2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act ("CEQA"), Public Resources Code sections 21000 *et seq.*, requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority prior to taking action on those projects. This Draft Second Supplemental Environmental Impact Report ("DSSEIR") has been prepared to satisfy CEQA, and the State CEQA Guidelines ("CEQA Guidelines"), Title 14 of the California Code of Regulations, Chapter 3, Section 15000 *et seq.*, and the City of Irvine ("City") CEQA Procedures. An Environmental Impact Report ("EIR") is a public informational document designed to provide decision makers and the public with an analysis of the environmental effects of a proposed project, to indicate possible ways to reduce or avoid significant effects, and to describe reasonable alternatives to a project. An EIR must also disclose significant environmental impacts that cannot be avoided; growth-inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable probable future projects.

Approval of the Heritage Fields Project 2012 General Plan Amendment and Zone Change (the "2012 Modified Project") requires discretionary actions by one or more public agencies. The City is the lead agency for the 2012 Modified Project. Pursuant to CEQA Section 21067, the lead agency means "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment." As the lead agency, the City has the responsibility for, among other things, preparing and certifying an SSEIR that analyzes the potential environmental impacts of the 2012 Modified Project, as compared to the 2011Approved Project, identifying feasible mitigation measures that could avoid or minimize the 2012 Modified Project's significant environmental impacts, describing and analyzing feasible alternatives to the 2012 Modified Project, adopting findings with regard each significant effect of the 2012 Modified Project, providing a Statement of Overriding Considerations for all environmental impacts of the 2012 Modified Project that cannot be mitigated to a less than significant level, and adopting a Mitigation Monitoring and Reporting Program to ensure that all required mitigation measures are implemented during the lifetime of the 2012 Modified Project.

As discussed in Section 3.3.1, *Previous Environmental Documentation*, of this DSSEIR, in 2003, the City certified the Final Program Environmental Impact Report for the Orange County Great Park ("Great Park"), SCH No. 2002101020, dated May 2003 ("2003 OCGP EIR"), which analyzed the environmental effects of the development of 3,625 residential units and 6,585,594 million square feet of non-residential development (including Great Park and other non-Great Park Neighborhood uses) on a portion of the former Marine Corps Air Station ("MCAS") El Toro site. Subsequently, the City prepared, and the City Council of the City of Irvine ("City Council") approved, seven addenda to the 2003 OCGP EIR ("Addenda"), which analyzed revisions made to the project that was analyzed in the 2003 OCGP EIR. In addition, in September 2011 the City Council certified a Supplemental EIR ("2011 SEIR"), which analyzed a total of 4,894 dwelling units and 6,585,594 square feet of non-residential uses (including Great Park uses and other non-Great Park Neighborhood uses) on a portion of the former MCAS El Toro site. The City Council thereafter approved an eighth Addendum in October 2011. The actions analyzed in the 2003 OCGP EIR, the eight Addenda, and the 2011 Supplemental EIR are referred to in this DSSEIR as the "2011 Approved Project." The 2003 OCGP EIR, the eight Addenda, and the 2011 SEIR are referred to

together as the "2011 Certified EIR." The 2011 Certified EIR is incorporated by reference in this DSSEIR. A summary of the 2011 Certified EIR is provided in Section 3.3.1 of this DSSEIR.

The overall purpose of this DSSEIR is to inform the City's decision makers and the general public whether the 2012 Modified Project, as compared to the 2011 Approved Project, would result in any new significant impacts or an increase in the severity of significant impacts previously identified for the 2011 Approved Project. The 2011 Approved Project is the "baseline" for the analysis in this DSSEIR, and was used in preparing the Initial Study for the 2012 Modified Project, to evaluate the potential incremental impact of the 2012 Modified Project.

As stated in Section 15121(a) of the CEQA Guidelines, the DSSEIR is an "informational document" intended to inform the City, other public agencies with discretionary authority over aspects of the 2012 Modified Project, the general public, the local community, and other organizations, entities and interested persons of the scope of the 2012 Modified Project, the significant environmental effects of the 2012 Modified Project, as compared to the 2011 Approved Project, feasible measures to avoid or minimize the significant effects, and a reasonable range of feasible alternatives to the 2012 Modified Project that would avoid or minimize the significant effects. The City must consider the information in this DSSEIR and make certain findings with respect to each significant effect identified. The City will use the information in the DSSEIR, along with other information received and/or developed during the public review process for the DSSEIR, to determine whether to approve, modify, or not approve the 2012 Modified Project, or a 2012 Modified Project Alternative, and, if approval is granted, to specify applicable and enforceable environmental mitigation measures as part of the 2012 Modified Project approvals. Specific discretionary actions to be reviewed by the City and potential project permits and approvals required from other regulatory agencies for the 2012 Modified Project are described in Section 3.3.2, Description of the 2012 Modified Project, and Section 3.4, Intended Uses of the DSSEIR, of this DSSEIR.

This DSSEIR, which has been prepared at the direction and under the supervision of the City, has been prepared in accordance with the requirements of:

- CEQA
- State CEQA Guidelines
- City of Irvine CEQA Procedures (adopted by City Council Resolution No. 12-69 on June 12, 2012.)

2.2 NOTICE OF PREPARATION AND INITIAL STUDY

On December 22, 2011, Heritage Fields filed an application concerning the 2012 Modified Project with the City of Irvine Community Development Department, which prompted the initiation of the environmental review process outlined below.

After review of the 2012 Modified Project application, the City determined that a Second Supplemental EIR would be required for the 2012 Modified Project and issued a Notice of Preparation ("NOP") and Initial Study on April 3, 2012, to the State Clearinghouse, responsible agencies, and interested parties (see Appendix A). A total of six agencies/interested parties responded to the NOP. Comments received during

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¹ Please refer to the Table of Contents for a complete List of Defined Terms.

the NOP review period, which occurred between April 4, 2012 and May 4, 2012, are contained in Appendix B of this DSSEIR. This DSSEIR has taken into consideration all the comments received in response to the NOP.

The NOP process was used to determine scope of the environmental issues to be addressed in this DSSEIR. Based on the NOP and the Initial Study for the 2012 Modified Project, certain environmental categories were identified as having the potential for significant environmental impacts over and above those found for the 2011 Approved Project. Issues identified as Potentially Significant in the Initial Study for the 2012 Modified Project are addressed in detail in this DSSEIR. Issues identified as Less Than Significant or No Impact in the Initial Study are summarized in Chapter 8, *Impacts Found Not to be Significant*. Refer to the Initial Study in Appendix A to this DSSEIR for a discussion of how these initial determinations were made.

Table 2-1 summarizes the comments received from the commenting agencies during the NOP process, along with a reference to the section(s) of this DSSEIR where the issues are addressed.

Table 2-1
NOP Written Comment Summary

Commenting Agency/Person	Comment Summary	Issue Addressed In:	
April 4, 2012 NOP			
Department of Toxic Substances Control, Greg Holmes, Unit Chief	Potential hazardous materials on-site.	Section 5.5, Hazards and Hazardous Materials.	
City of Lake Forest, Cheryl Kuta, AICP, Planning Manager	No comment.		
OCTA, Charlie Larwood, Manager, Transportation Planning	Potential changes to the MPAH should reference the OCTA Guidance document.	Section 5.12, Transportation and Traffic.	
City of Santa Ana, Hally Soboleske, Associate Planner	No comment.		
South Coast AQMD, Ian MacMillan, Program Supervisor, CEQA Inter- Governmental Review	Potential impacts related to air quality.	Section 5.3, Air Quality.	
University of California, Irvine, Alex Marks, Senior Planner	SSEIR should consider potential impacts to the UC Regent's South Coast Research and Extension Center.	Section 5.7, Land Use and Planning; Section 5.12, Transportation and Traffic.	

2.3 DSSEIR SCOPING MEETING

Prior to preparation of this DSSEIR, a public scoping meeting was held on April 19, 2012, at Irvine City Hall. The scoping meeting was held to determine the concerns of responsible and trustee agencies, stakeholders, and the community regarding the 2012 Modified Project. The scoping meeting was attended by various stakeholders, government officials, and one representative from the Irvine Unified School District (IUSD). The only issue raised at the public scoping meeting was related to the provision of IUSD school facilities within the Proposed Project Site. School facilities are addressed in Section 5.11, *Public Services*, of this DSSEIR.

2.4 SCOPE OF THIS DSSEIR

As described in Section 1.2.2, *Type and Purpose of This DSSEIR*, this DSSEIR has been prepared as a supplement to the 2011 Certified EIR consistent with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. Pursuant to those sections, the DSSEIR analyzes the impacts of the 2012 Modified Project as compared to the 2011 Approved Project.

Under CEQA Guidelines Sections 15126.2 and 15126.4, the DSSEIR must identify any potentially significant adverse impacts of the 2012 Modified Project, as compared to the 2011 Approved Project, and recommend mitigation measures that would reduce those impacts to levels of insignificance or eliminate the impacts altogether. The overall scope of this DSSEIR was determined based upon the City's Initial Study, comments received in response to the NOP, as noted in Section 2.2, and comments received at the public scoping meeting conducted by the City, as outlined in Section 2.3.

The description of the 2012 Modified Project contained in the Project Description (Chapter 3 of this DSSEIR) establishes the basis for analyzing 2012 Modified Project-related environmental impacts as compared to the 2011 Approved Project.

2.4.1 Impacts Unchanged or Considered Less Than Significant

All of the potential impacts within four environmental factors listed in Appendix G of the CEQA Guidelines have been identified as not being significantly affected by the 2012 Modified Project as compared to the 2011 Approved Project and therefore are not discussed in detail in this DSSEIR. Those environmental factors are:

- Biological Resources
- Cultural Resources
- Geology/Soils
- Mineral Resources

2.4.2 Potentially Significant Adverse Impacts

Certain impacts within the following environmental factors could be potentially significant if the 2012 Modified Project is implemented, and therefore those impacts are analyzed in this DSSEIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

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2.4.3 Unavoidable Significant Adverse Impacts

The 2011 Certified EIR identified for the 2011 Approved Project a total of three significant and unavoidable adverse impacts, as defined by CEQA, relating to Air Quality, Population and Housing, and Transportation/Traffic. This DSSEIR identifies two of the same three significant and unavoidable adverse impacts for the 2012 Modified Project, which remain unchanged from the 2011 Approved Project. The impacts found in this DSSEIR to be significant and unavoidable are:

- Air Quality
- Transportation/Traffic, but only if the mitigation measures in other jurisdictions are not implemented, as described in this DSSEIR

It should be noted that the 2011 Certified EIR concluded that population and housing impacts would be a significant and unavoidable adverse impact of the 2011 Approved Project. However, as described in Section 5.9, *Population and Housing*, of this DSSEIR, impacts related to population and housing are no longer considered significant with implementation of the 2012 Modified Project.

2.5 INCORPORATION BY REFERENCE

All documents cited or referenced are incorporated into the SSEIR in accordance with CEQA Guidelines Sections 15148 and 15150, including but not limited to the following:

- City of Irvine General Plan (as amended).
- City of Irvine Municipal Code (as amended).
- City of Irvine Zoning Ordinance (as amended).
- City of Irvine CEQA Procedures (as amended).
- City of Irvine, Final Program Environmental Impact Report for the Orange County Great Park, SCH No. 2002101020, May 2003. (2003 OCGP EIR)
- City of Irvine, Final Supplemental Environmental Impact Report for the Great Park Neighborhoods Revision to the Heritage Fields Project at the Former Marine Corps Air Station (MCAS) El Toro Base, SCH No. 2002101020, August 2011.
- Addendum No. 1 to the 2003 OCGP EIR (City of Irvine, Orange County Great Park Redevelopment Plan), May 18, 2006.
- Addendum No. 2 to the 2003 OCGP EIR (City of Irvine, 2006 Lifelong Learning District General Plan Amendment and Zone Change), October 24, 2006.
- Addendum No. 3 to the 2003 OCGP EIR (City of Irvine, Master Subdivision Map VTTM 17008 and Related Approvals), May 17, 2007.
- Addendum No. 4 to the 2003 OCGP EIR (City of Irvine, OCGP Master Plan), August 2, 2007.

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- Addendum No. 5 to the 2003 OCGP EIR (City of Irvine, 2008 General Plan Amendment, Zone Change, and Development Agreement), July 22, 2008.
- Addendum No. 6 to the 2003 OCGP EIR (City of Irvine, Amended VTTM 17008 and Related Approvals), October 16, 2008.
- Addendum No. 7 to the 2003 OCGP EIR (City of Irvine, NITM Five Year Review), June 29, 2010.
- Addendum No. 8 to the 2003 OCGP EIR (City of Irvine, OCGP Minor Modification to Master Plan and Park Design Review for Western Sector Park Development Plan), October 20, 2011.
- Southern California Association of Governments, Regional Comprehensive Plan, 2008.
- South Coast Air Quality Management District, Final 2007 Air Quality Management Plan, 2007.
- South Coast Air Quality Management District, CEOA Air Quality Handbook, 1993 (as amended).

In each instance where a document is incorporated by reference for purposes of this DSSEIR, the DSSEIR shall briefly summarize the incorporated document, or briefly summarize the incorporated data if the document cannot be summarized. In addition, the DSSEIR shall explain the relationship between the incorporated part of the referenced document and the DSSEIR.

This DSSEIR relies upon previously adopted regional and statewide plans and programs, agency standards, and background studies in its analyses, such as the City's General Plan, the South Coast Air Quality Management District's ("SCAQMD") Air Quality Management Plan, the SCAQMD CEQA Air Quality Handbook, and the Central/Coastal Natural Communities Conservation Plan/Habitat Conservation Plan ("NCCP/HCP"). Chapter 13, *Bibliography*, provides a complete list of references utilized in preparing this DSSEIR. All of the documents listed in Chapter 13, as well as the aforementioned documents that are incorporated by reference, are available for review at:

City of Irvine Community Development Department

One Civic Center Plaza

Irvine, CA 92623-9575

Contact: Barry Curtis, Manager of Planning and Development Services at (949) 724-7453

2.6 FINAL EIR CERTIFICATION

Pursuant to CEQA and the CEQA Guidelines, this DSSEIR is being circulated for public review for a period of 45 days. Interested agencies and members of the public are invited to provide written comments on the DSSEIR. Upon completion of the 45-day review period, the City will review and prepare written responses to each comment as required by CEQA and the CEQA Guidelines. A Final SSEIR ("FSSEIR") will then be prepared, incorporating all of the comments received, written responses to the timely-received comments, and the DSSEIR, along with any changes to the DSSEIR that result from the comments received. The FSSEIR will then be presented to the City for potential certification as the environmental document for the 2012 Modified Project. All persons who comment on the DSSEIR will be notified of the availability of the FSSEIR and of the date of the City of Irvine Planning Commission and City Council public hearings concerning potential certification of the FSSEIR.

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The DSSEIR is available to the general public for review at:

Irvine City Hall Community Development Department One Civic Center Plaza Irvine, CA 92623

University Park Library 4512 Sandburg Way Irvine, CA 92612

Heritage Park Regional Library 14361 Yale Avenue Irvine, CA 92604 Katie Wheeler Library 13109 Old Myford Rd Irvine, CA. 92602

The DSSEIR will also be posted online on the City of Irvine's Web site, www.cityofirvine.org.

All comments received from agencies and individuals on the DSSEIR will be accepted during the 45-day public review period. All comments on the DSSEIR should be sent to:

Barry Curtis, Manager of Planning and Development Services City of Irvine Department of Community Development One Civic Center Plaza PO Box 19575 Irvine, California 92623-9575 PHONE: (949) 724-7453

FAX: (949) 724-6444 bcurtis@ci.irvine.ca.us

All agencies that submit comments during the 45-day public review period on the DSSEIR will receive written responses to their comments at least 10 days prior to final action on the 2012 Modified Project. If the City Council decides to certify the FSSEIR, the City Council will make the necessary findings required by CEQA and the CEQA Guidelines regarding the extent and nature of the impacts as presented in the FSSEIR. The FSSEIR must be certified by the City prior to making a decision to approve the 2012 Modified Project. Public input is encouraged at all public hearings before the City concerning the 2012 Modified Project.

2.7 CEQA FINDINGS FOR PROJECT APPROVAL

CEQA and the CEQA Guidelines require that the environmental impacts of a project be examined before a project is approved. Specifically, CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In addition, for a Supplemental EIR, CEQA Guideline 15163(e) requires:

(e) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

Concurrent with its final action on the FSSEIR, the City Council will issue findings that comply with the requirements of CEQA Guidelines Sections 15091 and 15163(e), and with Public Resources Code Section 21081.

2.8 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a mitigation monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code Section 21081. Such a program is intended to ensure the implementation of all mitigation measures that are adopted following the preparation of an EIR, SEIR, or Negative Declaration.

An updated mitigation monitoring and reporting program will be prepared as part of the FSSEIR and will be completed prior to consideration of the 2012 Modified Project by the Irvine City Council.

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