIR that lead to the *draft general plan 2016*. I have also included a few references to the 2000EIR for comparison purposes.

1. In Costa Mesa's Draft Environmental Impact Report 2016 (DREI) , page 4.4-15 under 'Biological Resources' -Impact 4.3A states: "Impacts to special status species and their habitat would be less than significant with implementation of draft General Plan policies and Mitigation Measure 4.3.A-1".

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Trying to make the impact appear as less than significant even with mitigation is not according to CEQA when it really is significant. The city therefore should place the burrowing owl under 'significant' instead of trying to lessen the impact by putting in under 'insignificant with mitigation'. The goal of the city should be to preserve natural resources not mitigate them.

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2. This leads me into the next point of the words -'Planning area, Project, and Amendments to the General Plan Area, and in particular, the critical habitat for the Endangered San Diego fairy shrimp. On pages 4. 4-10 under "San Diego Fairy Shrimp', and 4.4-12 under ' Critical Habitat', it says there is no critical habitat for

the San Diego fairy shrimp in the planning area but in other parts of the DEIR, such as page 4.4-8 when it says: "Of these, only 10 species and two natural communities are located with the planning area and all occurrences are found either in Fairview Park, Talbert Regional Park or the adjacent wildlife preserve." (and 4.4-9)it talks about the whole of Costa Mesa (project area) as a planning area as well as many other places in the DEIR (pgs.4.14-8, 4.14-9, 4.15-1, 5-4 etc.)

So, to summarize, since planning and project are used synonymously, then there IS INDEED Critical Habitat in the planning area (Costa Mesa). Also, the *draft general plan*, it states on OSR-18, the city's vision of repurposing Fairview Park - which is part of Costa Mesa - whatever *area* you want to call it. AND, vernal pools on the east side of Fairview Park have been omitted from the draft general plan on page CON-5. These vernal pools are part of the Fairview Park Master Plan (FPMP) page 129 and should be noted as such.

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4. Also page 4.4-16 IMPACT 4.3C says no impact to section 404 wetlands would occur as a result - but the 2009-2013 illegal filling/grading of the canyon in Fairview Park has affected and impacted the habitat in that riverine area of Fairview Park and should be included in the draft. It is home to the California Endangered Gnat Catcher and was filled/graded illegally by the city. (I have documents showing this). Where are the surveys for the California Gnatcatcher?

5. This filling/grading of the Fairview Park canyon impacted two archaeological core sites of ORA-58. (See FPMP)The city is supposed to be preserving and maintaining historical and cultural resources but has failed miserably once again.

6. Page 4.6-13 - Shouldn't Costa Mesa have a URM ordinance before building all these high density houses?

7. 'Open Space' Recreation Element. First of all, what happened to the 'Open Space' part of the title? There are some errors in the calculations of open space per 1,000 residents. First of all, please note on page. 4.12-11, the OC Fair and Event Center includes the OC Fairgrounds. On page 4.15-1 - it says that the OC Fair and Event Center has 150.04 acres. On page 4.15-3 - it states that OC Fairgrounds has 149.47 acres. But it has been included as part of the 'Institutional Uses' acreage on page 4.15-1 AND ADDED AGAIN as the OC Fair and Event Center. This artificially increases the open space by 150.00 acres but wait that's not all. The acreage of the schools in 2000EIR to DEIR 2016 have differences which can't be accounted for as well. Most of the differences are a few acres but Van Guard University had an increase of 33.16 acres. I contacted VanGuard University and found out that no new acreage had been obtained and no change of land usage. No way to account for this increase of 33.16 acres. The acreage of open space is off by 200 acres from the 2000 EIR to this draft eir. Please note under Recreation (not open space/trails recreation like in 2000 EIR) on page 4.15-1 it says we have 1,925.15 acres of open-space recreation but in 2000EIR we had only 1,706.74 acres (pg. 4.12-1 2000EIR). Besides OC Fairgrounds being added twice, Harbor Lawn Cemetery has been included in the 2016 acreage. Also OCC went from 20 acres in 2000 to 64.40 acres in 2016. That's an increase of 44.40 more acres. Also, the school matrix does not show what types of fields are at each school like the 2000 EIR did. Most of the schools have added acreage to them and the schools I contacted had no idea why - they didn't grow or change land usage. So, this actually puts Costa Mesa even further behind in their goal for having 4.26 acres of open space per 1000 residents. It's not 3.66 acres per 1,000 residents like stated on page 4.14-9 under 'Public Services' but more like 2.0 acres per 1,000 residents, so please correct this. I think the draft eir is evidence for the destruction of the city's ability to provide its residents with the proper amount of 4.26 acres of Open Space per 1000 residents and should not be allowed.

8. Page 4.15-5 Under 'Recreation' (still what happened to Open Space and Trails even?)

9. Page 4.15-6 under 'Policy OSR-1.C' This map of deficient park areas as outlined in Figure OSR-3 of the *draft general plan 2016*, has some errors. OSR-3 is based on OSR-2 (page OSR-14 in *draft general plan 2016*) which has miscalculations. Please notice the areas designated as within 1/4 mile and 1/2 mile from a park as well as

the pink areas to represent the "underserved" areas. I brought this up at the planning commission meetings and was told by Ms. Stetson that I had calculated their miscalculations based on 'how the crow flies'. She is mistaken and I am attaching the google maps to show you. I have also used other maps to make sure and this is indeed WALKING not driving or 'how the crow flies' as Ms. Stetson stated. This miscalculation of distance is THE FOUNDATION FOR EVEN GREATER ERRORS BECAUSE this map misrepresents the residents being served. More residents are being served than stated and there is not access problems like stated in *draft general plan 2016* under Table OSR-4 Park/Population Ratios and page OSR-19. If there is disagreement again, I would like to see your maps used.

10. The miscalculation of open-space area and underserved areas is right in line with the complete lack of public representation in the *draft general plan 2016*. Having attended the various workshops put on by the city and reviewing the event summaries, I was pleased to see the event summaries did indeed represent what actually happened at the workshops. What happened to the draft general plan? There is no representation of what actually happened in the workshops in the *draft general plan 2016*. For example, residents stated over and over again that natural open space was very important to them. Fairview Park not been included in the Costa Mesa Open Spaces area but instead included in the Neighborhood Park area - there are myths perpetuated about needing sport fields throughout the OSR element. First of all, that would undermine the Open Space Survey and Field Usage Survey that was conducted and results have not been released yet. Secondly, there is a Fairview Park Master Plan that governs Fairview Park and for the city to state that Fairview Park could be repurposed for the increased demand for sport fields (OSR-18) is undermining the Fairview Park Master Plan, ignoring the publics' input for two and a half years, and perpetuating a lie with no factual basis.

Secondly, not including Fairview Park as an Open Space with all of its unique biological and archaeological resources is once again trying to lessen what Fairview Park actually contains and the value it has for the community.

As a side note to anyone reading this - this onslaught against Fairview Park didn't begin with the draft eir. Our councilman Mr. Mensinger was allowed to sit as council on the Fairview Park Citizens Advisory Committee when he admitted to

asking city staff to mow a path in vernal pool 6 and 7? (I have O.C.Register article to support this) Oh By The Way, MIG still didn't get the acronym correct on OSR-5, it's FPCAC not FPAC) There are numerous other errors in the eir such as , why is Early College School not included in the draft eir but included in the draft general plan?

10. Why are the Green House Gas Emissions allowed to exceed SCAQM standards? Ms. Stetson said that SCAQM just needed to update their report. I would like Costa Mesa to abide by the SCAQM standards instead of trying to redefine them.

11. The DEIR should have been done by a more reputable and honest company instead of MIG. One that would reflect the workshops and not the mayors wishes (last city council meeting - said we need more sport fields - ignoring parks and rec.'s data once again.)

Sincerely,

Kim Hendricks

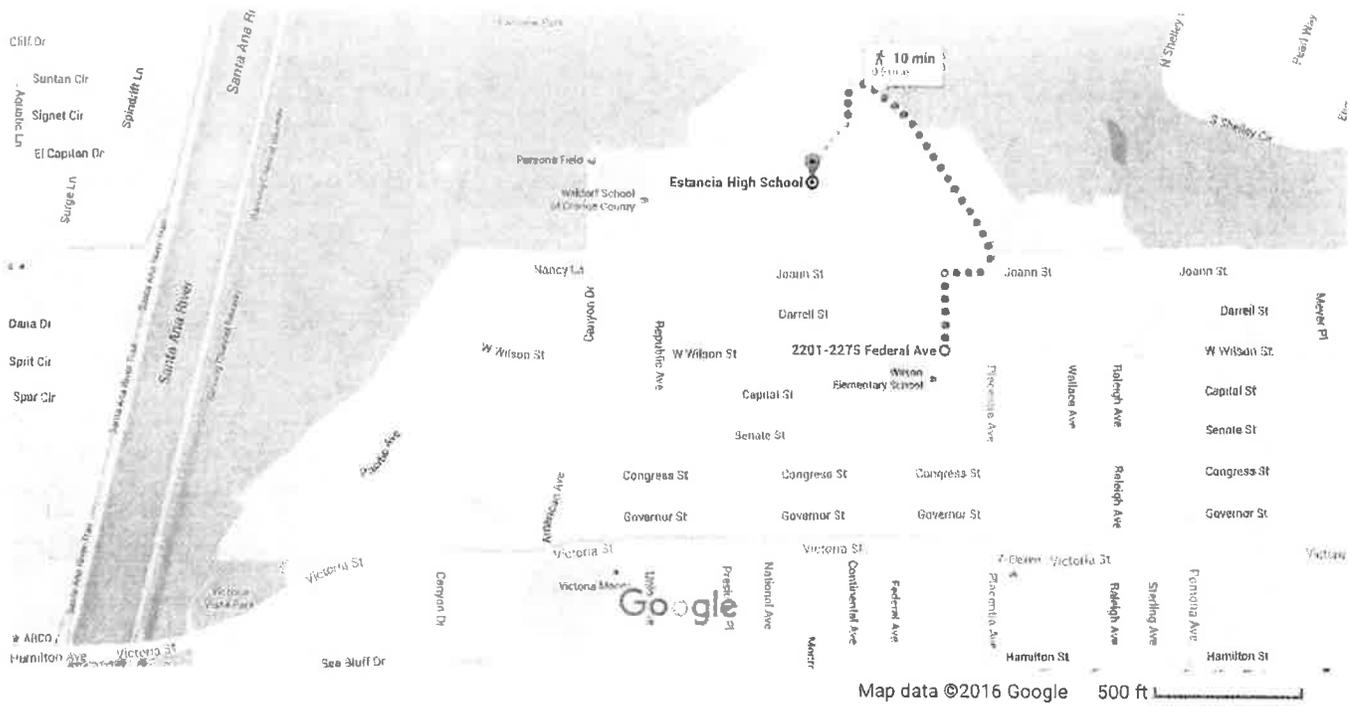
Costa Mesa Resident

Google Maps

2201-2275 Federal Ave, Costa Mesa, CA 92627

Walk 0.5 mile, 10 min

to Estancia High School



via Placentia Ave

10 min

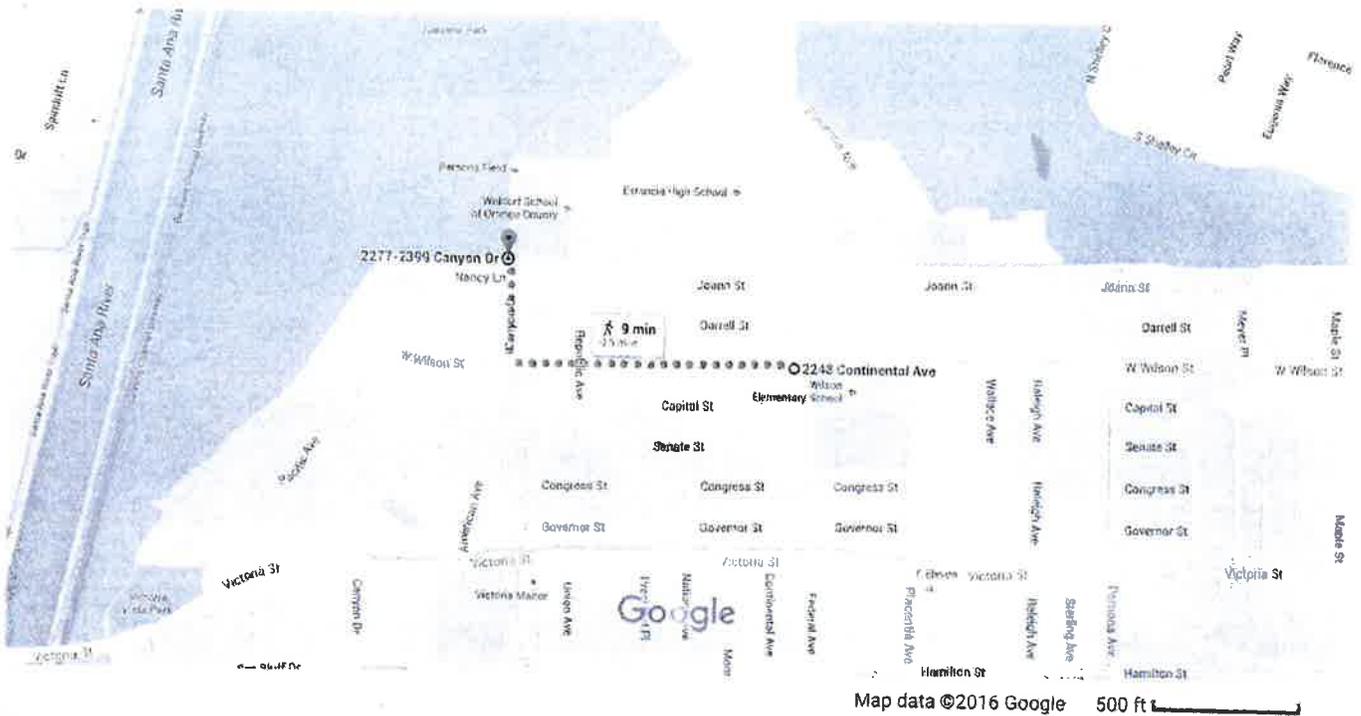
0.5 mile

Google Maps

Google Maps

2248 Continental Ave, Costa Mesa, CA 92627 to
2277-2399 Canyon Dr, Costa Mesa, CA 92627

Walk 0.5 mile, 9 min



via W Wilson St and Canyon Dr

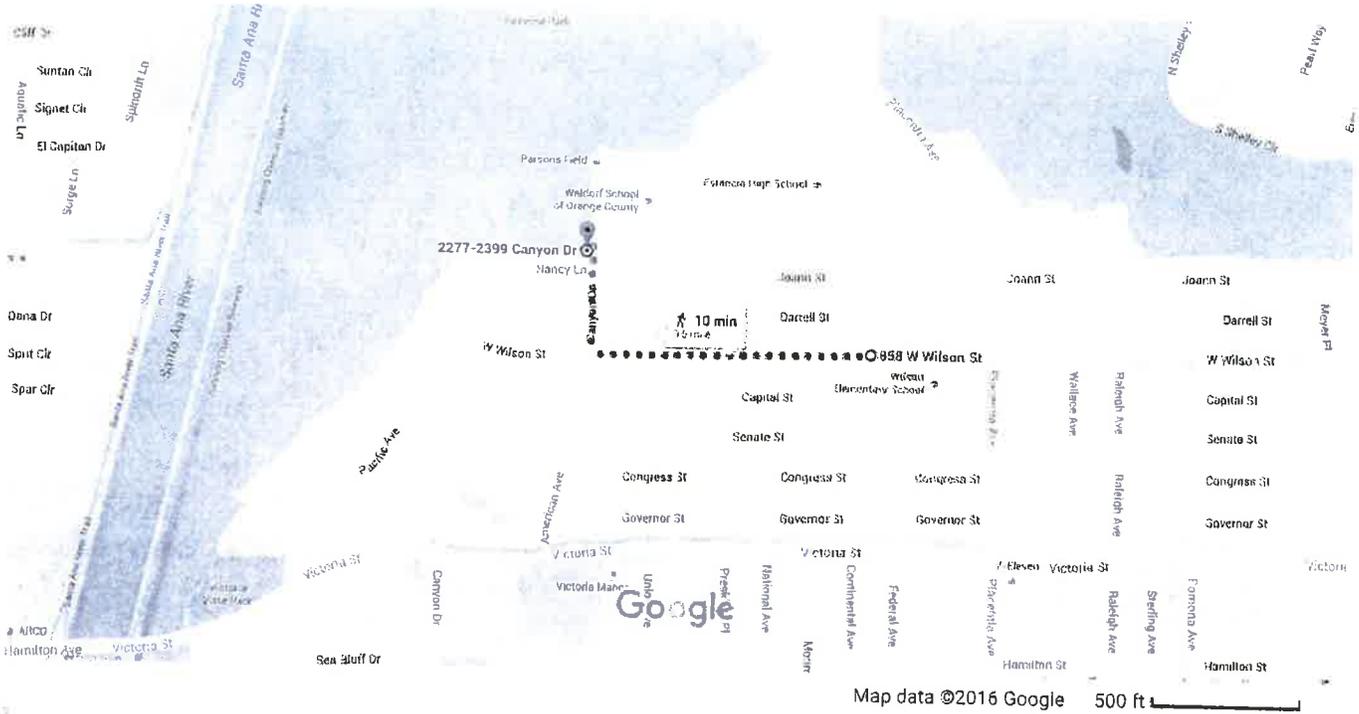
9 min
0.5 mile

Google Maps

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858 W Wilson St, Costa Mesa, CA 92627 to
2277-2399 Canyon Dr, Costa Mesa, CA 92627

Walk 0.5 mile, 10 min



via W Wilson St and Canyon Dr

10 min

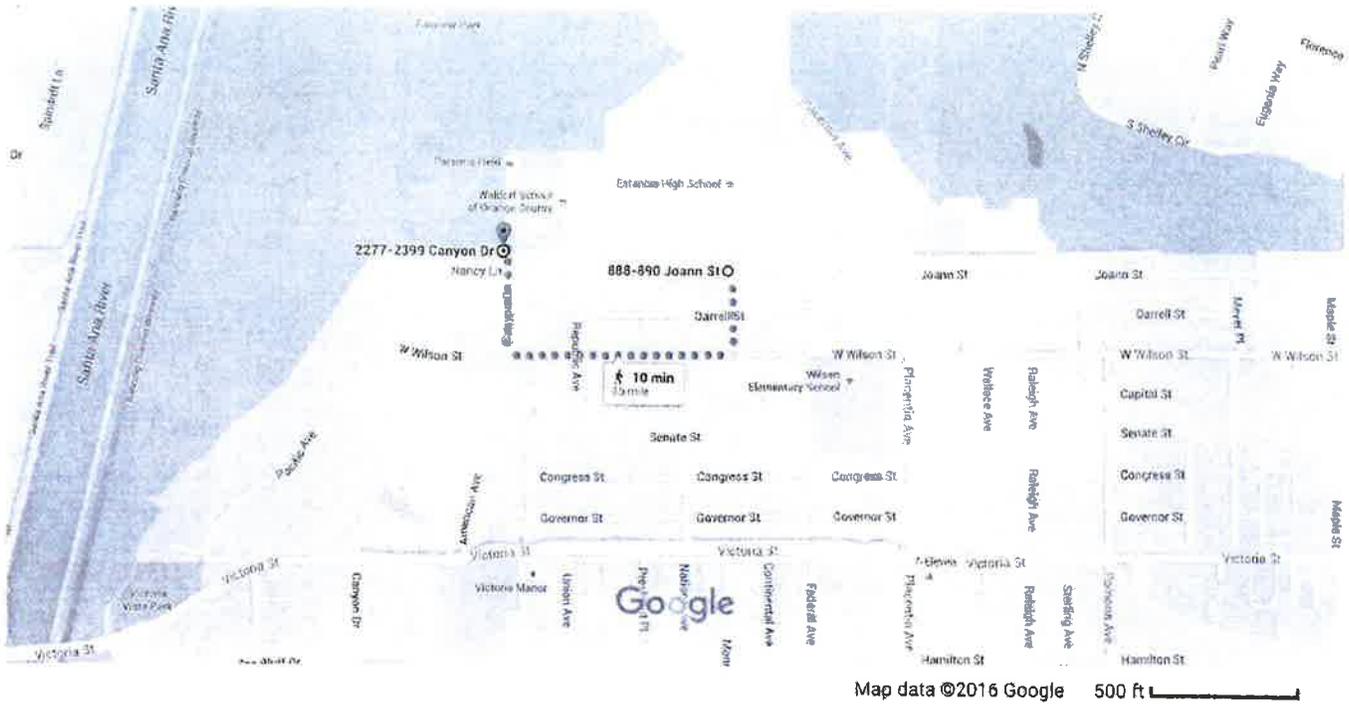
0.5 mile

Google Maps

Google Maps

888-890 Joann St, Costa Mesa, CA 92627 to
2277-2399 Canyon Dr, Costa Mesa, CA 92627

Walk 0.5 mile, 10 min



via W Wilson St and Canyon Dr

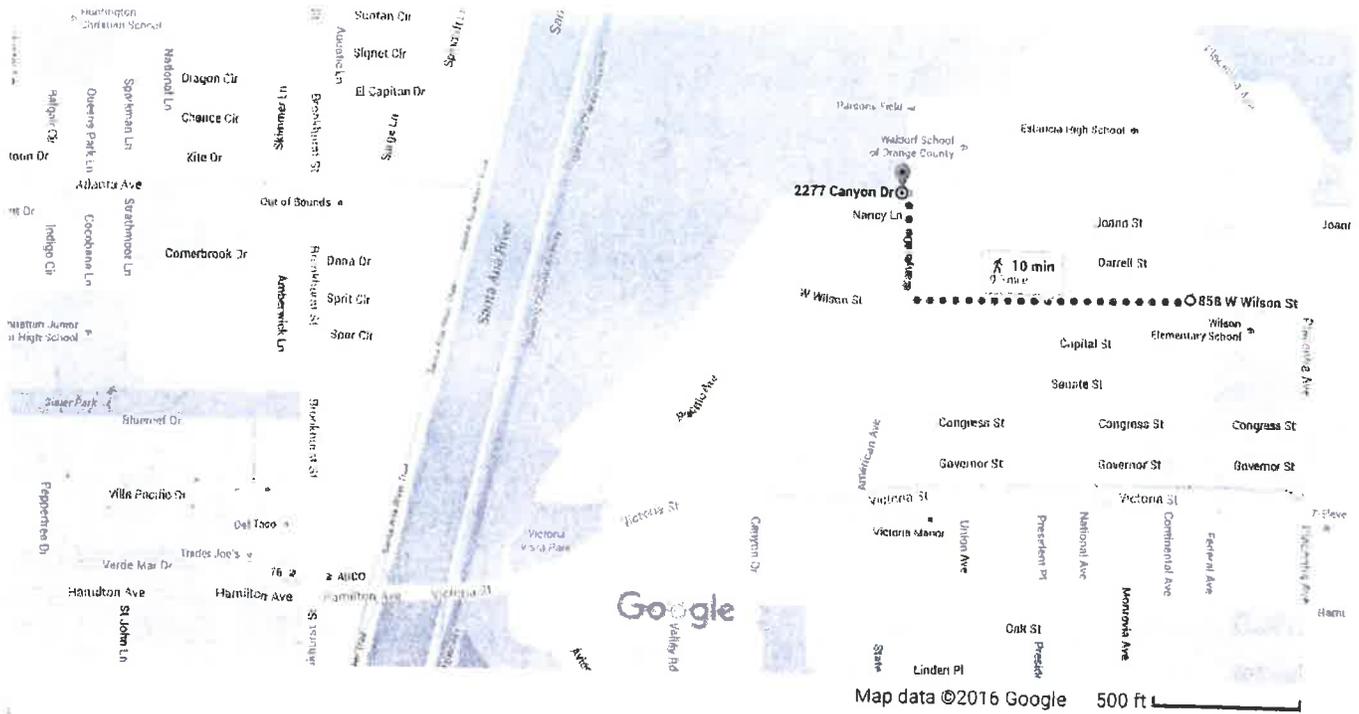
10 min

0.5 mile

Google Maps

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858 W Wilson St, Costa Mesa, CA 92627 to 2277 Canyon Dr, Costa Mesa, CA 92627 Walk 0.5 mile, 10 min



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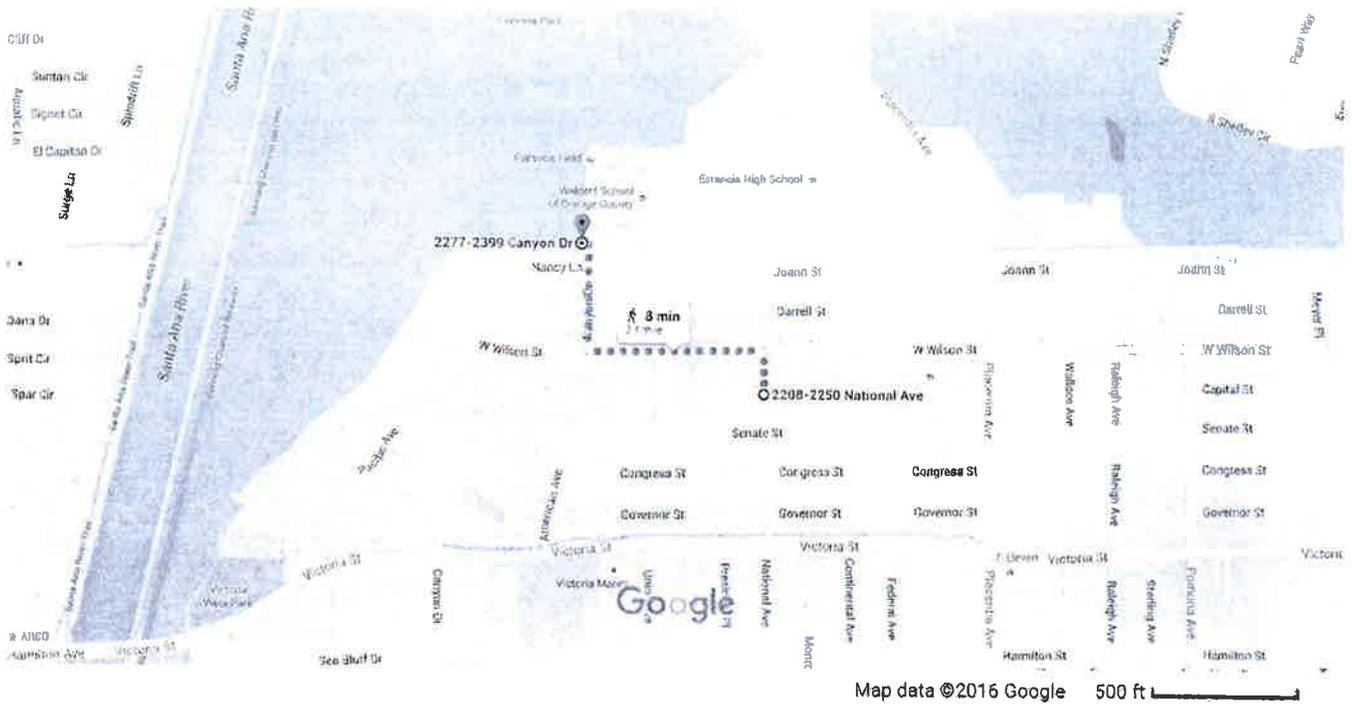
10 min
0.5 mile

Google Maps

Google Maps

2208-2250 National Ave, Costa Mesa, CA 92627 to 2277-2399 Canyon Dr, Costa Mesa, CA 92627

Walk 0.4 mile, 8 min



via W Wilson St and Canyon Dr

8 min
0.4 mile

Google Maps

See
OSR-14

RECEIVED
CITY CLERK

16 APR 19 AM 8:27

CITY OF COSTA MESA
BY SH

April 18, 2016

Re: Environmental Impact Report
General Plan Amendments

CC: Brenda Green, City Clerk
Gary Armstrong, Development Dep.

The following are my comments to the Draft Environmental Impact Report. Please make them part of the public record.

The changes to certain parts of the proposed General Plan Amendments are unacceptable because of the impact those changes would have on residents. Those impacts are as follows:

Additional density that does not bring more home ownership opportunities to the City, but instead brings more apartments

Loss of height limitations on buildings south of the 405 freeway

Displacement of residents as a result of the development of selected properties without a plan to provide replacement housing.

Environmental Impact Report
General Plan Amendments

No plan to provide affordable housing for seniors and low and very low income residents.

No concrete plan to add walk ability and bike ability to the City
Increased parking issues

Lowering the level of service at 21 intersections in the City to the level of the congestion experience at Newport Boulevard and 17th Street

Increased air pollution and greenhouse gas emissions

Increased noise levels as a result of the canyon effect created by tall buildings and sound attenuating walls on arterial roads

Inability to provide new parks and open space to keep up with the substantial deterioration of existing facilities by the increase in use due to the increase in population

No plan to address the scarcity of water sources

None of the alternatives offered by the City mitigate these impacts. The alternatives do not address protecting the health, safety and quality of life of the residents.

Page 3

The Draft Environment Impact Report needs to be rewritten to address the concerns of the residents including acquiring more open space and maintaining the neighborhood character

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Public streets need to be made safer with walk ability and bike ability as well as efficient traffic circulation

Increasing home ownership to balance the ratio with rental housing and providing more affordable housing

Thank you for your consideration.


Janice Kressin

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Beverly Tazelaar

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James Locker

ASHABI, MINOO

Subject: FW: Opposed to the General Plan Ammendments

From: Beth Morley

Sent: Tuesday, April 19, 2016 1:43 PM

To: General Plan <GeneralPlan@ci.costa-mesa.ca.us>

Cc: GREEN, BRENDA <brenda.green@costamesaca.gov>; ARMSTRONG, GARY <GARY.ARMSTRONG@costamesaca.gov>

Subject: Opposed to the General Plan Ammendments

To All~

I am very concerned, as well as opposed to the proposed General Plan Amendments. I am a 30 year resident on the West side of Costa Mesa. My specific objections is the lack of mitigation that the impact of housing density, noise and air pollution, lack of open space, enormous traffic congestion and scarcity of water will create.

PLEASE the draft Environmental Impact Report General Plan Amendments need to be REWRITTEN!

Thank you for your consideration~

Beth Morley

April 18, 2016

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7. 'Open Space' Recreation Element. First of all, what happened to the 'Open Space' part of the title? There are some errors in the calculations of open space per 1,000 residents. First of all, please note on page 4.12-11, the OC Fair and Event Center includes the OC Fairgrounds. On page 4.15-1 - it says that the OC Fair and Event Center has 150.04 acres. On page 4.15-3 - it states that OC Fairgrounds has 149.47 acres. But it has been included as part of the 'Institutional Uses' acreage on page 4.15-1 AND ADDED AGAIN as the OC Fair and Event Center. This artificially increases the open space by 150.00 acres but wait that's not all. The acreage of the schools in 2000EIR to DEIR 2016 have differences which can't be accounted for as well. Most of the differences are a few acres but Van Guard University had an increase of 33.16 acres. I contacted VanGuard University and found out that no new acreage had been obtained and no change of land usage. No way to account for this increase of 33.16 acres. The acreage of open space is off by 200 acres from the 2000 EIR to this draft eir. Please note under Recreation (not open space/trails recreation like in 2000 EIR) on page 4.15-1 it says we have 1,925.15 acres of open-space recreation but in 2000EIR we had only 1,706.74 acres (pg. 4.12-1 2000EIR). Besides OC Fairgrounds being added twice, Harbor Lawn Cemetery has been included in the 2016 acreage. Also OCC went from 20 acres in 2000 to 64.40 acres in 2016. That's an increase of 44.40 more acres. Also, the school matrix does not show what types of fields are at each school like the 2000 EIR did. Most of the schools have added acreage to them and the schools I contacted had no idea why - they didn't grow or change land usage. So, this actually puts Costa Mesa even further behind in their goal for having 4.26 acres of open space per 1000 residents. It's not 3.66 acres per 1,000 residents like stated on page 4.14-9 under 'Public Services' but more like 2.0 acres per 1,000 residents, so please correct this. I think the draft eir is evidence for the destruction of the city's ability to provide its residents with the proper amount of 4.26 acres of Open Space per 1000 residents and should not be allowed.

8. Page 4.15-5 Under 'Recreation' (still what happened to Open Space and Trails even?)

9. Page 4.15-6 under 'Policy OSR-1.C' This map of deficient park areas as outlined in Figure OSR-3 of the *draft general plan 2016*, has some errors. OSR-3 is based on OSR-2 (page OSR-14 in *draft general plan 2016*) which has miscalculations. Please notice the areas designated as within 1/4 mile and 1/2 mile from a park as well as

the pink areas to represent the "underserved" areas. I brought this up at the planning commission meetings and was told by Ms. Stetson that I had calculated their miscalculations based on 'how the crow flies'. She is mistaken and I am attaching the google maps to show you. I have also used other maps to make sure and this is indeed WALKING not driving or 'how the crow flies' as Ms. Stetson stated. This miscalculation of distance is THE FOUNDATION FOR EVEN GREATER ERRORS BECAUSE this map misrepresents the residents being served. More residents are being served than stated and there is not access problems like stated in *draft general plan 2016* under Table OSR-4 Park/Population Ratios and page OSR-19. If there is disagreement again, I would like to see your maps used.

10. The miscalculation of open-space area and underserved areas is right in line with the complete lack of public representation in the *draft general plan 2016*. Having attended the various workshops put on by the city and reviewing the event summaries, I was pleased to see the event summaries did indeed represent what actually happened at the workshops. What happened to the draft general plan? There is no representation of what actually happened in the workshops in the *draft general plan 2016*. For example, residents stated over and over again that natural open space was very important to them. Fairview Park not been included in the Costa Mesa Open Spaces area but instead included in the Neighborhood Park area - there are myths perpetuated about needing sport fields throughout the OSR element. First of all, that would undermine the Open Space Survey and Field Usage Survey that was conducted and results have not been released yet. Secondly, there is a Fairview Park Master Plan that governs Fairview Park and for the city to state that Fairview Park could be repurposed for the increased demand for sport fields (OSR-18) is undermining the Fairview Park Master Plan, ignoring the publics' input for two and a half years, and perpetuating a lie with no factual basis.

Secondly, not including Fairview Park as an Open Space with all of its unique biological and archaeological resources is once again trying to lessen what Fairview Park actually contains and the value it has for the community.

As a side note to anyone reading this - this onslaught against Fairview Park didn't begin with the draft eir. Our councilman Mr. Mensinger was allowed to sit as council on the Fairview Park Citizens Advisory Committee when he admitted to

asking city staff to mow a path in vernal pool 6 and 7? (I have O.C.Register article to support this) Oh By The Way, MIG still didn't get the acronym correct on OSR-5, it's FPCAC not FPAC) There are numerous other errors in the eir such as , why is Early College School not included in the draft eir but included in the draft general plan?

10. Why are the Green House Gas Emissions allowed to exceed SCAQM standards? Ms. Stetson said that SCAQM just needed to update their report. I would like Costa Mesa to abide by the SCAQM standards instead of trying to redefine them.

11. The DEIR should have been done by a more reputable and honest company instead of MIG. One that would reflect the workshops and not the mayors wishes (last city council meeting - said we need more sport fields - ignoring parks and rec.'s data once again.)

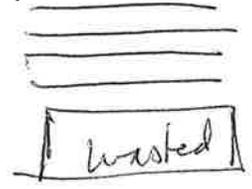
Sincerely,

Kim Hendricks

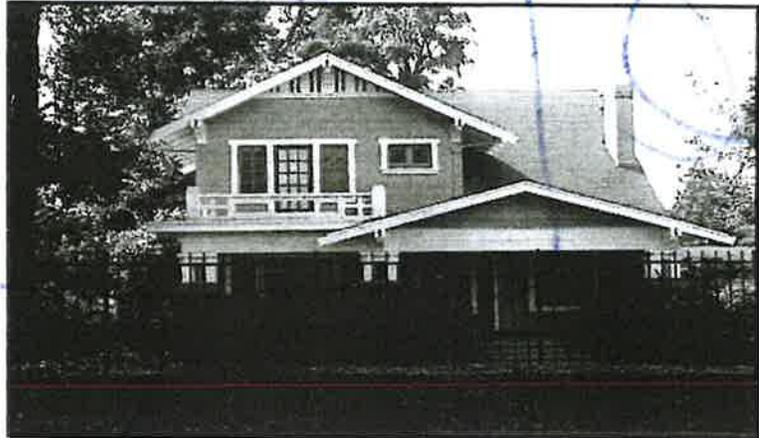
Costa Mesa Resident

Wendy Leece's Notes
3/28/16

Also, There is a lot of
wasted space at the
end of sections in



CHAPTER II
HISTORIC AND CULTURAL
RESOURCES ELEMENT



CHAPTER 11 HISTORIC AND CULTURAL RESOURCES ELEMENT

The Historic and Cultural Resources Element identifies the historic and cultural resources found throughout the City. Goals and supporting policies related to the preservation of these resources are described in this Section.

11.1 PURPOSE

The purpose of this Historical and Cultural Resources Element is to promote the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, sites, districts, neighborhoods, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, or community value in the City for the following reasons:

- ◆ To safeguard the City's heritage as embodied and reflected in such resources;
- ◆ To encourage public knowledge, understanding, and appreciation of the City's past;
- ◆ To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- ◆ To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- ◆ To enhance property values and to increase economic and financial benefits to the City and its inhabitants; and
- ◆ To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry.

crowded streets soon became deserted. Formerly successful business establishments boarded up their doors and windows.

By 1911, all that remained in Fairview was the town's schoolhouse, the hotel, and a few scattered houses. The first of all that remained and important part of the community to go was the Fairview public school. The Fairview school closed its doors in 1915 when it merged with the Harper District. In 1918, an earthquake cut off the flow of hot mineral water to the hotel resort. This closed the hotel almost immediately, and the structure was sold and demolished two years later. The few remaining residential houses succumbed to new development in the 1930's and 1950's or to accidents such as fire.

PAULARINO

Paularino was considered a typical farming community which contained approximately 800 acres bounded by today's Fairview Road to the west, Newport Boulevard on the east, the San Diego Freeway on the north, and by a boundary line approximately one-half mile south of Baker Street. The Paularino community did not amount to more than a name with a few scattered farm houses, one public school building, and a railroad siding complete with a loading platform and a warehouse. The Paularino railroad siding was located on what is now the west side of Newport Boulevard between Paularino Avenue and Baker Street. It was connected to the Santa Ana & Newport Railroad, which ran between Santa Ana and Newport Beach. The lack of growth of Paularino eventually led to its demise.

HARPER

Harper was named after a rancher who came to the area after the Fairview land boom. Building activity was quiet on the mesa from 1903 to 1906. Developers and oil discoveries during the next six years promoted further settlement. These two factors led to the addition of stores, schools, highways, water systems, and churches. Parallel with the land development, the area experienced its first oil boom, which served to promote and expand population. Three oil wells went up in 1906 just south of the present Newport Harbor High School location. In the latter part of 1907, several more wells were installed on the northern end of the Newport Heights Tract. The oil boom was short-lived. The oil that had been found turned out to be a thick, sticky substance and thus, very difficult to pump. Within two or three years the old derricks were abandoned. The growth and development of Harper fell back upon land development.

In 1920 the farming community of Harper was renamed to Costa Mesa. In the summer of 1920, the second store on Newport Boulevard, the Wayside Market, opened for business. Several more store buildings went up along the boulevard during 1921, including a garage and blacksmith shop, barber shop and soda fountain.

Development increased throughout Costa Mesa, until January 21, 1932 when the Costa Mesa Branch of the Bank of Balboa closed its doors. The Great Depression continued unabated to any extent through 1933 and 1934. In December 1933, the branch line of the Southern Pacific Railroad, which ran from Santa Ana to Newport Beach along Newport Boulevard through the heart of town, was abandoned. The tracks were pulled up some two years later.

Growth continued in 1940 with the opening of several commercial stores including the new Sprouse-Reitz Variety at 1830 Newport Boulevard, the Myers & Myers Department Store at 1816 Newport Boulevard, and the Post Office at

heap of refuse - in this case shells - discarded from the kitchen or eating area of a previous civilization.) The site has been investigated on several occasions since 1938 and has yielded artifacts including hunting and food processing implements and human burials. The site has been subjected to considerable impacts due to the construction of the Country Club and adjacent homes, although portions of the site are believed to remain intact.

Ca-Ora-76. This location lies approximately 2,200 feet south of Ca-Ora-163 in the area around the intersection of Adams Avenue and Placentia Avenue. Like the previous site, substantial impacts have been incurred due to construction of residences and public streets, especially Adams Avenue. There are portions of the site which are believed to remain intact, near the intersection and in the vicinity of the Estancia Adobe. The site contains a shell midden with evidence of two habitation levels.

Ca-Ora-58 and Ca-Ora-506. Commonly referred to as the "Fairview Indian Site", these sites are located within the area of Fairview Park. Ca-Ora-76, described above, is believed to be a northerly extension of the same habitation complex on the bluff overlooking the Santa Ana River. Relatively minor damage has occurred in these areas as the land is largely undeveloped. The significance of these sites is indicated by the fact that they have both been placed on the National Register of Historical Places.

Ca-Ora-165. Located at the intersection of Valley Road and Victoria Street, this site is comprised of shell midden containing several stone artifacts. Although the site is assumed to have been largely destroyed by residential construction in the area, portions may underlie undeveloped properties north of Victoria Street along Canyon Drive and Pacific Avenue.

Ca-Ora-297. Several fragments of stone tools were found when the site, located at the northwest corner of 17th Street and Pomona Avenue, was surveyed in 1971. At that time, bulldozers were operating adjacent to and on the site, and it is assumed to have been destroyed as it is presently occupied by industrial buildings.

Ca-Ora-687. This site, located south of Bristol Street and east of Santa Ana Avenue, was recorded in 1978. The site consists of two distinct locations, the more recent having been occupied some time between 500 A.D. and 1500 A.D. Prior to 1980, artifacts were salvaged from the site due to impending development plans. Artifacts included fragments of stone tools and two human burials.

In July and August of 1978, a systematic survey was conducted of the remaining undeveloped areas in the City. This project included a search of previous records and a field survey of vacant land. Besides the seven previously recorded sites, the survey identified at least nine additional locations of possible archaeological significance based on surface observations. The actual significance of the sites can only be determined after subsurface testing. Further information can be obtained from the report prepared for the City of Costa by Archaeological Associates in 1978.

PALEONTOLOGICAL RESOURCES

Most of the paleontological resources in Costa Mesa are found in the Palos Verdes Formation - a collection of sand and gravel deposits approximately 100,000 years old. These deposits were made during the time the Costa Mesa area was covered by the Pacific Ocean. Often referred to as Palos Verdes Sand, these deposits contain evidence of the kinds of life that inhabited the area prior to man's arrival.

Removed

JDC-CM-1. This is the first of four sites discovered during research for the 1980 General Plan. This locality is in the cliff on the north side of Victoria Street east of the Santa Ana River. Fragmented shell material from bivalve and gastropod molluscs have been identified. A fifth order classification has been assigned.

JDC-CM-2. Fossil molluscs occur in at least two separate intervals at this location. This fifth order site is in the west-facing bluffs of Canyon Park.

JDC-CM-2A. This site occurs directly north of JDC-CM-2 in a west-facing slope and contains numerous oyster shells and other molluscs. It lies stratigraphically above JDC-CM-2 and when considered together, they merit a third order priority.

JDC-CM-3. A small collection of shells representative of a bay-type environment can be found at this site located at the west end of 19th Street. The site is ranked fifth order.

JDC-CM-4. Although topographically lower than JDC-CM-2 and 2A, this site is younger or more recent. The site lies south of the bluffs containing sites JDC-CM-2 and 2A and is designated as a fifth order locality. It contains marine shells that barely, if at all, qualify as fossils due to their young geologic age.

VAC-CM-4. This site is located between Mesa Drive and Del Mar Avenue within the excavation for the Costa Mesa Freeway. Resources are similar to those found at LACM-4219 several hundred feet to the southwest. A wide variety of molluscs are exposed and in good condition, leading to the site's classification as third order.

11.4 HISTORIC AND CULTURAL RESOURCES ISSUES AND CRITERIA

HISTORICAL RESOURCES CRITERIA

The City of Costa Mesa, through provisions cited in the Municipal Code, has established procedures for preserving its designated historic and cultural resources. The provision relative to historic preservation is documented in the City's Historic Preservation Ordinance (Ordinance). The Ordinance was adopted on November 1, 1999 by the Costa Mesa City Council. The Ordinance encompasses significance criteria requirements, the obligations required of historic property ownership, and a broad range of incentives available to owners of historic properties.

The Historic Preservation Ordinance states that a historic resource is any building, structure, natural feature, site, landscape, object or improvement which is of significance to the citizens of the City, the State, or the nation. To be designated a local landmark a historic resource must be over 50 years of age, or in special circumstances under 50 years, and meet one or more of the following:

- ◆ Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- ◆ Is identified with persons or events significant in local, state, or natural history; or

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no harm is meant, digging by unqualified persons results in disturbance to the site, damage to artifacts and loss of materials which might be valuable to a scientific investigation of the site.

PALEONTOLOGICAL RESOURCE ISSUES

The risk of impact to paleontological resources is much the same as for archaeological resources. Development or excavation on paleontological sites can destroy or disrupt resources to a point that they are lost or valueless. Paleontological resources are deposited in geologic strata and represent plants and animals over a larger area - not concentrated in specific small settlements. For this reason, fossil deposits may extend beyond the perimeters of an identified site.

11.5 DESCRIPTION OF HISTORICAL AND CULTURAL RESOURCE PROCEDURES

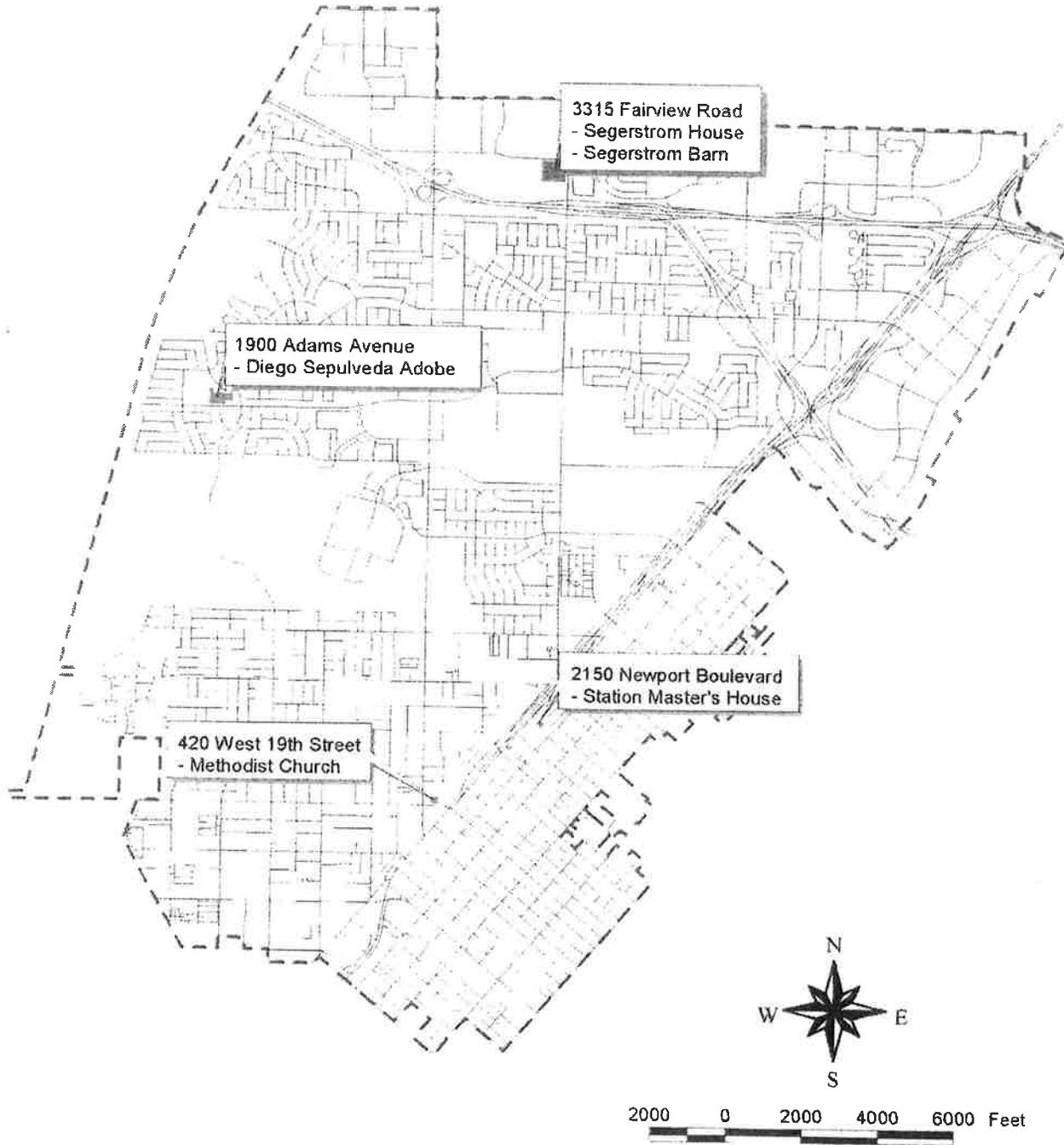
not nec. OK

HISTORICAL RESOURCES

The research conducted and analysis performed resulted in the identification of buildings that have been evaluated and classified according to the California Office of Historic Preservation categories 1 through 6 previously discussed. The following evaluation codes were found to apply to one or more surveyed properties and appear on the DPR 523 forms:

- 2S2 Determined eligible for separate listing in the National Register through a consensus determination by a federal agency and the State Historic Preservation Officer.
- 3S Appears eligible for separate listing in the National Register.
- 5S1 Not eligible for the National Register but of local interest because the property is eligible for separate designation under an existing local ordinance.
- 5D1 Not eligible for the National Register but of local interest because the property is a contributor to a fully documented district that is eligible for designation as a local historic district under an existing local ordinance.
- 5S3 Not eligible for the National Register but of local interest because the property is not eligible for separate designation under an existing local ordinance, but is eligible for special consideration in the local planning process.
- 6Z1 Found ineligible for listing in the National Register with no potential for any listing.

PROPERTIES THAT MEET THE STANDARDS FOR LISTING IN THE NATIONAL REGISTER



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Costa Mesa

protection, archaeological sites could become integral parts of public parks. This would be the preferred course of action with the Fairview Park sites, as they are probably the two most significant archaeological sites in Costa Mesa.

If development must occur over a known archaeological site, it may be possible to place fill over the site for protection and to install the least disruptive improvements (landscaping or open parking lots) on the filled area.

If archaeological deposits cannot be protected, it may be necessary to excavate artifacts to prevent their loss or damage. This process involves a systematic survey and delicate salvage operation to be conducted by qualified professional archaeologists. As most educational institutions and cultural organizations do not have sufficient staff or funds to undertake such operations without charge, financing must come from either the developer or the City.

Excavation is generally considered by archaeologists to be the last resort if artifacts cannot be preserved in situ. Preservation of the site is preferred in order that it may be studied by future generations having greater skills and more advanced methods and analytic abilities.

PALEONTOLOGICAL RESOURCES

The primary value of paleontological study is to determine the previous environment at the site. This can be done through scientific examination of the site and careful collection of the fossils for further study.

Disclosure of paleontological locations and proper study and collection of specimens prior to development are the primary results of project review. Once a site has been studied and sufficient material collected, discovery of paleontologic resources need not pose any further obstacle to development.

please use all EIR

11.6 GOALS, OBJECTIVES AND POLICIES

The goals, objectives and policies that address Historic and Cultural Resources Element are as follows:

**GOAL HCR-1:
HISTORIC RESOURCE CONSERVATION**

It is the goal of the City of Costa Mesa to provide its citizens with a high quality environment through the protection and conservation of historic and cultural resources.

Objective HCR-1A. Encourage the preservation and protection of the City's natural and man-made historic resources.

2

o/c

HCR-1A.1 Require, as part of the environmental review procedure, an evaluation of the significance of paleontological, archaeological, and historical resources and the impact of proposed development on those resources.

Comments City of Costa Mesa 2015 to 2035 General Plan

Chapter 8 Safety Element

April 18, 2016

By Wendy Leece

Perhaps when the 2000 General Plan was written, citizens were concerned about the “Big One” and knowing our tax supported public safety services would be there for us in a disaster was a priority. However, today it is crime. Crime, fire and rescue, or tsunami? We are not worried about the latter but it is good the City gives us the information so our friends from Newport Beach can come up to the “Mesa”.

In the 2000 General Plan Page SAF-1: “Man-made hazards can result from hazardous and toxic materials, fires and crime. Ultimately the Safety Element aims at reducing death, injuries, property damage and economic and social dislocation resulting from these hazards.

1. Please edit the draft and prioritize **crime and rearrange the order to put Emergency and Protection Response first in the order of Safety sections. *Emergency Protect and Response needs to be moved to the front of the line before all of the earthquake, etc. information.***

Rationale: Most Costa Mesa citizens would expect to read in an introduction to the Safety Element that there would be a strong statement of the City’s efforts to protect residents from crime as more residents and businesses are added to Costa Mesa with increased densities and traffic.

Residents are aware of increasing crime with experiences of their own, Prop 47, realignment and the proliferation of sober living homes in Costa Mesa. Today’s reality is that residents’ property is being vandalized and cars and homes are being broken into.

The Draft Safety Element has the effect of ignoring important safety issues by removing some key paragraphs from the 2000GP Safety Element, generalizing the lofty goals, etc, and prioritizing instead the effects of Seismic Hazards, Ground Shaking, Aviation hazards, listing all the faults, etc. flooding, with maps in the first 16 pages.

The Costa Mesa citizen has to wade through 18 pages to begin to read what the City is going to do about crime. And a lot of what was written in the 2000 GP is for some reason omitted. To ignore this reality and pretend that these issues are not number one in the citizens' minds **diminishes the importance of the safety** of the public and presents an unrealistic picture to Costa Mesa citizens who want to know that their persons and property is being protected by the City.

The citizens, believing that protecting the public is the **number one responsibility** of the City, expect to read in the introduction how the City will protect them with the increase of new residents and businesses and traffic. Seismic issues, faults, liquefaction, etc. are important issues to be addressed very thoroughly in references to planning and development.

2. On page SAF-1 2000 GP "Relationship to Other General Plan Elements: Please update and restore this paragraph about the Safety Element. Not sure why it was omitted. It presents to the citizen a sense of cohesiveness with the entire GP. Please maintain the accuracy/integrity of the 2015 GP by making sure these elements are in fact, consistent with the other elements.

3. In all references to the Costa Mesa Fire Department **change to Costa Mesa Fire and Rescue Department.**

Other Important Issues:

Review the 2000 GP and restore the paragraph on page SAF-16 Fire Protection Paragraph 3 and 4 "modern cities...regarding the ISO ratings" "Costa Mesa has achieved and maintains a protection class two....." Citizens want to know about Insurance ratings.

Restore "fire suppression" information, and "hazardous materials incidents" information from the 2000 General Plan page SAF-18 Safety element.

On page S-19 add "The City purchased 4 rescue ambulances in _____ to improve the emergency rescue services to the residents or something to that effect.

Police Protection

See page SAF-18/2000GP please update and restore "The City of Costa Mesa Police Department is responsible for maintaining the social order within prescribed ethical and constitutional restrictions through the enforcement of local, State and Federal laws.

On page SAF-19/2000GP please restore and update the two paragraphs on the top regarding how many full time personnel the City has, volunteers, where the police department is located, when it was remodeled, and the substations. (ABLE no longer applies).

On page S-21/2015 GP please show the attribution for “it is one of the safest cities of its size in the nation.” According to.....? Citizens want to know where this information comes from since we know that crime has increased.

Drainage Patterns—please update and restore “drainage patterns” 2 paragraphs from page SAF-12/2000GP because it describes a very important aspect of Costa Mesa’s drainage issues and should not be omitted.

Geology see page SAF-2/2000GP—restore and update “Geologic structure” which was eliminated in 2015GP.

Page S-21/2015GP under “Key Emergency Protection and Response Issues” A great deal of space is spent on earthquakes, etc, yet no mention is made about the “geologic and seismic hazards which are constraints to development as mentioned on page SAF 22 of the 2000 GP. This is a “key emergency protection issue” to citizens and staff and developers must be cognizant in their planning.

From SAF-22/2000GP under Key issues “Geology“ :The standards for development should be carefully regulated to minimize structural damage and loss of life, given that a fault zone runs through and adjacent to the City” must be restored.”

Also, restore “Fire protection” “Additional development in the city will place new demands on the City of Costa Mesa Fire and Rescue Department. “

Also, restore under “police protection” the effects of new growth, residents and businesses: which “may require additional police services that will be dependent upon several variables”

On page S-21 “By developing and implementing targeted efforts...”How does one develop an effort? The City can continue to demonstrate its commitment to maintain community safety standards.” Citizens would really like to know that we have an adequately staffed police force which addresses increasing crime and more people in Costa Mesa.

Please review all of the 2000 GP 8.4 Key issues and update and restore in the 2015 GP on page S-21.

Rewrite Objectives to include the words “when developing land use policies and when making public decisions relating to land development” Page SAF 23 2000 GP

Incorporate SAF 1A .5 2000GP in 2015 GP Goals Environmental and Manmade Hazard Protection: "Identify and publicize the extent of geologic and seismic hazards within Costa Mesa and advise affected residents and property owners of appropriate protection measures. Offer information regarding earthquake standards to reduce or eliminate structural damage"

Add to Geologic and Seismic Safety these principles:

SAF-1A.5

SAF-1A.6

SAF-1A.7

SAF-1A.8

SAF-1A.9

Update and include 2000 references to "Fire and Police Services and Public Safety Through Design" see Page SAF-24/2000GP

Thank you.

April 4, 2016

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF COSTA MESA:

PUBLIC COMMENT ON THE DEIR FOR THE PROPOSED GENERAL PLAN AMENDMENTS OF 2016 TO BE INCLUDED IN THE FINAL EIR.

The proposed amendments “Residential Incentive Overlay Harbor Boulevard” and “Harbor Mixed Use Overlay” and the discussion of them in the Land Use Element portion of the DEIR are inconsistent with the DEIR’s Noise Element findings.

All the following facts and figures are taken from the General Plan and EIR.

Section 13-280 of the Costa Mesa Municipal Code sets the residential exterior noise standard of 55 dB(A) from 7:00 A.M. through 11:00 P.M. and 50 dB(A) from 11:00 P.M. through 7:00 A.M.

In contrast, the measured noise levels along the segment of Harbor Boulevard that is to transition to high-density residential measure 71.5 Leq at Harbor and Adams (one block north of the Azulon senior housing complex) and 73.1 Leq at Harbor and 19th Street. The maximum measured at those locations are, respectively, 88.5 and 86.9 Lmax.

The EIR declares no significant impact because it states that implementing the City’s Municipal Code and the proposed General Plan Amendment policies will prevent the obvious impact from occurring. But it is impossible to implement a law limiting noise to 50 or 55 dB(A) on a major traffic corridor where the measured noise level is already far higher. Policy N-1.A says, “Enforce the maximum acceptable exterior noise levels for residential areas at 65 CNEL.” Even that policy, referring to a higher noise level, cannot reconcile the high noise volume on Harbor Boulevard with a level acceptable for residential development.

Therefore, implementing the City’s Municipal Code and General Plan Amendment policies means necessarily prohibiting residential development along the Harbor Boulevard corridor. Therefore, the proposed “Residential Incentive Overlay Harbor Boulevard” and “Harbor Mixed Use Overlay” cannot be adopted nor implemented, and therefore, the DEIR is internally inconsistent.

Respectfully submitted,

Eleanor M. Egan

From: **Brian Burnett**
Subject: Costa Mesa General Plan Update Draft EIR Comments And Questions
Date: April 16, 2016 at 12:39 AM
To: generalplan@costamesaca.gov



The following are questions, comments, and requests regarding the Costa Mesa General Plan Update Draft EIR:

1. The city has surveys of confirmed observations that prove the endangered California Gnatcatcher is in the park. Local park users, photographers, amateur biologists, and professional biologists have pictures and coordinates of them. There are also confirmed observations of nesting pairs.

Where are the surveys including breeding surveys for California Gnatcatchers?

Why were the surveys including breeding surveys not included for California Gnatcatchers?

There needs to be a California Gnatcatcher survey that includes a breeding season survey.

2. There is no mention of Burrowing Owls past 2006 in the draft EIR yet there have been confirmed observations and pictures of them in the park up until 2016.

Where are the surveys including breeding surveys for the Burrowing Owls?

Why were surveys including breeding surveys not included for the Burrowing Owls?

There needs to be a Burrowing Owl survey that includes a wintering and breeding season survey.

3. The city has inadvertently or purposely destroyed or degraded Southern Tarplant, Vernal Pool, Burrowing Owl, Riverine, Riparian, and other habitat over the years.

Where is the study to show the effects of this inadvertent or purposeful destruction or degradation of habitat in Fairview Park?

There needs to be a study of past destruction and degradation of the park and what its effects were.

4. The city knows about a nesting pair of Northern Harriers in Fairview Park. They have been residents in the park for quite some time.

Where are the surveys including breeding surveys for the Northern Harriers?

Why were surveys including breeding surveys not included for the Northern Harriers?

There needs to be a survey including a breeding survey for Northern Harriers.

5. The city had contractors restore numerous large sections of the rare, endangered, and protected Southern Tarplant over the years in Fairview Park. Their status has been confirmed many times over the years and would only not be in the park unless the plants were purposely destroyed.

Where are the surveys for Southern Tarplant?

Why were surveys for Southern Tarplant not included?

6. Fairview Park has some of the last coastal vernal pools in California. Vernal Pool 1 is the largest coastal vernal pool west of the Mississippi. Despite their federally protected status, they have been degraded by the city of Costa Mesa either inadvertently or purposely over the years.

Where are the surveys that document the destruction of this habitat?

Where are the surveys that document the current status of the vernal pools and their recommendations to restore them?

Where are the management plans to protect the vernal pools for future generations?

Where is the correspondence from the USFWS regarding the vernal pools?

There needs to be surveys that document previous destruction or degradation of the vernal pools to help prevent anymore destruction or degradation in the future.

There needs to be surveys to document the current status of the vernal pools East and West of Placentia Avenue.

7. Where is the rare or endangered plant survey?

Why is there no rare or endangered plant survey?

There needs to be an endangered plant survey

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There needs to be an endangered plant survey.

8. Where is the vegetation mapping?

Why is there no vegetation mapping?

9. Where is the long term maintenance plan?

Why is there no long term maintenance plan?

10. Where is the entomological survey?

Why is there no entomological survey?

11. Where is the herpetological survey?

Why is there no herpetological survey?

12. Where is the pacific chorus frog survey?

Why is there no pacific chorus frog survey?

13. Where is the spade foot toad survey?

Why is there no spade foot toad survey?

14. Where is the biological inventory survey?

Why is there no biological inventory survey?

15. Where are the surveys including breeding surveys for the Yellow Breasted Chat?

Why were surveys including breeding surveys not included for the Yellow Breasted Chat?

16. Where is the trap door spider survey?

Why is there no trap door spider survey?

17. Where are the surveys including breeding surveys for all of the other rare, of concern, special status, or endangered species?

Why were surveys including breeding surveys not included for all of the other rare, of concern, special status, or endangered species?

From: **Brian Burnett**
Subject: Costa Mesa General Plan Update Draft EIR Comments And Questions II
Date: April 16, 2016 at 12:47 AM
To: generalplan@costamesaca.gov

The previous email with comments, questions, and requests for the General Plan Update Draft EIR were regarding Fairview Park in Costa Mesa.



HAMILTON BIOLOGICAL

April 18, 2016

Ms. Claire Flynn
Assistant Development Services Director
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

**SUBJECT: COMMENTS ON CITY OF COSTA MESA
GENERAL PLAN UPDATE
DRAFT ENVIRONMENTAL IMPACT REPORT**

Dear Ms. Flynn,

On behalf of Hamilton Biological, Inc., I provide these comments on the Draft EIR for the City of Costa Mesa's General Plan Update. I submit these comments out of my own concern for the City and its natural resources. I am a professional biological consultant with 28 years of experience working primarily in Orange County and surrounding jurisdictions. In 1994, I planned and initiated the volunteer restoration of coastal sage scrub in the canyon near the entrance to Fairview Park, and in 1995 I prepared the biological resources section of the original Fairview Park Master Plan. Since then, I have remained interested in the biological resources of Fairview Park and the wider lower Santa Ana River ecosystem. My comments address Section 4.4, Biological Resources. I am qualified to provide this review, having prepared the biological resources section for numerous CEQA documents throughout Orange County and the wider region, and also having reviewed many such documents; my Curriculum Vitae is attached.

PAGE 4-4.1: SOURCES OF INFORMATION

The DEIR lists several sources of information consulted. For plants, primary sources of occurrence information should be the Consortium of California Herbaria and Calflora:

<http://ucjeps.berkeley.edu/consortium/>

<http://www.calflora.org/>

The consortium provides a consolidated list of plant specimens collected all over the state, and maps of the locations can be accessed through Calflora. Calflora also accepts photo-documented records and maps their locations. The DEIR does cite Calflora in the accounts of special-status species recoded in Fairview Park, but Calflora and the Consortium should also have been consulted for the lists of plant species reported to have

“confirmed observations” in Table 4.4-3 of the DEIR. As discussed subsequently, several entries are questionable.

For bird records (Table 4.4-5), it is standard for CEQA documents to utilize the eBird data base as a source of basic distribution information:

<http://ebird.org/>

The eBird web page provides vetted, updated records of bird species recorded in various parts of Costa Mesa, including Fairview Park and many other locations. Some records in eBird may be questionable in spite of vetting, meaning that the biologist preparing the CEQA document should have adequate experience to know which records are suspect. Nevertheless eBird must be consulted for any CEQA document that attempts to assemble a reasonably complete bird species list in a city the size of Costa Mesa.

It is not clear whether the Fairview Park Master Plan and its supporting biological documents were actually consulted as part of the descriptions of plant and wildlife species known or expected to occur in Costa Mesa. The tables of species do not reflect what is contained in the Master Plan. For example, a report prepared for the City by LSA Associates, Inc., dated June 28, 2007, entitled, “Update to the Biological Constraints and Information for the Fairview Park Master Plan, City of Costa Mesa, County of Orange, California,” contains a considerable amount of information that is inconsistent with the information contained in the General Plan Update DEIR. The letter is available online:

<http://www.ci.costa-mesa.ca.us/fairviewpark/docs/Fairview-Park-Biological-Survey.pdf>

This letter is referred to hereafter as (LSA 2007).

TABLE 4-4.1: PLANTS OF GRASSLAND COMMUNITIES

This table indicates various plant species with very limited distributions in Orange County as having been confirmed as being present in Costa Mesa. To my knowledge, most of them are very unlikely to have been recorded in Costa Mesa in modern times, if ever. Questionable species include Desert Needlegrass (*Achnatherum speciosum*), Red-skinned Onion (*Allium haematochiton*), and Southwestern Beardgrass (*Andropogon glomeratus*), but many others are similarly unlikely to have been recorded in Costa Mesa. At the same time, Table 4-4.2 is missing numerous common plant species known to occur in Costa Mesa (e.g., Ripgut Brome *Bromus diandrus* and Short-podded Mustard *Hirschfeldia incana*). Additionally, many plant species names are misspelled or represent older names no longer in use (e.g., “*Hemixonia Parryi* ssp. *Australis*” should be *Centromadia parryi* ssp. *australis*). It is requested that the EIR preparer review Table 4-4.1 against the distributional and taxonomic information available through Calflora/Consortium of California Herbaria, as well as the Fairview Park Master Plan and supporting biological reports. Species not known from Costa Mesa should be removed, all species that have been recorded in Costa Mesa should be added, and taxonomy and spelling should be

carefully reviewed in order for Table 4-4.1 to provide a valid reference. As it stands, this table is far more confusing than it is useful.

TABLES 4-4.1, 4-4.2, 4-4.3

These tables indicate that various plant species have been confirmed as being present, but that seem to me very unlikely to have been recorded in Costa Mesa in modern times, if ever. Questionable species include Desert Needlegrass (*Achnatherum speciosum*), Red-skinned Onion (*Allium haematochiton*), Southwestern Beardgrass (*Andropogon glomeratus*), and Chocolate Lily (*Fritillaria biflora*), Big-leaf Maple (*Acer macrophyllum*), Sword Fern (*Polystichum munitum*), Canyon Live Oak (*Quercus chrysolepis*), and California Bay Laurel (*Umbellularia californica*), but several others are similarly unlikely to have been recorded in Costa Mesa. At the same time, these tables are missing numerous common plant species known to occur in these communities in Costa Mesa (e.g., Ripgut Brome *Bromus diandrus* and Short-podded Mustard *Hirschfeldia incana*). Additionally, many plant species names are misspelled or represent older names no longer in use (e.g., "*Hemixonia Parryi* ssp. *Australis*" should be *Centromadia parryi* ssp. *australis*). It is requested that the EIR preparer review these tables against the distributional and taxonomic information available through Calflora/Consortium of California Herbaria, as well as the Fairview Park Master Plan and supporting biological reports. In order for these tables to provide valid reference information, species not known from Costa Mesa should be removed, species that have been recorded in Costa Mesa should be added, and taxonomy and spelling should be carefully reviewed.

In addition, vernal pools represent one of the most important plant communities found in Costa Mesa. Therefore, either Table 4-4.1 should be expanded to include vernal pool plants in addition to grassland plants, or another table should be provided to include vernal pool plants.

PAGE 4-4.5: LEAST BELL'S VIREO

This page states, "Least Bell's vireo (*Vireo bellii pusillus*) which inhabits riparian and terrestrial fields, shrubland, chaparral, and woodlands." This is not an accurate description of the plant communities used by this listed species, which in the City of Costa Mesa is limited to patches of riparian scrub and woodland habitat.

The EIR should specify where in Costa Mesa the Least Bell's Vireo has been found in recent years. This is true of all special-status species discussed in the EIR.

PAGES 4-4.5, 4-4.9: BURROWING OWL

Page 4-4.5 states, "The burrowing owl is a wild indigenous species of predatory bird that uses abandoned rodent burrows for nests. It is currently on the Audubon Society Blue List of rare birds and is a California Species of Special Concern." To the best of my knowledge, the National Audubon Society has not maintained its "Blue List" for many

years, and it is questionable whether the "Blue List" ever had any regulatory relevance for CEQA. At this point, it is inappropriate to cite the "Blue List" in a CEQA document.

Page 4-4.9 states, "Although most burrowing owl breeders are migratory, both locally and long distance, Southern California populations are generally considered resident." If the EIR preparer is aware of Burrowing Owls being resident in Fairview Park, or elsewhere in Costa Mesa, the source of this information should be disclosed. It is my best understanding that this owl presently occurs only as a migrant and winter visitor (e.g. LSA 2007).

PAGE 4-4.8: BELDING'S SAVANNAH SPARROW

This page states, "Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) is one of few species of birds that reside year-round in coastal salt marshes of Southern California. It inhabits coastal salt marshes from Santa Barbara south through San Diego County. It nests in pickleweed (*Salicornia virginica*) on and about the margins of tidal flats. Locally it is known from the Santa Ana River mouth." Do any Belding's Savannah Sparrows actually occur within the City of Costa Mesa, or are they limited to nearby areas, such as the Santa Ana River mouth?

PAGE 4-4.5: COAST HORNED LIZARD

This page refers to the "Coast horned lizard (*Phrynosoma loranatum*)", which is currently known as Blainville's Horned Lizard (*Phrynosoma blainvillii*). I am unaware of any records of this reptile from Costa Mesa during modern times, and would be surprised to find it, even in Fairview Park. On what basis is it reported as occurring anywhere in the City, even rarely?

TABLE 4.4-4: AMPHIBIANS, REPTILES, AND MAMMALS

Questions and comments:

- As a general comment, listing species in alphabetical order makes it difficult for biologists to review the lists. It would be greatly preferable to organize tables according to the standard scientific order.
- The San Diego Black-tailed Jackrabbit (*Lepus californicus bennetti*) is a California Species of Special Concern (although not so indicated in the table). I observed this hare in the lower Santa Ana River area during the early 1990s but have not seen one there in more than 20 years. It was not reported during biological surveys completed in 2005 and 2006 (LSA 2007). Are there any recent records from Costa Mesa?
- The Desert Woodrat (*Neotoma lepida*) is a California Species of Special Concern, not so indicated in the table.

- When was the last time a Long-tailed Weasel was recorded in Costa Mesa?
- The Coast Patch-nosed Snake is a California Species of Special Concern, not so indicated in the table.
- On what basis is the Western Terrestrial Garter Snake (*Thamnophis elegans*) a “confirmed observation”? The range of this species does not include Orange County.
- Why is there no mention of the Southwestern Pond Turtle (*Actinemys pallida*)?

TABLE 4.4-5: BIRDS

Questions and comments:

- The Cactus Wren (*Campylorhynchus brunneicapillus*) appears to have been extirpated from the lower Santa Ana River ecosystem, including Fairview Park, within the past decade. LSA (2007) did not report any sightings from Fairview Park, and the last bird was recorded at nearby Banning Ranch in 2009. Unless the EIR preparer is aware of recent records, this species should be presumed extirpated.
- Why is there no mention of the Coastal California Gnatcatcher (*Polioptila californica californica*) anywhere in the DEIR? This federally threatened species has been repeatedly documented in various parts of Fairview Park over a period of many years. Does Costa Mesa include any designated Critical Habitat for the gnatcatcher?
- The Northern Harrier (*Circus cyaneus*), a California Species of Special Concern, has been documented in Fairview Park (e.g., LSA 2007, eBird data).
- The Yellow-breasted Chat (*Icteria virens*), a California Species of Special Concern, has been documented in Fairview Park (e.g., LSA 2007).
- On what basis does the DEIR claim that the Black-chinned Sparrow (*Spizella arto-gularis*) has been observed in Costa Mesa?

PAGE 4-4.11: SOUTHERN COASTAL SALT MARSH

The DEIR discusses this plant community, but fails to identify where in Costa Mesa it occurs. Where does it occur?

PAGE 4-4.11: SENSITIVE COMMUNITIES NOT DISCUSSED

The DEIR fails to mention coastal sage scrub, coastal bluff scrub, vernal pools, riparian scrub, and native grasslands, all natural communities of special interest that occur in Costa Mesa.

CONCLUSION

The Biological Resources section of the DEIR shows no indication that the EIR preparer has meaningful familiarity with the natural communities present in the City of Costa Mesa, or the special-status species known/potentially present there. The section is poorly organized, rife with errors, and provides little effective guidance on how decision-makers in the City should move forward to achieve some of the overarching goals in the document, such as, "Carefully balance natural lands, habitat, and protection of multiple species with the need to accommodate development." To achieve such a goal, the EIR should provide detailed and reliable information on the resources present in the City, the locations where they are found, and the planning framework needed to conserve important populations. Unfortunately, the DEIR falls far short of that goal. It would be preferable that the DEIR be revised to provide the requisite information in readable form, but beyond that perhaps the FEIR can correct some of the more egregious errors contained in the DEIR.

Sincerely,



Robert A. Hamilton
President, Hamilton Biological, Inc.

Attachment: Curriculum Vitae

Robert A. Hamilton

President, Hamilton Biological, Inc.

Expertise

Endangered Species Surveys
General Biological Surveys
CEQA Analysis
Population Monitoring
Vegetation Mapping
Construction Monitoring
Noise Monitoring
Open Space Planning
Natural Lands Management

Education

1988. Bachelor of Science degree in
Biological Sciences,
University of California,
Irvine

Professional Experience

1994 to Present. Independent
Biological Consultant, Hamilton
Biological, Inc.

1988 to 1994. Biologist, LSA
Associates, Inc.

Permits

Federal Permit No. TE-799557 to
survey for the Coastal California
Gnatcatcher and Southwestern
Willow Flycatcher

MOUs with the California Dept. of
Fish and Game to survey for Coastal
California Gnatcatcher and
Southwestern Willow Flycatcher

California Scientific Collecting
Permit No. SC-001107

Robert A. Hamilton has been providing biological consulting services in southern California since 1988. He spent the formative years of his career at the firm of LSA Associates in Irvine, where he was a staff biologist and project manager. He has worked as an independent and on-call consultant since 1994, incorporating his business as Hamilton Biological, Inc., in 2009. The consultancy specializes in the practical application of environmental policies and regulations to land management and land use decisions in southern California.

A recognized authority on the status, distribution, and identification of birds in California, Mr. Hamilton is the lead author of two standard references describing aspects of the state's avifauna: *The Birds of Orange County: Status & Distribution* and *Rare Birds of California*. Mr. Hamilton has also conducted extensive studies in Baja California, and for seven years edited the Baja California Peninsula regional reports for the journal *North American Birds*. He served ten years on the editorial board of *Western Birds* and regularly publishes in peer-reviewed journals. He is a founding member of the Coastal Cactus Wren Working Group and in 2011 updated the Cactus Wren species account for *The Birds of North America Online*. Mr. Hamilton's expertise includes vegetation mapping. From 2007 to 2010 he worked as an on-call biological analyst for the County of Los Angeles Department of Regional Planning. From 2010 to present he has conducted construction monitoring and focused surveys for special-status bird species on the Tehachapi Renewable Transmission Project (TRTP). He is a former member of the Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC).

Mr. Hamilton conducts general and focused biological surveys of small and large properties as necessary to obtain various local, state, and federal permits, agreements, and clearances. He also conducts landscape-level surveys needed by land managers to monitor songbird populations. Mr. Hamilton holds the federal and state permits and MOUs listed to the left, and he is recognized by federal and state resource agencies as being highly qualified to survey for the Least Bell's Vireo. He also provides nest-monitoring services in compliance with the federal Migratory Bird Treaty Act and California Fish & Game Code Sections 3503, 3503.5 and 3513.

Board Memberships, Advisory Positions, Etc.

- Coastal Cactus Wren Working Group (2008–present)
- Los Angeles County Significant Ecological Areas Technical Advisory Committee (SEATAC) (2010–2014)
- American Birding Association: Baja Calif. Peninsula Regional Editor, North American Birds (2000–2006)
- Western Field Ornithologists: Associate Editor of Western Birds (1999–2008)
- California Bird Records Committee (1998–2001)
- Nature Reserve of Orange County: Technical Advisory Committee (1996–2001)
- California Native Plant Society, Orange County Chapter: Conservation Chair (1992–2003)

Professional Affiliations

- American Ornithologists' Union
- Cooper Ornithological Society
- Institute for Bird Populations
- California Native Plant Society
- Southern California Academy of Sciences
- Western Foundation of Vertebrate Zoology

Mr. Hamilton monitors noise as it relates to nesting or roosting birds using an advanced Quest SoundPro unit that can provide second-by-second logging of noise levels at the nest; this allows documentation of the varying sound pressure levels that nesting birds are exposed to during construction and evaluation of any effects associated with different levels. He is an expert photographer, and typically provides photo-documentation and/or video documentation as part of his services.

Drawing upon a robust, multi-disciplinary understanding of the natural history and ecology of his home region, Mr. Hamilton works with private and public land owners, as well as governmental agencies and interested third parties, to apply the local, state, and federal land use policies and regulations applicable to each particular situation. Mr. Hamilton has amassed extensive experience in the preparation and critical review of CEQA documents, from relatively simple Negative Declarations to complex supplemental and recirculated Environmental Impact Reports. In addition to his knowledge of CEQA and its Guidelines, Mr. Hamilton understands how each Lead Agency brings its own interpretive variations to the CEQA review process.

Representative Project Experience

From 2010 to present, working on-call for ICF International and Forde Biological Consulting, Mr. Hamilton has (a) conducted focused surveys and noise monitoring for Southwestern Willow Flycatcher, Least Bell's Vireo, California Gnatcatcher, and Burrowing Owl, (b) conducted nesting bird surveys, and (c) monitored construction, for the Tehachapi Renewable Transmission Project (TRTP). This large, complex project involves replacing 175 miles of transmission lines from the California deserts, over the San Gabriel Mountains, and east to San Bernardino County. Mr. Hamilton has received various forms of specialized training and is very familiar with Southern California Edison's FRED system (Field Reporting Environmental Database). He has served as a "lead biologist" for nesting birds, listed passerine species, and Burrowing Owls, and has helped to prepare the annual reports on the focused survey efforts as well as conducting many of the surveys. Mr. Hamilton has also participated in discussions with state regulators concerning the methods and results of focused surveys.

Insurance

\$3,000,000 professional liability policy (Hanover Insurance Group)

\$2,000,000 general liability policy (The Hartford)

\$1,000,000 auto liability policy (State Farm)

Other Relevant Experience

Field Ornithologist, San Diego Natural History Museum Scientific Collecting Expedition to Central and Southern Baja California, October/November 1997 and November 2003.

Field Ornithologist, Island Conservation and Ecology Group Expedition to the Tres Mariás Islands, Nayarit, Mexico, 23 January to 8 February 2002.

Field Ornithologist, Algalita Marine Research Foundation neustonic plastic research voyages in the Pacific Ocean, 15 August to 4 September 1999 and 14 to 28 July 2000.

Field Assistant, Bird Banding Study, Río Nambí Reserve, Colombia, January to March 1997.

References

Provided upon request.

From 2012 to 2014, under contract to Cooper Ecological Monitoring, Mr. Hamilton collaborated with Dan Cooper on *A Conservation Analysis for the Santa Monica Mountains "Coastal Zone" in Los Angeles County*, and worked with Mr. Cooper and the County of Los Angeles to secure a certified Local Coastal Program (LCP) for 52,000 acres of unincorporated County lands in the Santa Monica Mountains coastal zone. The work involved synthesizing large volumes of existing baseline information on the biological resources of the study area, evaluating existing land use policies, and developing new policies and guidelines for future development within this large, ecologically sensitive area. A coalition of environmental organizations headed by the Surfrider Foundation selected this project as the "Best 2014 California Coastal Commission Vote"

(http://www.surfrider.org/images/uploads/2014CCC_Vote_Chart_FINAL.pdf).

In 2010, under contract to CAA Planning, served as principal author of the *Conservation & Management Plan for Marina del Rey, Los Angeles County, California*. This comprehensive planning document has two overarching goals: (1) to promote the long-term conservation of all native species that exist in, or that may be expected to return to, Marina del Rey, and (2) to diminish the potential for conflicts between wildlife populations and both existing and planned human uses of Marina del Rey (to the benefit of humans and wildlife alike). After peer-review, the Plan was accepted by the Coastal Commission as an appropriate response to the varied challenges posed by colonial waterbirds and other biologically sensitive resources colonizing urban areas once thought to have little resource conservation value.

From 2007 to 2010, under contract to Sigma Engineering (now EORM), Mr. Hamilton worked as an on-call analyst for the County of Los Angeles Department of Regional Planning. This work involved reviewing biological technical reports, impact/mitigation analyses, landscape plans, and other environmental documents submitted to the County by project proponents, and preparing CEQA documents. Mr. Hamilton worked on more than 20 projects during this time.

From 2002 to 2005, under contract to the City of Orange, prepared the Biological Resources section of a hybrid Supplemental EIR/Draft EIR for the 6,900-acre Santiago

Hills II/East Orange Planned Community project in central Orange County. This complicated document covered one proposed development area that already had CEQA clearance, but that required updating for alterations to the previously approved plan, and a much larger area that was covered under an existing Natural Communities Conservation Plan (NCCP). The SEIR/EIR was certified in November 2005.

From 1995 to 2001, worked with study-design specialists and resource agency representatives to develop a long-term passerine bird monitoring program for the 37,000-acre Nature Reserve of Orange County, and directed its implementation with subsequent contract work. Tasks included (1) annual monitoring of 40 California Gnatcatcher and Cactus Wren study sites, (2) oversight of up to 10 constant-effort bird banding stations from 1998 to 2003 under the Monitoring Avian Productivity and Survivorship (MAPS) program, and (3) focused surveys for the Cactus Wren, and detailed mapping of cactus scrub habitat, across the NROC's coastal reserve in 2006 and 2007.

Third Party Review of CEQA Documents

Under contract to cities, conservation groups, homeowners' associations, and other interested parties, have reviewed EIRs and other project documentation for the following projects:

- The Ranch at Laguna Beach (resort, City of Laguna Beach)
- Banning Ranch (residential/commercial, City of Newport Beach)
- Sunset Ridge Park (city park, City of Newport Beach)
- The Ranch Plan (residential/commercial, County of Orange)
- Southern Orange County Transportation Infrastructure Improvement Project (Foothill South Toll Road, County of Orange)
- Gregory Canyon Landfill Restoration Plan (proposed mitigation, County of San Diego)
- Montebello Hills Specific Plan EIR (residential, City of Montebello; 2009 and 2014 circulations)

- Cabrillo Mobile Home Park Violations (illegal wetland filling, City of Huntington Beach)
- Newport Hyatt Regency (timeshare conversion project, City of Newport Beach)
- Lower San Diego Creek "Emergency Repair Project" (flood control, County of Orange)
- Tonner Hills (residential, City of Brea)
- The Bridges at Santa Fe Units 6 and 7 (residential, County of San Diego)
- Villages of La Costa Master Plan (residential/commercial, City of Carlsbad)
- Whispering Hills (residential, City of San Juan Capistrano)
- Santiago Hills II (residential/commercial, City of Orange)
- Rancho Potrero Leadership Academy (youth detention facility/road, County of Orange)
- Saddle Creek/Saddle Crest (residential, County of Orange)
- Frank G. Bonelli Regional County Park Master Plan (County of Los Angeles)

Contact Information

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Long Beach, CA 90803
562-477-2181 (office, mobile)
robb@hamiltonbiological.com
<http://hamiltonbiological.com>

Selected Presentations

Hamilton, R. A. and D. S. Cooper. Nesting Bird Policy: We Can Do Better. 2016. 20-minute multimedia presentation delivered at The Wildlife Society Western Section Conference in Pomona, 26 February.

Hamilton, R. A. Six Legs Good. 2012-2014. 90-minute multimedia presentation on the identification and photography of dragonflies, damselflies, butterflies, and other invertebrates, given at various Audubon Society chapter meetings and similar gatherings.

Hamilton, R. A. 2012. Identification of Focal Wildlife Species for Restoration, Coyote Creek Watershed Master Plan. Twenty-minute multimedia presentation given at the Southern California Academy of Sciences annual meeting at Occidental College, Eagle Rock, 4 May. Abstract published in the Bulletin of the Southern California Academy of Sciences No. 111(1):39.

Hamilton, R. A., and Cooper, D. S. 2009-2010. Conservation & Management Plan for Marina del Rey. Twenty-minute multimedia presentation given to different governmental agencies and interest groups.

Hamilton, R. A. 2008. Cactus Wren Conservation Issues, Nature Reserve of Orange County. One-hour multimedia presentation for Sea & Sage Audubon Society, Irvine, California, 25 November.

Hamilton, R. A., Miller, W. B., Mitrovich, M. J. 2008. Cactus Wren Study, Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Nature Reserve of Orange County's Cactus Wren Symposium, Irvine, California, 30 April 2008.

Hamilton, R. A. and K. Messer. 2006. 1999-2004 Results of Annual California Gnatcatcher and Cactus Wren Monitoring in the Nature Reserve of Orange County. Twenty-minute multimedia presentation given at the Partners In Flight meeting: Conservation and Management of Coastal Scrub and Chaparral Birds and Habitats, Starr Ranch Audubon Sanctuary, 21 August 2004; and at the Nature Reserve of Orange County 10th Anniversary Symposium, Irvine, California, 21 November.

Publications

Hamilton, R. A. 2014. Book review: The Sibley Guide to Birds, Second Edition. *Western Birds* 45:154-157.

Cooper, D. S., R. A. Hamilton, and S. D. Lucas. 2012. A population census of the Cactus Wren in coastal Los Angeles County. *Western Birds* 43:151-163.

Hamilton, R. A., J. C. Burger, and S. H. Anon. 2012. Use of artificial nesting structures by Cactus Wrens in Orange County, California. *Western Birds* 43:37-46.

Hamilton, R. A., Proudfoot, G. A., Sherry, D. A., and Johnson, S. 2011. Cactus Wren (*Campylorhynchus brunneicapillus*), in *The Birds of North America Online* (A. Poole, ed.). Cornell Lab of Ornithology, Ithaca, NY.

Hamilton, R. A. 2008. Cactus Wrens in central & coastal Orange County: How will a worst-case scenario play out under the NCCP? *Western Tanager* 75:2-7.

- Erickson, R. A., R. A. Hamilton, R. Carmona, G. Ruiz-Campos, and Z. A. Henderson. 2008. Value of perennial archiving of data received through the North American Birds regional reporting system: Examples from the Baja California Peninsula. *North American Birds* 62:2-9.
- Erickson, R. A., R. A. Hamilton, and S. G. Mlodinow. 2008. Status review of Belding's Yellowthroat *Geothlypis beldingi*, and implications for its conservation. *Bird Conservation International* 18:219-228.
- Hamilton, R. A. 2008. Fulvous Whistling-Duck (*Dendrocygna bicolor*). Pp. 68-73 in *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California* (Shuford, W. D. and T. Gardali, eds.). *Studies of Western Birds* 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.
- California Bird Records Committee (R. A. Hamilton, M. A. Patten, and R. A. Erickson, editors.). 2007. *Rare Birds of California*. Western Field Ornithologists, Camarillo, CA.
- Hamilton, R. A., R. A. Erickson, E. Palacios, and R. Carmona. 2001-2007. *North American Birds* quarterly reports for the Baja California Peninsula Region, Fall 2000 through Winter 2006/2007.
- Hamilton, R. A. and P. A. Gaede. 2005. Pink-sided × Gray-headed Juncos. *Western Birds* 36:150-152.
- Mlodinow, S. G. and R. A. Hamilton. 2005. Vagrancy of Painted Bunting (*Passerina ciris*) in the United States, Canada, and Bermuda. *North American Birds* 59:172-183.
- Erickson, R. A., R. A. Hamilton, S. González-Guzmán, G. Ruiz-Campos. 2002. Primeros registros de anidación del Pato Friso (*Anas strepera*) en México. *Anales del Instituto de Biología, Universidad Nacional Autónoma de México, Serie Zoología* 73(1):67-71.
- Hamilton, R. A. and J. L. Dunn. 2002. Red-naped and Red-breasted sapsuckers. *Western Birds* 33:128-130.
- Hamilton, R. A. and S. N. G. Howell. 2002. Gnatcatcher sympatry near San Felipe, Baja California, with notes on other species. *Western Birds* 33:123-124.
- Hamilton, R. A. 2001. Book review: The Sibley Guide to Birds. *Western Birds* 32:95-96.
- Hamilton, R. A. and R. A. Erickson. 2001. Noteworthy breeding bird records from the Vizcaíno Desert, Baja California Peninsula. Pp. 102-105 in *Monographs in Field Ornithology* No. 3. American Birding Association, Colorado Springs, CO.
- Hamilton, R. A. 2001. Log of bird record documentation from the Baja California Peninsula archived at the San Diego Natural History Museum. Pp. 242-253 in *Monographs in Field Ornithology* No. 3. American Birding Association, Colorado Springs, CO.
- Hamilton, R. A. 2001. Records of caged birds in Baja California. Pp. 254-257 in *Monographs in Field Ornithology* No. 3. American Birding Association, Colorado Springs, CO.
- Erickson, R. A., R. A. Hamilton, and S. N. G. Howell. 2001. New information on migrant birds in northern and central portions of the Baja California Peninsula, including species new to Mexico. Pp. 112-170 in *Monographs in Field Ornithology* No. 3. American Birding Association, Colorado Springs, CO.

- Howell, S. N. G., R. A. Erickson, R. A. Hamilton, and M. A. Patten. 2001. An annotated checklist of the birds of Baja California and Baja California Sur. Pp. 171–203 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.
- Ruiz-Campos, G., González-Guzmán, S., Erickson, R. A., and Hamilton, R. A. 2001. Notable bird specimen records from the Baja California Peninsula. Pp. 238–241 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.
- Wurster, T. E., R. A. Erickson, R. A. Hamilton, and S. N. G. Howell. 2001. Database of selected observations: an augment to new information on migrant birds in northern and central portions of the Baja California Peninsula. Pp. 204–237 *in* Monographs in Field Ornithology No. 3. American Birding Association, Colorado Springs, CO.
- Erickson, R. A. and R. A. Hamilton, 2001. Report of the California Bird Records Committee: 1998 records. *Western Birds* 32:13–49.
- Hamilton, R. A., J. E. Pike, T. E. Wurster, and K. Rademaker. 2000. First record of an Olive-backed Pipit in Mexico. *Western Birds* 31:117–119.
- Hamilton, R. A. and N. J. Schmitt. 2000. Identification of Taiga and Black Merlins. *Western Birds* 31:65–67.
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