5 Other CEQA Considerations

5.1 Effects Found Not to Be Significant

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) briefly describe potential environmental effects that were determined not to be significant and therefore were not discussed in detail in the EIR. The environmental issue discussed below is not considered significant, and the reasons for the conclusion of non-significance are included.

Mineral Resources

The proposed project would have no potential to impact mineral resources. Mineral resources in the State of California are classified into Mineral Resource Zones (MRZs) pursuant to the California Surface Mining and Reclamation Act of 1974. According to the Conservation and Open Space Element of the City's General Plan and shown in Figure 10, Mineral, Oil, and Gas Resources, of the Conservation and Open Space Element, there are no areas in the City that are designated as MRZ-2, which represent regionally significant mineral resources (City of Irvine 2024). The proposed project site is designated MRZ-4, indicating insufficient information to assign any other MRZ designation. Additionally, according to the Conservation and Open Space Element, there are no known gas, oil, or geothermal fields in the City and no active gas wells. The Conservation and Open Space Element concludes that there are no mineral resources in the City. Therefore, development of the proposed project would have no impact related to mineral resources.

5.2 Significant and Unavoidable Environmental Impacts

Pursuant to CEQA Guidelines Section 15126.2(b), an EIR must address any significant environmental impacts, including those that can be mitigated but not reduced to less-than-significant levels, that may occur as a result of implementation of a project. As described in Chapter 4, Environmental Analysis, of this Draft EIR, 18 issue areas were analyzed in detail. Table 1-1 in Chapter 1, Executive Summary, summarizes the project's impacts, mitigation measures, and levels of significance before and after mitigation. According to the analysis presented in Chapter 4, the proposed project would result in significant unavoidable impacts related to agriculture and forestry resources, air quality, greenhouse gas (GHG) emissions, recreation, and transportation, as summarized below.

Agriculture and Forestry Resources

As described in detail in Section 4.2, Agriculture and Forestry Resources, of this Draft EIR, the proposed project would result in the conversion of 67.46 acres of Important Farmland to urban, non-agricultural uses, and the permanent loss of that Important Farmland. Therefore, the proposed project would have a significant and unavoidable environmental impact related to the conversion of farmland to non-agricultural uses.

Air Quality

As described in detail in Section 4.3, Air Quality, of this Draft EIR, the proposed project would have a significant and unavoidable impact related to the conflict with or obstruction of implementation of the applicable air quality plan, even with the implementation of MM-AQ-1 through MM-AQ-8. It would also have a significant and unavoidable impact due to a cumulatively considerable net increase of a criteria pollutant for which the project region is

nonattainment under an applicable federal or state ambient air quality standard, even with the implementation of MM-AQ-1 through MM-AQ-8 and MM-GHG-1. As such, the project would also have a have a significant and unavoidable impact related to a cumulative effect on air quality resources, even with the implementation of MM- AQ- 1 through MM-AQ-8 and MM-GHG-1.

Greenhouse Gas Emissions

As described in detail in Section 4.8, Greenhouse Gas Emissions, of this Draft EIR, the proposed project would have a significant and unavoidable impact related to the generation of GHG emissions, either directly or indirectly, that may have a significant impact on the environment, even with the implementation of MM-GHG-1 through MM-GHG-4. The project would also have a significant and unavoidable impact related to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would have a significant and unavoidable impact related to a cumulative effect on GHG emissions, even with the implementation of MM-GHG-1 through MM-GHG-4.

Land Use and Planning

As described in detail in Section 4.11, Land Use and Planning, of this Draft EIR, the proposed project would have a significant and unavoidable impact related to a conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (GHG emissions), resulting in significant and unavoidable land use and planning impacts at the project level and cumulatively, despite implementation of MM-GHG-1 through MM-GHG-4.

Recreation

As described in detail in Section 4.15, Recreation, of this Draft EIR, the proposed project would have a significant and unavoidable impact related to the construction or expansion of recreational facilities that might have an adverse physical effect on the environment because the project would involve the construction and expansion of recreational facilities and would have significant and unavoidable impacts in the areas of air quality, GHG emissions, and transportation. Other cumulative projects that involve the construction of recreational facilities would result in adverse physical effects on the environment due to the construction or expansion of such facilities. Because the project involves the construction and operation of recreational facilities, all significant and unavoidable cumulative impacts that would have a physical effect on the environment would be considered cumulative impacts related to adverse physical effects on the environment associated with the construction and operation of recreational facilities. Despite the mitigation provided for these impacts (see Section 4.15), impacts would remain significant and unavoidable.

Transportation

As described in detail in Section 4.16, Transportation, of this Draft EIR, the proposed project would have a significant and unavoidable impact related to a conflict or inconsistency with CEQA Guidelines Section 15064.3(b), even with implementation of MM-TRA-1 through MM-TRA-3, and would have a significant and unavoidable cumulative effect on transportation resources, even with implementation of MM-TRA-1 through MM-TRA-4.

5.3 Significant Irreversible Changes

Section 15126.2(d) of the CEQA Guidelines requires that an EIR analyze the extent to which a project's primary and secondary effects would impact the environment and commit nonrenewable resources to uses that future generations will not be able to reverse. The use of nonrenewable resources is irreversible. Nonrenewable resources that would be used on site during construction and operation include natural gas, other fossil fuels, water, concrete, steel, and lumber. The proposed project would result in the commitment of such resources (the proposed project's energy consumption is discussed in greater detail in Section 4.6, Energy, of this Draft EIR).

Use of nonrenewable resources during the initial and continued phases of the proposed project is typically irreversible, because a large commitment of such resources makes removal or non-use thereafter unlikely. Primary impacts—and particularly, secondary impacts (such as a highway that provides increased access to a previously inaccessible area)—generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with a project.

Implementation of the proposed project would occur on vacant land in the City of Irvine. Proposed development would include the irreversible commitment of natural resources, energy, and human resources. Implementation of the proposed project would increase the intensity of use of the site compared to existing conditions. Ongoing maintenance and operation of the proposed project would entail a further irreversible commitment of energy resources in the form of petroleum products (diesel fuel and gasoline), natural gas, and electricity. The proposed project has incorporated voluntary sustainable design factors, as described in Chapter 3, Project Description, of this Draft EIR. As such, the proposed project is not anticipated to consume substantial amounts of energy in a wasteful manner (see Section 4.18, Utilities and Service Systems, and Section 4.6, Energy, for details), and it would not result in significant impacts from consumption of utilities. However, long-term impacts would result from a conversion of prime and statewide important agricultural land to other uses, an increase in vehicular trip length and associated air quality impacts, and an increase in GHG emissions.

Commitment of Nonrenewable Resources

Commitment of nonrenewable resources includes issues related to increased energy consumption, loss of agricultural lands, and lost access to mining reserves. There would be an irretrievable commitment of labor, capital, and materials used during construction and operation of the project. Nonrenewable resources committed would primarily be in the form of fossil fuels such as fuel, oil, natural gas, and gasoline used by equipment associated with construction of the project. Consumption of other nonrenewable or slowly renewable resources would also occur during construction. These resources would include lumber and other forest products; sand and gravel; asphalt; and metals such as steel, copper, and lead.

The proposed project would change the uses operating on the project site. As described in Section 4.2 of this Draft EIR, 67.46 acres of Important Farmland would be converted to urban, non-agricultural uses under the proposed project. The proposed conversion of mapped Important Farmland to a non-agricultural use would be commitment of nonrenewable resources.

To ensure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (California Public Resources Code Section 21100[b][3]). Energy conservation implies that a project's cost effectiveness must be reviewed not only in dollars but also in terms of

energy requirements. For many projects, cost effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving the project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

Consistent with both California Public Resources Code Section 21100(b)(3) and a ruling set forth by the court in *California Clean Energy Committee v. City of Woodland*, potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to the project. Accordingly, based on the energy consumption thresholds set forth in Appendices F and G of the CEQA Guidelines, the project's estimated energy demands (both short-term construction and long-term operational demands) were evaluated (see Section 4.6 of this Draft EIR). The overall purpose of the energy analysis was to evaluate whether the project would result in the wasteful, inefficient, or unnecessary consumption of energy.

As further assessed in the energy analysis in Section 4.6 of this Draft EIR, for new development such as that proposed by the project, compliance with California Code of Regulations Title 24 energy efficiency requirements is considered demonstrable evidence of efficient use of energy. The proposed project would provide for and promote energy efficiencies beyond those required under other applicable federal and state standards and regulations, and in so doing would meet or exceed all Title 24 standards.

5.4 Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those events that would adversely affect the environment or the public due to the type or quantity of materials released and the receptors exposed to that release. Demolition and construction activities associated with the project would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations, and would follow professional industry standards for safety. Once the project is operational, the use, transport, and storage of any materials that could cause environmental accidents would comply with applicable federal, state, and local regulations, ensuring that any hazardous materials used on site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site.

5.5 Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed project, as follows:

> Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

To address this issue, potential growth-inducing effects are examined through analysis of the following criteria (as interpreted from CEQA Guidelines Section 15126.2[e]):

1. Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
2. Would this project result in the need to expand one or more public services to maintain desired levels of service?
3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. Generally, growth-inducing projects either are located in isolated, undeveloped, or underdeveloped areas, necessitating the extension of major infrastructure such as sewer and water facilities or roadways, or they encourage premature or unplanned growth. Note that the CEQA Guidelines require an EIR to "discuss the ways" a project could be growth inducing and to "discuss the characteristics of some projects that may encourage … activities that could significantly affect the environment" (14 CCR 15126.2[e]). However, the CEQA Guidelines do not require that an EIR predict (or speculate) specifically where such growth would occur, in what form it would occur, or when it would occur. The answers to such questions require speculation, which CEQA discourages; refer to CEQA Guidelines Section 15145. In accordance with the CEQA Guidelines and based on the above-listed criteria, the project's potential growth-inducing impacts are analyzed below. Refer to Section 4.13, Population and Housing, concerning the project's potential to induce substantial unplanned population growth in the project area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

1. Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?

The proposed project would include the extension of utilities onto the project site, which is currently largely undeveloped and sits adjacent to undeveloped land to the north. However, the proposed project site is immediately adjacent to existing residential development and the utility extensions would accommodate only the residential development proposed under the project. The area to the north of the project site is a large swath of open space called the Northern Open Space Preserve, which includes the approximately 700-acre Gateway Preserve. This preserve would not be developed regardless of the uses developed adjacent to it. As such, the extension of utilities to the project site would not remove obstacles to growth in the adjacent undeveloped areas. The project would also include an extension of the multi-use Jeffrey Open Space Trail (JOST) northward 2,750 feet from its current northern terminus at Portola Parkway to the newly constructed South Park and would include a pedestrian bridge over Portola Parkway. However, the proposed project's extension of the JOST would support the overall City-wide vision for the JOST to provide a linkage from the Pacific Ocean to the Santa Ana Mountains and Cleveland National Forest. The project's JOST extension would develop the previously envisioned northern terminus of the JOST and would provide a connection to the adjacent Northern Open Space Preserve. It would not promote or remove obstacles to growth into these areas.

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

The proposed project involves the development of approximately 1,360 two- to three-story homes, which could support an estimated 3,604 residents. These residents would put additional demand on existing public services, including fire, police, schools, parks, and other public services.

Fire Protection

As discussed in detail in Section 4.14, Public Services, the proposed project would generate approximately 324 fire department calls per year. It is anticipated that Orange County Fire Authority (OCFA) would be able to accommodate the proposed project without the need for new or physically altered government facilities. Further, the proposed project site is located adjacent to a developed portion of the City that is in OCFA's existing service area, which eliminates the need to extend OCFA's service area. Per City Municipal Code Section 2-9-604, the proposed project would require payment of a Systems Development Charge that would be used for future facility improvements necessary to ensure contribution of its fair share of the cost of facilities and equipment. Additionally, impacts to fire services are anticipated to be adequately funded by an increase in tax revenue over an extended time, relative to the increase in development intensity. Therefore, there would be no need to expand fire department services to maintain level of service.

Police Protection

The proposed project would increase the demand on existing police services, provided through the City of Irvine Police Department (IPD). However, per City Municipal Code Section 2-9-60, the proposed project would require payment of a Systems Development Charge that would be used for future facility improvements necessary to ensure contribution of the project's fair share of the cost of facilities and equipment. Additionally, impacts to police services are anticipated to be adequately funded by an increase in tax revenue over an extended time, relative to the increase in development intensity. Further, the proposed project site is in a developed portion of the City that is in IPD's existing service area, which eliminates the need to extend IPD's service area. It is anticipated that IPD would be able to accommodate the proposed project without the need for new or physically altered governmental facilities.

Schools

The proposed project would have the potential to generate approximately 476 elementary school level students, 136 middle school level students and 231 high school level students within the Irvine Unified School District. Communications with the Irvine Unified School District have indicated the following: "Students from this development have not yet been formally assigned to a neighborhood school. While not yet Board approved, students would likely attend a mix of the following schools depending on available capacity: Canyon View Elementary School, Eastwood Elementary School, Stonegate Elementary School, Jeffrey Trail Middle School, and Northwood High School. The schools may require expansion of the respective facilities depending on the number of students generated, timing of development, and available capacity. It is the District's understanding that these developments would be mitigated through fees generated from Community Facilities District 09-1" (Barron, pers. comm., 2025). In compliance with Assembly Bill 2926 and Senate Bill 50, the proposed project would require contribution of its fair share of the cost of increasing demand for school facilities through payment of development impact fees. According to Section 65996 of the California Government Code, payment of statutory fees is considered full mitigation for new development projects.

Parks

The proposed project would house approximately 3,604 residents who would use various neighborhood parks, regional parks, and other recreational facilities within the City. The proposed project would be subject to the state's Quimby Act (California Government Code Section 66477), which requires development projects to set aside land, donate conservation easements, or pay in-lieu fees for park improvements based on the existing neighborhood and community parkland area, which can range from 3 to 5 acres per 1,000 residents. The proposed project would also be in accordance with the Conservation and Open Space Element of the Irvine 2045 General Plan (City of Irvine 2024) and the Subdivision Ordinance (Chapter 10, Section 5-5-1004 of the Irvine Municipal Code), which requires developers to either dedicate park land and/or improvements, or pay fees in lieu of dedication, at a rate of 5 acres per 1,000 persons, distributed among community parks and neighborhood parks. For the proposed project, this equates to a requirement of approximately 18 acres distributed among community parks and neighborhood parks. The proposed project would include approximately 7.2 acres of parkland. The remainder of the requirements would be paid though in-lieu fees by the individual developers developing the project.

Other Public Facilities

At least a portion of the approximately 3,604 residents generated by the proposed project would patronize other types of public facilities, such as local library branches. The closest library to the project site, the Heritage Park Library, is 2.5 miles from the project site. Katie Wheeler Library and University Park Library are 2.8 miles and 5.9 miles, respectively, from the project site. Additionally, the Orange County (OC) Public Library system includes a network of 29 libraries accessible to anyone with an OC Public Library card. Books from any branch of the OC Public Library system can be requested for delivery to any other branch. The OC Public Library also has a free program called Books by Mail that delivers books and audiobooks on CD through the U.S. Postal Service to eligible homebound residents in Orange County who are unable to visit the library due to physical disability, long-term illness, or lack of transportation (OC Public Library 2024). In addition, the OC Public Library participates in and provides information on the Libby/Overdrive mobile application (OC Public Library 2025), which allows library cardholders to digitally request and check out electronic books and audiobooks from the OC Public Library catalog for reading on their personal electronic devices. The Irvine Public Library and OC Public Library systems are well-resourced library networks that would be able to accommodate the additional patrons that the proposed project could add.

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

The proposed project would involve the collection of various development fees that could be used for the construction of public service facilities in the future, as determined by future need. The construction of such facilities could significantly affect the environment, depending on the environmental impact of such individual projects. However, each potential future project would be subject to review pursuant to CEQA and its impacts would be mitigated to the extent feasible.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The proposed project is limited to the construction of a residential community within a developed area of the City. It does not involve any precedent-setting activities that could encourage and facilitate other activities that could significantly affect the environment.

5.6 References

Barron, J. 2025. "School Services for the Project." Email from J. Barron (Facilities Planning Coordinator, Irvine Unified School District) to T. Ortega (Dudek). February 28, 2025.

City of Irvine. 2024. "Conservation and Open Space Element." In *Irvine 2045 General Plan*. https://www.cityofirvine.org/community-development/current-general-plan.

OC Public Library (Orange County Public Library). 2024. Books by Mail [webpage]. 2024. Accessed February 20, 2025. https://ocpl.org/booksbymail.

OC Public Library. 2025. Downloadable Digital Resources [webpage]. 2025. Accessed March 25, 2025. https://libguides.ocls.info/downloadable/libby.